



**2020/2021 SESSION  
of the  
BERMUDA HOUSE OF ASSEMBLY  
OFFICIAL HANSARD REPORT**

**FEBRUARY 2021  
Virtual Sitzings**

*Sittings 6 and 7 of the 2020/2021 Session  
(pages 383–512 and INDEX)*

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

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**BERMUDA HOUSE OF ASSEMBLY****OFFICIAL HANSARD REPORT  
VIRTUAL SITTING  
19 FEBRUARY 2021  
10:04 AM***Sitting Number 6 of the 2020/2021 Session**[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

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

We will start with the Morning Prayer.  
Ms. Beale.

*[Pause and inaudible conversation]*

**The Speaker:** Just check our microphones so we can have our daily prayer and get started.

Good morning, Members. Just a technical matter we are just getting resolved.

I trust everyone has enjoyed the time that we have been away and looking forward to a bright and full session.

**PRAYERS***[Prayers read by Ms. Kara Beale, Assistant Clerk]*

**The Speaker:** Thank you.

**CONFIRMATION OF MINUTES***[Minutes of 11 December 2021]*

**The Speaker:** Members, the Minutes of the December 11<sup>th</sup> sitting have been circulated. Are there any objections or omissions that need to be made, any amendments rather?

There are none.

The Minutes are confirmed as printed. Thank you.

*[Minutes of 11 December 2020 confirmed]***ANNOUNCEMENTS BY THE SPEAKER  
OR MEMBER PRESIDING****APOLOGY**

**The Speaker:** I have received notice from the Minister of Finance that he has extended his apologies that he will be absent today. I just want that duly noted.

**MESSAGES FROM THE GOVERNOR**

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

Oh, sorry. I jumped ahead. Then I got to the announcements; I should have announced the Minister. Sorry, there are no messages from the Governor.

The Announcement from the Speaker, I just gave it that the Minister extends his apologies.

**MESSAGES FROM THE SENATE**

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

**PAPERS AND OTHER  
COMMUNICATIONS TO THE HOUSE**

**The Speaker:** There are Papers and Communications to be tabled this morning. We have papers this morning from, first, the Minister of Works.

Minister, would you like to present your papers and communications?

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

**The Speaker:** Good morning.

**BERMUDA HOUSING TRUST  
FINANCIAL STATEMENTS MARCH 31, 2020****WEST END DEVELOPMENT CORPORATION  
ANNUAL REPORT 2019**

**Lt. Col. Hon. David A. Burch:** I have the honour to attach and submit for the information of the Honourable House of Assembly the Bermuda Housing Trust Financial Statements March 31, 2020; and the West End Development Corporation Annual Report 2019.

**The Speaker:** Minister of Health, are you ready?

**Hon. Kim N. Wilson:** Yes, I am, Mr. Speaker. Good morning.

**The Speaker:** Good morning. You can present yours now.

**PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) (NO. 3) AMENDMENT (NO. 4) REGULATIONS 2020**

**QUARANTINE (COVID-19) (NO. 3) AMENDMENT (NO. 7) ORDER 2020**

**QUARANTINE (COVID-19) (NO. 3) AMENDMENT (NO. 8) ORDER 2020**

**PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) (NO. 3) AMENDMENT REGULATIONS 2021**

**PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) (NO. 3) AMENDMENT (NO. 2) REGULATIONS 2021**

**PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) REGULATIONS 2021**

**PUBLIC HEALTH (COVID-19) EMERGENCY ORDER 2021**

**PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) AMENDMENT REGULATIONS 2021**

**PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) AMENDMENT (NO. 2) REGULATIONS 2021**

**PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) AMENDMENT (NO. 3) REGULATIONS 2021**

**Hon. Kim N. Wilson:** I have the honour to attach and submit for the information of the Honourable House of Assembly the Public Health (COVID-19 Emergency Powers) (No. 3) Amendment (No. 4) Regulations 2020; the Quarantine (COVID-19) (No. 3) Amendment (No. 7) Order 2020; the Quarantine (COVID-19) (No. 3) Amendment (No. 8) Order 2020; the Public Health (COVID-19 Emergency Powers) (No. 3) Amendment Regulations 2021; the Public Health (COVID-19 Emergency Powers) (No. 3) Amendment (No. 2) Regulations 2021; the Public Health (COVID-19 Emergency Powers) Regulations 2021; the Public Health (COVID-19 Emergency Order 2021; the Public Health (COVID-19 Emergency Powers) Amendment Regulations 2021; the Public Health (COVID-19 Emergency Powers) Amendment (No. 2) Regulations 2021; and the Public Health (COVID-19 Emergency Powers) Amendment (No. 3) Regulations 2021.

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

## PETITIONS

**The Speaker:** There are none.

[We have] Statements by Ministers. We have—

**Hon. Michael H. Dunkley:** Mr. Speaker.

**The Speaker:** I beg your pardon?

**Hon. Michael H. Dunkley:** Good morning, Mr. Speaker.

**The Speaker:** Yes. Good morning.

**Hon. Michael H. Dunkley:** Just a question. In all of the papers that the Honourable Minister just tabled, I do not see, on mine, yet the Public Health (COVID-19) Emergency Powers Regulations 2020. Can it just be confirmed it is online? I might have missed it; there were so many put up this morning.

**The Speaker:** I believe they all are online. Mr. Lamb was endeavouring to make sure that everything was online. I have not checked myself. But I am sure . . .

*[Inaudible interjection]*

**The Speaker:** I hear acknowledgement that, yes, they are online.

**Hon. Michael H. Dunkley:** Okay. I will double-check. And the Statements are online at the present time, as well?

**The Speaker:** SharePoint. They are on SharePoint. Go to your SharePoint, and you will see them there on SharePoint.

**Hon. Michael H. Dunkley:** Okay. It is not downloading, but I will double-check.

**The Speaker:** Okay. Thank you.  
There are no petitions.

## STATEMENTS BY MINISTERS AND JUNIOR MINISTERS

**The Speaker:** We have Statements this morning. The first Statement is from the Minister of Health.

Minister, would you like to put your Statement?

### INTRODUCTION OF A DRUG FORMULARY FOR BERMUDA

**Hon. Kim N. Wilson:** Thank you. Mr. Speaker and Honourable Members, I am pleased to highlight for

this Honourable House and the public that today the Government will be tabling amendments to the Bermuda Health Council Act 2004 to bring about important and overdue changes to the high cost of medications faced by many Bermudians. Our high cost of health care, an ageing population and an increasing incidence of chronic diseases such as diabetes, all contribute to the burden felt by many in our community. Even though we can appreciate that science continues to give us new medications and treatments for managing our health, it has been clear for at least the last 10 years that our people are concerned about the price they have to pay for these medicines. For example, in the Health Council's 2017 Health Services Survey, residents clearly said that "[medication] was too expensive" and that they "needed more help getting medicines for the elderly."

Mr. Speaker, the Progressive Labour Party heard the cry of residents, and today we are taking steps to address this.

Mr. Speaker, the largest out-of-pocket health spending for members in our community is on medication. Just looking at insurance claims, more than one in every five claims is for a prescription medication. The only claim higher is for people getting services at the hospital. According to the most recent National Health Accounts Report, medications accounted for at least 5.7 per cent of total health care spending in fiscal year 2017/18. The Council indicates that it is "at least" that amount because there are large pockets of spending and use of prescription medications that are not part of the collected data. The system right now just is not set up to properly track how many medications we buy, sell or use.

While insurance covers 80 per cent of the cost of the majority of medications that we use, some medications cost tens of thousands of dollars, and for those with chronic conditions, having to pay that 20 per cent of every single medication that you need really adds up. For seniors on FutureCare, the coverage for medication comes with a cap of \$2,000 a year. While Financial Assistance pays for its clients to receive prescription medications, those not on financial assistance but with the Health Insurance Plan [HIP] must pay for all their medications out of pocket. This has been highlighted during the current coronavirus pandemic as more and more companies are moving their employees to HIP and leaving them without equitable access to medication.

Mr. Speaker, in an age where access to medications is not equitable or even promised—medications that can keep people out of the hospital or away from life-changing complications—we need to have more regulations to combat their costs. Right now, cost controls, price setting, cost regulation, cost limits and additional fees for medications are privately set by private companies without government control or intervention. While all pharmaceuticals must be purchased abroad and are imported duty-free, there is

a lack of clarity around the pricing structure of drugs at the final point of sale to the public. Investigations undertaken by the Health Council, including extensive stakeholder consultation with public and private insurers, pharmaceutical wholesalers, pharmacy owners, the Pharmacy Council, physician representatives and others, have identified the introduction of a national drug formulary as an appropriate means by which drug affordability could be pursued. This was not an original concept from the Council, but part of recommendations that had been made over time in multiple expert reports such as the Oughton Report, the Arthur Andersen Report, and the Todd Report.

Mr. Speaker, Honourable Members may be aware that under section 5(h) of the Bermuda Health Council Act 2004, the Health Council has authority "to regulate the price at which drugs are sold to the public . . ." This was established at its inception to be a part of its mandate. And until now, the Council has not exercised this authority, because it had not yet developed the necessary regulatory regime and the regulations did not exist.

Mr. Speaker, the purpose of the Bermuda Health Council Amendment Act 2021 being tabled today is to support the function of the Council in regulating the price at which drugs are sold to the public by establishing in law the Bermuda Health Council (Drug Formulary) Regulations 2021. To be clear, Mr. Speaker, the purpose is not to control the price of every medication sold in Bermuda. Rather, the Bermuda Drug Formulary will comprise the list of common essential medications such as Metformin (which is used for type 2 diabetes) or Prednisone (which is used in the treatment of arthritis, blood disorders, cancer and eye problems), along with associated products and devices used in medical treatments, which are intended to be medically appropriate, cost-effective and sold at a regulated price.

Mr. Speaker, this work of determining what is on the list will be carried out by the new Pharmacy and Therapeutics Committee, which is appointed by the Minister of Health in consultation with the Health Council. The main function of the committee is to advise the Council on the [Bermuda Drug Formulary](#). The committee will be appropriately representative of the industry, including the following: a member from the Council's board to be the chairperson and a member of the Council's secretariat; a representative of the local pharmaceutical market nominated by the Pharmacy Council; a representative of the local health services market nominated by a registered health statutory board such as the Bermuda Medical Council; an international representative of the pharmaceutical market in the region; and others representing relevant areas of health expertise as appropriate—such as cancer specialists, pharmacy owners, dietitians, senior patient advocates, and GPs [general practitioners]—as determined by the Minister and Council, and up to a maximum of nine people at any given time.

Mr. Speaker, the Pharmacy and Therapeutics Committee will have a key role in, among other matters, evaluating drug utilisation in Bermuda and assessing new drug classes and clinical indications. The committee will determine how medical products will be added to or deleted from the Drug Formulary. The committee will develop its recommendations on the list of medications for the Drug Formulary for final approval of the Bermuda Health Council.

*[Crosstalk; Feedback]*

**Hon. Kim N. Wilson:** To support understanding of the local use of medications and the conditions they can best treat, the Council will have the authority to require the submission of select data from insurers, pharmacies, medical practices . . .

*[Loss of audio from 00:18:14 to 00:22:43]*

**The Speaker:** Page 7, and just take us through to the end of it.

**Hon. Kim N. Wilson:** Okay, Mr. Speaker. The top of page 7 . . . the top of page 7?

**The Speaker:** I tell you what. The paragraph that begins, "Mr. Speaker, the new regulations will also provide the Council with . . ."

**Hon. Kim N. Wilson:** Very well, Mr. Speaker.

Mr. Speaker, the new Regulations will also provide the Council with the ability to participate as a negotiator on behalf of Bermuda in the procurement of medical products. The Council may partner with a local pharmacy or importer to assist in securing the best possible drug prices for the Bermuda public. It has been said in the past that Bermuda could do much better when it comes to negotiating improved prices out on the international prescription drug market.

Mr. Speaker, pharmaceuticals are, clinically, medications which are the most effective non-behavioural intervention for noncommunicable diseases. Pharmaceutical intervention saves money and interrupts the costs and burden of disease progression, but doing so with efficiency requires cost control. As such, the implementation of Regulations that support the function of the Bermuda Health Council in regulating the price at which drugs are sold to the public will provide welcome benefit to the community.

Mr. Speaker, the Progressive Labour Party promised Bermuda in the 2020 party platform that we would establish a National Drug Formulary that will set maximum pricing for common essential medications which reduce costs to consumers.

Mr. Speaker, promises made and promises delivered. Thank you.

**The Speaker:** Thank you, Minister. And appreciate your assisting us that time.

The next Statement this morning is in the name of the Minister of Labour.

Minister.

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

**The Speaker:** Good morning.

## ECONOMIC INVESTMENT CERTIFICATE

**Hon. Jason Hayward:** Since my appointment to the Ministry of Labour, I have remained steadfast and focused on achieving the Ministry's mission of creating policy which helps grow the economy and creates jobs. I rise today to introduce the [Economic Investment Certificate](#) and Residential Certificate policy.

Mr. Speaker, the Economic Investment Certificate and Residential Certificate policy ensures a minimum investment in the Bermuda economy and, unlike the previous Residential Certificate policies, the Economic Investment Certificate has clear criteria for holders to be eligible to apply for the right to reside in Bermuda indefinitely while contributing . . .

*[Loss of audio from 00:25:18 to 00:25:32]*

**Hon. Jason Hayward:** Persons were prohibited from obtaining gainful employment under the policy, and they were required to have "substantial means." The substantial means requirement was particularly contentious because of court challenges that arose from certificate refusals. Additionally, the previous policies did not provide an incentive for those affluent persons to directly invest in Bermuda.

The new Economic Investment Certificate and Residential Certificate policy addresses all of these issues by targeting a different audience of persons who seek to invest directly in Bermuda and thus expand the economy. It also solves the problem of quantifying "substantial means" by shifting the measurement from considering an individual's net worth to simple measurement of the investment. An Economic Investment Certificate will require people who are granted the right to live in Bermuda to first make an economic investment of \$2.5 million or more in the Island. This requirement will allow Bermuda to capitalise on having more people living on the Island while also benefitting from those who have significant financial means.

If at or after five years, the Economic Investment Certificate holder decides he or she would like to reside in Bermuda indefinitely, the holder may apply for the Residential Certificate. It is important to note that moving forward one must possess an Economic Investment Certificate in order to be eligible for a Residential Certificate. If successful, a Residential Certificate will be granted. This will give the holder as well

as the holder's spouse and/or dependents the right to reside in Bermuda for an indefinite period. The holder will also be granted automatic approval to work in the business to which he or she may have invested or to work in any other business. If the spouse or dependent of a Residential Certificate Holder desires to work in Bermuda, they will be subject to Bermuda's work permit policy.

Mr. Speaker, an Economic Investment Certificate applicant can make a minimum investment in Bermuda in any one or more of the following ways [not exclusive]:

- i. purchase Bermuda situs real estate, whether residential or commercial;
- ii. purchase Bermuda Government bonds to be held for a minimum of five years;
- iii. contribute to Bermuda's Sinking Fund for the purpose of debt reduction;
- iv. contribute to the newly established Bermuda Trust Fund;
- v. donate to a Bermuda-registered charity in the areas of sports development, youth, seniors and health;
- vi. make a direct or indirect equity investment in an existing Bermuda-based business, including BSX-listed entities, but excluding where the investment is limited to holding listed securities in exempted undertakings;
- vii. invest in the development and launch of a new Bermuda-based business; or
- viii. invest in such other social or useful venture that benefits Bermuda, Bermudians and things Bermudian as may be determined by the Minister.

Mr. Speaker, the Economic Investment Certificate policy is a superior policy to our current residential certificate policy because it is designed to generate direct investment in Bermuda and stimulate ongoing economic activity.

Mr. Speaker, affluent individuals around the world seek to live in societies that meet certain criteria. They often seek safety, stability, and sophisticated, connected places with a comfortable climate and the rule of law. Of utmost importance is they seek a place where they feel comfortable with their children. These individuals and their families have the means to make significant financial investments, develop businesses and create job opportunities, which can benefit Bermudians. Bermuda must take advantage of these opportunities.

Mr. Speaker, the Economic Investment Certificate is good for Bermuda because it is a measured and controlled method of allowing Bermuda to increase its current residential population with individuals who will create immediate value to our economy.

Mr. Speaker, it is good for Bermuda because it fully harnesses immigration as one of many tools for creating economic growth for Bermuda as it will enable business development supporting job [growth] and

increase social finance which will aid local charities. The Government of Bermuda welcomes individuals who are in a position to invest a substantial sum into our Island to take advantage of our new Economic Investment Certificate and enjoy the ability to reside in Bermuda.

Mr. Speaker, I pause here to ask that we take a moment to imagine the impact of, let us say, 100 persons being granted the Economic Investment Certificate over the next 10 years. That will generate \$250 million into the economy and facilitate continued economic activity for years to come. I know that many Bermudian businesses and homeowners are already enjoying the benefits from the impact of the Work from Bermuda residential policy and are looking forward to that initiative being extended. The impact of 100 Economic Investment Certificate holders would be far greater as their upfront and continued investment could potentially impact the real estate market, the construction industry, the retail and restaurant industry, and much more given the economic activity spurred as a result of this policy.

Mr. Speaker, Bermuda is not alone in its efforts to stimulate its economy. Since the onset of the pandemic, nations everywhere are looking at ways to leverage their immigration policies to achieve this aim. Given Bermuda's natural beauty, its first-class infrastructure, its handling of the pandemic and of course her people, Bermuda can become first choice for those seeking the quality of life that we enjoy every day.

Mr. Speaker, the effective date of this policy is the 1<sup>st</sup> of March 2021. A fee of \$2,625 will be charged for the issuance of the certificate, in accordance with the existing Government Fees Schedule. The Government has established a concierge service to facilitate the submission and approval process, as appropriate for the affluent investors targeted. The Department of Immigration partnered with the Bermuda Government Concierge and the Bermuda Business Development Agency to ensure that a *high touch* service is provided.

Thank you to all stakeholders from the public and private sectors who have assisted in the implementation planning for the certificate. Investors may register their Expressions of Interest and obtain full information at: <https://www.bda.bm>.

Mr. Speaker, I will close with a quote from former US President Obama, who said (and I quote), "If it is orderly and lawful, immigration is good for our economy." This revised Residential Certificate is indeed orderly and lawful, and like the Work from Bermuda Certificate, it will prove to be better than good for the Bermuda economy, as it will provide the economic stimulus needed to turn Bermuda in the right direction. In these problematic financial times, the economic activity will undoubtedly result in jobs and greater prosperity for Bermudians. For this reason I look forward to all of Bermuda welcoming those per-

sons who will be granted an Economic Investment Certificate and a Residential Certificate in the coming months.

Thank you, Mr. Speaker.

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

The next Statement this morning is that in the name of the Minister of Works.

Minister Burch.

**Lt. Col. Hon. David A. Burch:** Thank you, Mr. Speaker.

**The Speaker:** Good morning.

### WEST END DEVELOPMENT CORPORATION ANNUAL REPORT 2019

**Lt. Col. Hon. David A. Burch:** Mr. Speaker, good morning again.

Mr. Speaker, earlier I laid before this Honourable House the [West End Development Corporation's Annual Report](#) for the year 2019. Mr. Speaker, the year 2019 was another extremely busy and exciting year for the Corporation with the completing of major investment and restoration projects critical to supporting one of the core functions, which is to be Bermuda's premier port destination. These consistent efforts were recognised again when the Corporation, for the fourth year in a row, won the Cruise Critics' Choice destination award. This award is awarded by consumer voting throughout the region, highlighting the best cruise port destination in the eastern Caribbean, Bahamas and Bermuda.

Mr. Speaker, the major capital projects included the following:

1. the Kings Wharf upgrade;
2. completing the purchase of the two new structures that were erected at the Government Quarry, which now assists the Ministry delivering a dedicated Heavy Machine Garage building and larger location to house the Government Stores section;
3. phase 1 solar project was delivered, and the Corporation is now seeing significant energy savings of more than \$30,000 per month;
4. replacement of the Boaz Island Village fresh and flushing water system as well as upgrading the sewage infrastructure for the entire village; and
5. WEDCO has and remains committed to annually investing in the refurbishment and upgrade of our residential inventory.

Mr. Speaker, highlighted performance accomplishments included (1) continued increase in revenue; (2) continued retail growth; (3) expansion of new retail and experienced businesses; (4) the launching to market of the new Prince Alfred Terrace short-term rental units; (5) completion of all hurricane damage

works; and (6) focusing on working with small contractors so they are able to acquire contracts for many of the restoration and small to medium capital projects.

Mr. Speaker, I will now move on to the annual report for the year 2019, which continued in high gear with the continuation of an extensive capital investment programme for the items previously mentioned, as well as further enhancing and maintaining critical infrastructure and many historic buildings.

Mr. Speaker, the financial report highlights for 2019 show WEDCO assets of \$141,118,706 and liabilities of \$72,425,925 [as well as] total revenues of \$20,609,240 and expenses at \$19,127,731. The result was an annual surplus of \$1,481,509.

Mr. Speaker, the highlighted accomplishments include (1) winning the Cruise Critics' Choice destination award; (2) remaining focused on their legislated objective, which is to develop the vested lands; (3) completing all board-approved objectives, as well as several large capital projects; and (4) leading the way with a large solar initiative.

Mr. Speaker, the last point of note is that I wish it to be acknowledged that WEDCO consistently delivers their specific goals and objectives. I would like to thank the outgoing Chairman, Mr. Charlton Dill, the new Chairman, Mr. Neville Tyrrell, [JP, MP,] the WEDCO Board of Directors, General Manager Andrew Dias and his entire team for their outstanding effort.

Thank you, Mr. Speaker.

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

Minister, I believe the next Statement is also yours. Would you like to give it out now?

### BERMUDA HOUSING TRUST AUDITED FINANCIALS FOR THE YEAR 2020

**Lt. Col. Hon. David A. Burch:** Thank you, Mr. Speaker.

Mr. Speaker, earlier I laid before this Honourable House the [Bermuda Housing Trust \[BHT\] Audited Financial Statements](#) for the fiscal year ending 2020, which indicate that the Trust remains in a strong financial position.

Mr. Speaker, the BHT manages five properties, or close to 200 units. All of these properties are ageing with some dating as far back as the late 1960s. As with any aged facility, the maintenance demands and associated costs continue to increase. Notwithstanding, the BHT has remained committed to the upkeep of these buildings to ensure they can be occupied safely by our seniors.

Mr. Speaker, the trustees are also mindful that the BHT carries an outstanding loan balance with HSBC, which is just over \$5 million. The trustees are trying earnestly to discharge this loan not only by ensuring the monthly payments are met, but by applying

annual payments on the principal, with last year seeing the sum of \$250,000 going towards that debt.

Mr. Speaker, the original capital loan to the BHT was for the sum of \$12.5 million some 15 years ago. These funds were borrowed to advance the construction of the Dr. Cann Park facility in Southampton, which houses close to 100 seniors.

Mr. Speaker, in the 2020 Speech from the Throne, the Government committed to caring for seniors and helping them to age with dignity. The speech also highlighted the fact that data demonstrated the demographic trend towards living longer, with increasing numbers of citizens proudly wearing the title *senior*. The knock-on effect of the increase in the seniors population is the increased demand for homes for this cohort who want to live independently. The BHT's mission, mandated by statute, remains consistent, and that is to provide homes for seniors that afford them the freedom to live independently, and making these units available by charging the most affordable rents possible. And incidentally, Mr. Speaker, the BHT continues with its policy of not raising rents on sitting tenants, notwithstanding the continuing need for maintenance and rising costs.

Mr. Speaker, at the start of the last financial year, the BHT embarked on an ambitious renovation and conversion project at the old Navy Home at Ferguson Park in St. David's with the goal of adding two additional units to its housing stock. Now, two additional units may not seem earthshattering, especially when there is a consistent waiting list of 50 seniors. But it was an important project for other reasons. Mr. Speaker, this project was the fruit of a partnership with the Ministry of Public Works that was designed to serve as the template for future building projects the BHT would like to undertake.

The Ministry provided much-needed services at no cost by making available to the BHT one of its architects from the Bermuda Housing Corporation, Mr. Keino Furbert-Jacobs, who supervised the project from inception through tendering, and then the supervision of the project to completion. Completion occurred in August of 2020 when Westcott Cottage was officially opened by the Premier, the Minister of Public Works and BHT's oldest resident at Ferguson Park—none other than Mr. Brownlow Place, who is 104 years old.

Unfortunately, Mr. Speaker, the building project was delayed when COVID-19 struck and work had to be stopped for a period of time. While there were two unexpected change orders, mostly on account of what was found at the home during construction, the project was completed within budget. So at this point I would like to acknowledge Mr. Steven Daniels of Daniels Construction for the first-class work done at Ferguson Park.

Mr. Speaker, COVID-19 also impacted what the BHT was able to do in terms of its own operation and maintenance of other properties. Members will

recall the lockdowns and health regulations that limited close contacts and mandated social distancing. Maintenance was therefore limited to emergencies only, or where units became vacant and contractors could go about their work without impacting any resident seniors. The BHT fully anticipates that maintenance will resume as COVID-19 restrictions ease. And this should impact the bottom line in the current and subsequent financial years as the BHT attempts to get its maintenance and repairs back on schedule.

Meanwhile, the trustees are aiming to employ the public partnership model that was used for Westcott Cottage as an example of what can be done in the development of another property for seniors. This template is also key and, the BHT believes, appealing to donors who are engaged to assist seniors. Important partners all coming together to help advance the quality of life for seniors by the provision of accommodation at the most favourable rates available. And for those wishing to know more about the BHT or donate towards any development of the properties, they can visit the BHT website at [www.housingtrust.bm](http://www.housingtrust.bm) or call the office at 292-1322.

Mr. Speaker, I had the opportunity to join the trustees of the BHT recently at their annual retreat. They reviewed a comprehensive agenda of their mission, future roles and the exit conference points from the most recent audit. What is clear to me is the level of commitment demonstrated by the trustees. It was this level of energy and enthusiasm by the trustees that makes me proud to be the Minister and therefore even prouder to reassure them of the Government's commitment to provide, wherever it can, all the support we can in terms of services to help the [Bermuda Housing] Trust meet its goals. I would also like to make special mention of the Chairman of the BHT, the Honourable John Barritt JP, and the Deputy Chairman, my colleague in this Honourable Chamber, Mr. Vance Campbell JP, MP, and the board of trustees for their tireless work at the BHT.

Mr. Speaker, there is so much that goes on behind the scenes that the average person is completely unaware of, and this for the most part becomes a thankless job. Therefore, I want to personally say *thank you* to both gentlemen and the trustees for all they give back to the senior's community.

Thank you, Mr. Speaker.

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

The last Statement we have on the Order Paper this morning is in the name of the Minister of Education.

Minister.

**Hon. Diallo V. S. Rabain:** Thank you, Mr. Speaker. Can you hear me?

**The Speaker:** We can hear you; we are waiting for your camera. There you go. We see you as well this morning. Welcome. Good morning.

### A PROPOSAL TO INTRODUCE PARISH PRIMARY SCHOOLS—CONSULTATION UPDATE

**Hon. Diallo V. S. Rabain:** Mr. Speaker, this morning, I rise to provide my honourable colleagues with an update on the Education Ministry's consultation process for the [proposal to introduce parish primary schools](#). There have been comments in the public domain recently that have not represented our proposed education reform's true nature. I hope to clarify what has been happening with this statement.

Mr. Speaker, first let me cast my honourable colleagues' minds back to December 2020, when I provided an update on education reform. At that time I shared four education reform domains that were either in train or about to start. These were as follows:

1. the development of an Education Authority;
2. the implementation of the Learning First Programme;
3. the phasing out of middle schools and the introduction of signature schools; and
4. a consultation process on the introduction of parish primary schools.

Mr. Speaker, much progress has been made on the research and work needed to implement the recommendations for an Education Authority fully. I am most pleased with the focused efforts of the committee, who have been charged with developing options that can be considered for governing the transformed public school system. I expect a report outlining these from the committee in April.

Mr. Speaker, the Learning First Programme commenced their work in October 2020, and the Design Team members have regrouped since the Christmas break. You will recall that in December I reported that the team of 54 members consisted of

- a. 16 teachers and education support staff (i.e., para-educators and allied professionals);
- b. 12 community or cultural members from not-for-profit, community leaders and school board members;
- c. three school leaders—principals, deputy principals, and teacher mentors;
- d. nine members with education system experience—curriculum, education and policy officers;
- e. six parents and/or family members; and
- f. two industry/business partners from the private sector.

All of [them] brought with them a diversity of knowledge, skills and technical abilities.

Mr. Speaker, the team has been working on identifying national and core educational priorities, understanding design thinking and delivering better learners' outcomes. The work's overall objective is to

prepare support for the delivery of new learning experiences for our students. The Design Team has now identified six national and core educational priorities that sit at the heart of the public school system's transformation journey. These include the following:

1. Principles and Values—to guide decisions about what great learning looks like;
2. Pedagogical Framework—that will design teaching and learning to engage, challenge and inspire our young people;
3. Curriculum Framework—to design a vibrant, 21<sup>st</sup> century curriculum that will give our young people the knowledge, skills and values they need to succeed;
4. Graduate Outcomes—for designing new ways to recognise and certify learning for a range of college and career opportunities;
5. Education Workforce Strategy—for designing high-level professional learning and development that teachers and school leaders need to shape the next generation; and
6. Learning Environments—designing diverse, engaging on- and offline learning spaces to shape where, when and how our young people learn in the future.

The Design Team is currently engaged in a series of evening workshop sessions during the next two weeks. They will concentrate on each of these six national priorities to develop prototypes for new learning experiences. These prototypes will then be tested amongst varied stakeholder groups in the broader community. The intent is for our children and teachers to engage in learning of excellence.

Mr. Speaker, the work also continues with the phasing out of middle schools and the introduction of signature schools. The Ministry Team has been diligently working with Chambers to ensure legislation is drafted to achieve this. Amendments to the Education Act will shift the education system from a three-tier to a two-tier system. As shared previously, the legislation will amend the age range for primary school education to 12 years, which includes the current M1 and M2 years; introduce senior level signature school education; and amend the [age to] start at 13 years to include the [current] M3 year. The new legislation will also establish exceptionalities and alternative education for students. That Bill will be tabled during this session of the Legislature.

Mr. Speaker, at this time I will dive into greater depth to provide an update on the proposal's consultation process for the introduction of parish primary schools. The consultation document, which outlines the vision and plans for transforming public education, was released to the general public during mid-December for their reading and understanding. It invites critical stakeholders and community participation in a consultation on a proposal to introduce parish primary schools, including primary schools recommended for closure. In essence, the proposal is to

reduce the number of primary schools from 18 to 10, recommending one primary school per parish, except for Pembroke, which will have two primary schools. A part of the consultation process involving stakeholder meetings commenced earlier this year in January.

Mr. Speaker, let me start with an overview of the consultation, which began with internal stakeholders. The Ministry held consultation meetings with Ministry and department staff, the board members, representatives from all three unions, principals and pre-school administrators. These meetings were first to be held during January. During the first weeks in February, the consultation meetings continued with two public meetings. The general public was invited to attend and hear the proposed parish primary schools' presentation, ask questions and give their input and/or suggestions.

Mr. Speaker, the Ministry has also held a total of eight parish meetings for stakeholders who live in the respective parishes that could potentially be affected by the proposal. Two meetings were held for St. George's Parish stakeholders and education advocates, two for Smith's Parish, two for Devonshire and two for Pembroke Parish residents. All consultation meetings are undertaken using the virtual platform Zoom. Participants register for the meeting they are interested in attending and can submit questions in advance.

Mr. Speaker, all consultation meetings held on Mondays and Thursdays are also broadcasted on the government's CITV and streamed to the Bermuda Government's Facebook and YouTube channels. The Ministry aims to have as wide a reach as possible to the Bermudian community. The YouTube and Facebook streams are monitored, and any questions posted there are recorded. Additionally, these questions, as much as possible, are answered during the Zoom meeting.

Mr. Speaker, the consultation meetings' structure comprises a presentation sharing information and data, two question-and-answer segments and the administering of two polls. The presentation also provides all participants with an overview of why [there is] the need to transform the Bermuda public school system. It paints a clear picture of the vision for 21<sup>st</sup> century learning; highlighting visuals of what a 21<sup>st</sup> century learning environment could look like for our children.

Mr. Speaker, participants in the meeting receive a detailed account of the study factors considered that form the basis for determining what school location building sites to propose for each parish. The proposed primary schools per parish are shown by school zone, and an explanation of the scoring is shared. During the parish consultation meetings, the presentation goes into further depth, explaining the scoring for all the primary schools in that respective parish. Participants are given ample opportunity to

engage, ask questions and provide input and suggestions on the proposal.

Mr. Speaker, the Ministry collects each and every consultation submission and takes note of all responses and information shared during these meetings. Every meeting is also recorded. In fact, we have established a Mentimeter for documenting all questions and comments received. This database of information will be considered in the final decision-making process. I personally receive a weekly update of consultation submissions received and read each and every one as the consultation meetings progress. I have also found it very enlightening by participating in each of the meetings and hearing directly from the participants. This has helped me understand the thoughts and positions of parents and education advocates, staff and the general public regarding the proposal for parish primary schools and to hear from them directly.

Mr. Speaker, to date the Ministry has received a total of 65 written submissions via the consultation [email] link. The majority of the responses have been from parents or extended family members. This is good. We encourage everyone to complete a consultation form and share their ideas [and] any alternative proposals or suggestions. The transformation of the public school system is of national importance. Therefore, the Ministry needs everyone to contribute so that the best decision is made for our children today and future generations.

Mr. Speaker, during the consultation meetings thus far, a number of reoccurring themes have emerged. There is a common thread indeed. Participants have asked about the implementation timeline for the introduction of parish primary schools and potential closures. Mr. Speaker, I would like to reiterate that a decision has not been made on primary school closures. We have presented a proposal on the introduction of parish primary schools to start a national discussion. Therefore, at this point a specific timeline for implementation cannot be provided. We intend to give careful consideration to every submission and feedback so that an informed decision is made.

Mr. Speaker, the Ministry is often asked, *Why are the high-performing schools being proposed for closure?* Stakeholders must know that the Ministry is consulting broadly to obtain as much feedback and input as possible. A powerful vision for learning has been proposed, and that vision cannot be achieved with the school buildings of the past nor the teaching and learning styles of the past. Thus, careful thought went into determining the school building sites recommended for parish primary school locations. It is critical for these sites to have the potential for expansion and development to support the new vision of learning. It would not be fair nor prudent to propose a school building site based on the performance when there are many other social and economic factors that impact a child's school performance. We must have a

system that caters to all of our students and their needs. It is important for us to meet them where they are.

Mr. Speaker, during every meeting, stakeholders have asked, *Where is the funding coming from for possible refurbishment, renovations and/or building of primary schools?* I must emphasise that the Government is fully committed to funding education reform and transforming the Bermuda public school system. Additionally, the Ministry has looked into various funding options including public–private partnerships that have demonstrated proven financial support for big-ticket building facilities and projects. We want to assure our stakeholders that the funding will be provided; more important right now is to develop a blueprint of what our primary schools will look like. This blueprint will then be assessed for costs, timelines and rollout, and given the resources needed.

Mr. Speaker, another question centres around the potential of overcrowding of school buildings and classrooms. If the consultation's outcome is to have parish primary schools, those schools selected will be refurbished or rebuilt to accommodate up to 300 students. The Ministry is proposing a maximum class size in primary schools of 15 students. The school enrolment projections also show steady declining student enrolment of each parish up to the year 2027. The school enrolment projections support a decision of 300 students per school, with a maximum of 15 students per class. Therefore, overcrowding would not be an issue.

Mr. Speaker, there is a fear that closing particular schools would eradicate the school's history or legacy. Mr. Speaker, history or legacy is carried on by people and what they do with information, knowledge and past experiences. Therefore, there are many ways to preserve the legacy of experiences attached to school buildings. Examples could be renaming school buildings or classrooms, writing the history in the school curriculum or establishing a history hall of fame. This has been done in the past and can continue.

Mr. Speaker, the consultation meetings have been very engaging overall. Participants have indicated through polls that they have been given ample opportunity to ask their questions and share, and this is what we want to achieve. The consultation process will continue during the next two weeks as the Ministry holds specific meetings for Paget, Southampton and Sandy's Parishes. On March the 8<sup>th</sup> there will be one last public meeting for anyone interested in improving public education to attend. The consultation process will conclude on March the 12<sup>th</sup>. Following this deadline, technical officers will be busy gathering all the data and feedback, collating responses, and preparing a detailed analysis in report form that will be shared with the public. I intend to communicate a final decision before the end of this school year.

Mr. Speaker, let me close by first thanking the dedicated and committed officers in the Ministry and Department of Education. They have sacrificed their family and personal time during the past few weeks each night to host the consultation meetings. We have a strong team who only want us to do what is best for children and position them for success. I also want to encourage my honourable colleagues and the general public to get involved.

Mr. Speaker, if education fails, Bermuda fails. We all need to be on the same page—the Government, the Opposition and the public. Public education is of national importance. We need your feedback, and we need to hear from you. I urge Members here and the public to register to attend one of the remaining consultation meetings to learn about the proposal to introduce parish primary schools. Take some time to read the consultation submission form by visiting the [www.moed.bm](http://www.moed.bm) website. Let us make this a national effort to transform our public school education.

Thank you, Mr. Speaker.

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

That brings us to a close of the Statements by Ministers and Junior Ministers this morning.

## REPORTS OF COMMITTEES

**The Speaker:** There are none.

## QUESTION PERIOD

**The Speaker:** Members, as you know, we have 60 minutes for this, and the time is now 10:59. And before we get to the questions [arising] from [Ministerial] Statements, there are two written sets of questions this morning. The first is for the Premier from MP Dunkley.

MP Dunkley, would you like to put your questions now?

### QUESTION 1: MINISTERIAL ADVISORS OR CONSULTANTS AND THEIR REMUNERATION

*[Deferred 11 December 2020]*

**Hon. Michael H. Dunkley:** Yes. Thank you, Mr. Speaker, and good morning to colleagues.

The first question to the Honourable Premier: Will the Honourable Premier please inform this Honourable House which Government Ministers (including the Premier) have at any time since March 8, 2019, had either advisors or consultants as per the Ministerial Code of Conduct, and list the name of the advisor or consultant and the ministry to which he/she is attached?

**The Speaker:** Mr. Premier.  
Mr. Premier?

*[Pause]*

**The Speaker:** Can someone inform the Premier that we need him to respond at this time, please?

**An Hon. Member:** He is coming on now, Mr. Speaker.

**The Speaker:** Thank you.

**Hon. E. David Burt:** Sorry, Mr. Speaker. I was having an issue with my audio.

**The Speaker:** Technical? You have had all sorts of technical issues this morning. But the first day back; understood.

**Hon. E. David Burt:** Sorry; my apologies.

Mr. Speaker, with respect to the first question from the Honourable Member, the first answer is Ministry of Public Works, Ms. Trina Bean, advisor/political aide to the Minister. In regard to the other Ministers who fall under this, it would be myself (the Premier), Mr. Gabriel Abed is over technology, advisor to the Premier; and Dr. Carika Weldon, scientific advisor to the Government of Bermuda, and also, Mr. Denis Pitcher, who serves as FinTech advisor to the Government of Bermuda.

**The Speaker:** Thank you, Mr. Premier.  
Is there a supplementary?

#### SUPPLEMENTARY

**Hon. Michael H. Dunkley:** Supplementary, yes, just on the first question, Mr. Speaker.

Thank you, Honourable Premier, for the answer.

In regard to the advisor to the Minister of Public Works, what is the specific job responsibility and projects to be completed?

**Hon. E. David Burt:** Advisor and political aide to the Minister.

**Hon. Michael H. Dunkley:** Thank you, Premier.

**The Speaker:** Second question?

**Hon. Michael H. Dunkley:** Question number 2. Yes, Mr. Speaker.

**The Speaker:** Yes.

#### QUESTION 2: MINISTERIAL ADVISORS OR CONSULTANTS AND THEIR REMUNERATION

**Hon. Michael H. Dunkley:** Will the Honourable Premier please provide this Honourable House the total remuneration and benefit package for each advisor or consultant listed?

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

In response to the question, the first is Ms. Trina Bean at \$9,886 a month. Mr. Gabriel Abed in the role of digital and science and technology advisor to the Premier of Bermuda is unpaid. Dr. Carika Weldon in her role as Science Advisor to the Government of Bermuda is unpaid. And Mr. Denis Pitcher in regard to FinTech Advisor is \$9,034.12 per month.

**The Speaker:** Supplementary?

#### SUPPLEMENTARY

**Hon. Michael H. Dunkley:** Yes, Mr. Speaker.

Are all of these items funded in the current year budget?

**Hon. E. David Burt:** I will answer and say yes.

**Hon. Michael H. Dunkley:** Thank you, Premier.  
Question number three?

**The Speaker:** Yes. Continue.

#### QUESTION 3: MINISTERIAL ADVISORS OR CONSULTANTS AND THEIR REMUNERATION

**Hon. Michael H. Dunkley:** As per the Premier, Ministers and Opposition Leader Personal Staffs Act 2019, can the Honourable Premier please name all people hired or remaining as personal staff since the October 1<sup>st</sup> General Election, listing job title, responsibility and all benefits of each person hired?

**Hon. E. David Burt:** Mr. Speaker, the Honourable Member is invited to refer to the Annual Report from the Office of the Premier on the Premier, Ministers and Opposition Leader Personal Staffs Act tabled in this Honourable House on the 4<sup>th</sup> of December 2020.

With reference to that report, no additional individuals have been hired during that period, which covered 2019, save for Mr. Jache Adams, who commenced employment in support of the Minister of Finance on the 18<sup>th</sup> of May 2020 at \$8,900 a month; and Ms. Zarena Lindsay, hired in support of the Minister of Labour on September 1, 2020, at \$86,338.79 per annum.

In regard to that report as well, Mr. Corey Butterfield is no longer engaged under the Act. All salaries for persons are noted as stated previously, and also in the 2019 report. However, in August 2020 all contracts were directed to reduce by 7 per cent in solidarity with reductions taken across the Legislature, public service and quangos, 5 per cent pension and 2 per cent to account for social insurance.

All benefits are provided as per the Act. And with regard to hires since the 2020 General Election, no additional persons have been hired as personal staff since the 2020 General Election.

**Hon. Michael H. Dunkley:** Thank you, Honourable Premier.

Supplementary?

**The Speaker:** Supplementary, yes.

#### SUPPLEMENTARY

**Hon. Michael H. Dunkley:** Yes, Mr. Speaker.

To the two individuals who have been hired since the election—

**Hon. E. David Burt:** Sorry. No one has been hired since the election.

**Hon. Michael H. Dunkley:** Yes, sorry, the two individuals who were hired . . . I did not catch the second name, but I had the first name as MP Adams. The second name, Honourable Premier, can you repeat that before I can add the supplementary?

**Hon. E. David Burt:** Ms. Zarena Lindsay.

**Hon. Michael H. Dunkley:** Okay. Thank you.

And what are the lengths of contract of those two individuals?

**Hon. E. David Burt:** Sorry. I do not have that information in front of me.

#### SUPPLEMENTARY

**Hon. N. H. Cole Simons:** Supplemental, Mr. Speaker.

**The Speaker:** Supplementary?

**Hon. N. H. Cole Simons:** Yes. Mr. Premier, I understand that there is a Jordan Scott in your office. Can you tell us what he does in your behalf?

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

Jordan Scott-Furtado is hired, as he came on to us as Assistant Chief of Staff. And I believe he started in January of 2020 . . . no, 2021.

**An Hon. Member:** Thank you.

**The Speaker:** Okay. No further supplementaries?

#### SUPPLEMENTARY

**Hon. Michael H. Dunkley:** Supplementary, Mr. Speaker.

The two individuals listed, what are their specific job responsibility roles?

**Hon. E. David Burt:** The two new hires in 2020?

**Hon. Michael H. Dunkley:** Correct, Mr. Speaker.

**Hon. E. David Burt:** As I had indicated in the answer which I have given, they are personal staff. Mr. Jache Adams, granted employment in support of the Minister of Finance. And Ms. Zarena Lindsay was hired in support of the Minister of Labour.

**Hon. Michael H. Dunkley:** Thank you, Honourable Premier. And thank you, Mr. Speaker.

**The Speaker:** Thank you.

The next questions this morning are also written questions, and they were for the Minister of Health.

**Mr. L. Craig Cannonier:** Mr. Speaker, supplementary.

**An Hon. Member:** Your mic is not working.

**Another Hon. Member:** He was having a problem. That is from former Premier Craig Cannonier.

*[Inaudible interjection]*

**Mr. L. Craig Cannonier:** Sorry, Mr. Speaker. My mic is not working. Can you hear me?

**The Speaker:** Yes.

**Mr. L. Craig Cannonier:** He said yes?

**An Hon. Member:** Yes.

**The Speaker:** Go ahead.

**Mr. L. Craig Cannonier:** Mr. Speaker, I would like to do a supplemental.

**The Speaker:** Hold on one sec. Let me get the . . . MP Cannonier was trying to get a question in?

**An Hon. Member:** Yes. He is having a problem with his speaker.

**The Speaker:** It is to the Premier?

**An Hon. Member:** Yes. It is to the Premier.

**The Speaker:** To the Premier? Okay, put your question. Go ahead.

#### SUPPLEMENTARY

**Mr. L. Craig Cannonier:** Yes. Just curious as to why was Jordan Scott's name not included in the initial . . . [it was] missing when you read out the answers to the question?

**Hon. E. David Burt:** I will be pleased to answer that, Mr. Speaker.

Mr. Speaker, I have answered the questions as were stated in regard to the dates on which the questions were submitted. But I will be happy to acknowledge that this was not on my sheet here, [it] was an oversight. Mr. Jordan Scott has been hired inside my office, and I will provide his [remuneration](#) before the Question Period is finished.

**The Speaker:** Thank you.

No further supplementaries? No further supplementary?

**An Hon. Member:** No. Thank God.

**The Speaker:** We will move on to the questions put to Minister Wilson.

Minister, was I correct in . . . did you ask that this be carried over?

**Hon. Kim N. Wilson:** That is correct, Mr. Speaker. Pursuant to Standing Order 18(4), I would like to defer the responses to these Parliamentary Questions.

**The Speaker:** Okay. Can we expect to have them next week?

**Hon. Kim N. Wilson:** Mr. Speaker, you would see that one of the particular questions does require quite a lot of research with respect to the compensation details of those persons who have been retained to do testing and vaccinations. So we will provide that information at the earliest [possible time].

**QUESTIONS: ALL COVID-19 RELATED  
CONTRACTS UNDERTAKEN  
BY THE GOVERNMENT**

*[Deferred]*

**Hon. Michael H. Dunkley:** *Will the Honourable Minister please inform this Honourable House about all COVID-19 related contracts undertaken by the Government for the provision of goods, services or consultancy, listing them individually with reference to the contractor's name, the cost of the contract and the product or service provided?*

**Hon. Michael H. Dunkley:** *Will the Honourable Minister please inform this Honourable House as to which of the COVID related contracts referred above were sole-sourced or publicly tendered?*

**Hon. Michael H. Dunkley:** *Will the Honourable Minister please provide this Honourable House with a listing of the compensation details for all COVID PCR Testing and Vaccinations agents?*

*[Pause]*

**The Speaker:** Thank you.

We will move on to the questions in reference to the Statements that were given this morning.

**Hon. E. David Burt:** Mr. Speaker, if I may.

**The Speaker:** Yes.

**Hon. E. David Burt:** I am sorry. I have just been supplied with the answers, and I will make sure to amend the item which I give and extend my apologies.

Mr. Jordan Scott-Furtado in my office to replace who was here for a while, Ms. Dana Selassie. And it is \$7,875 per month.

**The Speaker:** Thank you.

Is there a supplementary . . . no, we have moved on. Okay. The process is that we would normally give an indication in the chat, Members who may have questions on the Statements this morning, and thus far there is only one question this morning. And that is from MP Cannonier to . . . actually, there are two questions (sorry), one from MP Cannonier to the Minister of Education.

MP Cannonier, would you like to put your question?

**Mr. L. Craig Cannonier:** Yes, Mr. Speaker, Can you hear me? I must get my visual on.

**The Speaker:** Yes, I can hear you.

**Mr. L. Craig Cannonier:** The camera is not coming on. Okay, yes. On page . . .

**Hon. Diallo V. S. Rabain:** Mr. Speaker, I cannot hear the Member.

**An Hon. Member:** Mr. Speaker, it is not clear.

**Hon. Diallo V. S. Rabain:** Mr. Speaker, I cannot hear the Member at all.

*[Pause; technical difficulties—loss of audio]*

**Hon. Diallo V. S. Rabain:** Mr. Speaker, I cannot hear the question.

**Mr. Dennis Lister III:** I think Mr. Speaker has frozen, too. His screen is hard on my side.

**The Speaker:** MP Cannonier, I am going to ask that you sort out your technical, and I am going to go to the second question. I will come back to you.

The second question is actually from the Opposition Whip. And it is to Minister Hayward, the Minister of Labour.

Mr. Opposition Whip, would you like to put your question?

### QUESTION 1: ECONOMIC INVESTMENT CERTIFICATE

**Mr. Jarion Richardson:** Yes. Thank you, Mr. Speaker.

Would the Honourable Minister please inform this Honourable House as it relates to his Ministerial Statement if he could clarify that the holder of the Residential Certificate will be granted automatic approval to work in the business to which he or she may have invested or to work in any other business? Is this unlimited permission to work in Bermuda?

**Hon. Jason Hayward:** No. Mr. Speaker, the person, if they have investments, business, they get automatic approval to work in the business in which they have invested. However, if they want to work outside of that business, they will be subject to the Work Permit Policy.

**Mr. Jarion Richardson:** Thank you.

**The Speaker:** Supplementary?

### SUPPLEMENTARY

**Mr. Jarion Richardson:** Yes. I do have a supplementary, Mr. Speaker, just because the Statement says “to work in any other business.”

“The Residential Certificate holder desires to work in Bermuda.” It says, “If the spouse [or] the dependent” wants to seek work, they require a work permit. But it says that the *holder* of the actual certificate will be allowed “to work in any other business.” So my supplementary is: Is the Statement in error, or is the policy different from the Statement?

**Hon. Jason Hayward:** I believe it is the way in which you are interpreting it. If it was written “and” it was the ability to automatically work at the work and the business that the individual actually invested in *and* another business . . . because it says “or” it gives the ability to seek a permit and work at the business of what that person’s [INAUDIBLE].

**Mr. Jarion Richardson:** Thank you. Thank you, Mr. Speaker. Thank you, Honourable Minister. I have a second question in relation to the Statement.

**The Speaker:** Second question.

### QUESTION 2: ECONOMIC INVESTMENT CERTIFICATE

**Mr. Jarion Richardson:** Would the Honourable Minister please clarify who will be the determining authority for accepting the investment?

Mr. Speaker, the Statement says that the “Economic Investment Certificate applicant can make a minimum investment in Bermuda in any one or more of the following ways . . .,” but those are not exclusive. So it is clear that it is envisioned that there would be alternative or additional ways of making investment into Bermuda. Who will determine that the alternative investment was sufficient to meet the eligibility criteria?

**Hon. Jason Hayward:** The Department of Immigration.

The Minister will probably be the one who approves the certificates, and the Minister has to be satisfied that there is evidence that the sufficient investment has been made to Bermuda's economy. And so we have a process where we have asked those individuals who go to the government concierge service that all of these other things that are required to do the vetting are put in place prior to the time when that person shall be granted a certificate.

**The Speaker:** Thank you.

**Mr. Jarion Richardson:** Mr. Speaker, supplemental to that.

**The Speaker:** Supplementary. Go ahead.

### SUPPLEMENTARY

**Mr. Jarion Richardson:** Will the Minister or the Department of Immigration consider a political investment, an investment in a political organisation of Bermuda, to be criteria for eligibility for an Economic Investment Certificate?

**Hon. Jason Hayward:** No. I do not believe that an investment to a political party constitutes investment according to this particular certificate.

*[Inaudible interjection]*

**The Speaker:** Supplementary?

**Mr. Jarion Richardson:** Mr. Speaker, third question.

**The Speaker:** Third question, yes.

### QUESTION 3: ECONOMIC INVESTMENT CERTIFICATE

**Mr. Jarion Richardson:** Mr. Speaker, would the Economic Development Minister inform this Honourable House, in relation to his Ministerial Statement, [about] the Economic Investment Certificate [which] will re-

quire a person to make a \$2.5 million investment in Bermuda in those categories he has previously discussed. [So] at that point what rights [does that person] have?

The Ministerial Statement then says, following on from the investment . . . and then it picks up in the chain of thought or in the chain of events that “if at or after five years.” So within that five-year period after they have made the investment of \$2.5 million, what do they have the right to do within that five-year period before they can apply for the Residential Certificate?

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

**Hon. Jason Hayward:** Mr. Speaker, the way in which the Economic Investment Certificate or Residential Certificate is actually structured would be [that] one would obtain an Economic Investment Certificate, which is a five-year certificate. And they have to maintain their investment over that period of time. During that period of time the person will have rights to work in a business that they have operated in. They would also have the ability to work according to our current Work Permit policy.

If the person decides that they want to remain in Bermuda for an indefinite period under the residential portion, what they would have to do is satisfy that they met the five-year criteria for the Economic Investment Certificate, and that provides a gateway for that person to obtain a Residential Certificate.

Once that person obtains a Residential Certificate, they have the current rights which are laid out for the Residential Certificate holder, the difference being the person would have the ability to reside and seek employment under our current Work Permit policy.

**The Speaker:** Thank you.

**Mr. Jarion Richardson:** Supplementary?

**The Speaker:** Supplementary?

**Mr. Jarion Richardson:** Yes, please, sir.

**The Speaker:** Yes. Put your supplementary.

#### SUPPLEMENTARY

**Mr. Jarion Richardson:** As it relates to substantial sums being invested into Bermuda, and the criteria appears dependent on decision-makers that we in the House do not have regular interface with, we will not regularly see this approval process, but we are talking about very large sums of money for these rights in Bermuda. How will the Minister, or will the Minister be reporting back to the House [about] the success of

this programme, and when could we expect such report?

**The Speaker:** Thank you.

**Hon. Jason Hayward:** Mr. Speaker, I will certainly endeavour to provide updates on the success of the programme similar to the updates that the Ministry of Labour has been giving for the one-year Work from Bermuda Certificate policy.

**Mr. Jarion Richardson:** Thank you, Mr. Speaker.  
Thank you, Honourable Minister. Those are all of my supplementaries and questions. Thank you.

**The Speaker:** Thank you.

MP Cannonier, I see you have your video sorted out. How is your audio to deliver your question?

**Mr. L. Craig Cannonier:** Thank you. Thank you, Mr. Speaker.

**The Speaker:** We can hear you well; you can put your question now. And I think your question was to the Minister of Education.

#### QUESTION 1: PROPOSAL TO INTRODUCE PARISH PRIMARY SCHOOLS CONSULTATION UPDATE

**Mr. L. Craig Cannonier:** I appreciate it, Mr. Speaker.

And on page 3 of the Honourable Education Minister's Statement, at the very top he mentions Education Workforce Strategy for designing high-level learning for school leaders for shaping the next generation. And I was hoping that the Minister could help us in understanding a bit more about the professional development to me and career progressions that he has in mind and how it is taking shape. What are they doing right now about that and even assisting with financial issues? Can he elaborate on that?

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

**Hon. Diallo V. S. Rabain:** Thank you, Mr. Speaker, and thank you, Honourable Member, for that.

Honourable Member, the Department of Education's core strategy is part of the Learning First Programme. The Learning First Programme is a team that has been designed to look at learning as it occurs now. What we want learning to be—what it should be—we look at what processes our educators are using now to design what the future of our system should look like from a learning perspective and from a curriculum perspective.

Of course, there will have to be a refinement for professional development to be provided to our

educators and our leaders within our system in order for them to bring forth this new educational system. So as that is developed and the professional development is identified, the Ministry and this Government have committed to ensuring that we provide every and all opportunity to our current educators to gain those skill sets so they can be a part of the system.

**Mr. L. Craig Cannonier:** Supplementary. Mr. Speaker, please.

**The Speaker:** Yes. Yes, you can do your supplementary.

### SUPPLEMENTARY

**Mr. L. Craig Cannonier:** That was a bit general. But I guess the next question I would ask is: Has this professional development been identified? And where will this professional development come from? Will there be a US system, a British system? Have we gotten that far yet?

**Hon. Diallo V. S. Rabain:** As I stated in the Statement, and as I stated in the public domain, the Learning First currently are beginning to engage a prototyping of what the system could look like. The idea [is] that we have a system designed by Bermudians for Bermuda, not a system that is imported wholeheartedly from somewhere else. Of course we will use best practices that are seen in other countries. But it is very important for us to have a system that is by Bermudians for Bermudians.

But once that system is designed . . . and I understand. I understand the impatience because we are moving very, very . . . we are moving methodically and very deliberately through this because we have to get it right the first time. We want people to take as long as we need to make sure that we get this right.

But in terms of professional development for our teachers, that still continues. In fact, just a few months ago we had intense professional development for our teachers during the midterm break. Prior to the beginning of school we had intensive professional development going. We put learning the use of both platforms, such as Schoology, which we have introduced into our system.

So the professional development continues. But this particular thing that we are talking about here from the Learning First is that they are in the process of gathering the data that they need now to talk about what it is that our system will look like in the future. And then professional development will be designed around what those needs are.

**Mr. L. Craig Cannonier:** Thank you, Honourable Member.

Second question.

**The Speaker:** Yes. Do your second question.

### QUESTION 2: PROPOSAL TO INTRODUCE PARISH PRIMARY SCHOOLS CONSULTATION UPDATE

**Mr. L. Craig Cannonier:** Thank you, Mr. Speaker.

On page 6, the third paragraph down, this has become an ongoing question, and I am glad that the Honourable Member has addressed it in an additional paragraph. And I am talking about high-performing schools being proposed for closure. There has been a lot of talk around that. Further on down the paragraph there, it says, "It would not be fair nor prudent to propose school building sites based on the performance when there are many other social and economic factors . . ."

Taking into consideration that some of these schools are a stone's throw away from each other, where one is kept and one is not going to be held onto, I guess what I am trying to understand is if it is from a high-performance school, it might also contain social and economic factors that might impact the performance of these students who go to schools . . . high performance based on students doing well.

So I am just trying to understand a little more about that part. It is kind of contradictory, because you do not need fancy schools, necessarily, to have high performance. So I am just hoping that he can help us out here a little.

**Hon. Diallo V. S. Rabain:** I think I am going to respond . . . I am not quite sure what exactly you are trying to say, but I will attempt to put this in perspective.

High-performing schools are not dependent on the building. They are dependent on the learning that happens within the building. And if a system or whatever is happening is working within it, we are committed to looking at what is happening within the building and using that as far as our education reform. So if we do have a quote/unquote *nonperforming school*, it is not necessarily a result of the actual building that in fact exists.

So, when you look at our system, we are looking at a system that has to progress to give every single one of our students the opportunity to succeed. And we have to meet them where they are. And so with the system that we are proposing, all of the resources and things that are necessary to ensure that all of us, at least the children, will be consolidated into one building, that building can become, I guess as you want to refer to it, *high-performance*. But all of our students will be high performing, not just a segment of our society.

**Mr. L. Craig Cannonier:** Thank you.

**The Speaker:** Thank you.

Minister, while we have you, this is a question for you as well, and the question would be for . . .

MP Jackson, would you like to put your question now?

**Ms. Susan E. Jackson:** Yes, thank you, and good morning, Mr. Speaker. Good morning, Minister.

**The Speaker:** Good morning.

### QUESTION 1: PROPOSAL TO INTRODUCE PARISH PRIMARY SCHOOLS CONSULTATION UPDATE

**Ms. Susan E. Jackson:** My question is around the spend. I am just curious if you could provide the House with the estimated amount of money that has been spent so far on the consultation period and the Innovation Unit, and just the total cost of the spend this year.

**Hon. Diallo V. S. Rabain:** I can commit to bring that back. As the Innovation Unit contract, which was recently put in the public domain and was discussed in this very place last year when we did our item in March—

**Ms. Susan E. Jackson:** Yes.

**Hon. Diallo V. S. Rabain:** —it is a commitment over the course of around three years. And I believe it is \$2.1 million over the course of three years.

But there are other expenses that would have to be tallied if we are looking at, if you want to know the total cost of reform, because local persons on Learning First are being provided with a stipend. They are doing an awful lot of work.

And there are some other things. When we organised our meetings prior to COVID-19, we did have to furnish all that. So if you want a total amount, or if you are only concentrating on our Innovation Unit, that contract is currently in the public domain and can be easily accessible by yourself.

**Ms. Susan E. Jackson:** Yes. Yes, I am aware of that. And thank you. Thank you very much for providing that.

**The Speaker:** Any supplementary?

**Ms. Susan E. Jackson:** No. I had nothing else. Thanks.

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

Minister, those are the only questions for you. The last question today is for the Minister of Health from MP Dunkley.

### QUESTION 1: INTRODUCTION OF A DRUG FORMULARY FOR BERMUDA

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

To the Honourable Minister of Health: Minister, on page 5 of your Statement, you state, “To be clear, Mr Speaker, the purpose is not to control the price of every medication sold in Bermuda.” And the last part of that paragraph goes, “medications . . . which are intended to be medically appropriate, cost-effective and sold at a regulated price.”

The question to you, Honourable Minister, is, How will that regulated price be arrived at? What basis, what guidelines will the Government provide to the Health Council and this Authority in their deliberations?

**Hon. Kim N. Wilson:** Mr. Speaker, with respect to that . . . and more details, obviously, will come out of this when we debate the Bill in two weeks hence. But the Pharmacy and Therapeutics Committee will actually be charged with helping to assess which drugs, as well as types of medical equipment will form part of the drug formulary. And then there will be, obviously, regulations that will come from this.

But there will be a number of factors that will go into this, and particularly the actual parts of the drug, the cost of importation, et cetera. And I think [it is] of importance to note that these will not be . . . the formulary will not include every single drug known to man. It will be the most common drugs that are utilised here in Bermuda, based on the information that the Pharmacy and Therapeutics Committee obtain from the requisite sources such as pharmacists, physicians, pharmaceutical regional reps, et cetera.

**Hon. Michael H. Dunkley:** I appreciate and understand that. A supplementary, Mr. Speaker.

**The Speaker:** Supplementary.

### SUPPLEMENTARIES

**Hon. Michael H. Dunkley:** Mr. Speaker, in the Statement it appears that Government will get involved in negotiating with overseas suppliers for the importation of drugs if need be. Does the Minister believe that in the longer term, Government will directly bring in a medication, new drugs, themselves for provision to locals who require them?

**Hon. Kim N. Wilson:** I appreciate the Honourable Member’s question. Actually, as the speech speaks to [this], it will be the Health Council that will assist with respect to . . . or that will have power to assist in negotiating pharmaceutical costs [for medications] that are imported into the Island. Obviously we may have economies of scale, and they may be in a better place to negotiate such prices for these pharmacies. So at

this point it is envisioned that it will be as the legislation says, which we will table soon; it will be the Health Council that will be charged with negotiating with pharmaceutical companies to allow for best-pricing concerning the drugs that will be made available in Bermuda.

**Hon. Michael H. Dunkley:** Yes, Mr. Speaker. I understand that the Health Council takes direction from the Government, so let me be more specific.

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

**Hon. Michael H. Dunkley:** Yes, Mr. Speaker. I can make it a supplementary.

**The Speaker:** Put your supplementary.

**Hon. Michael H. Dunkley:** I will be happy to, Mr. Speaker.

So in this regard, does the Minister envision that the Health Council will import drugs directly to ensure that the lowest possible price is provided to the public?

**Hon. Kim N. Wilson:** As is envisioned, Mr. Speaker, the [Health] Council may partner with the local pharmacy or importer to assist in securing the best possible drug prices for Bermuda.

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

**The Speaker:** Any further supplementary or second question?

**Hon. Michael H. Dunkley:** No, thank you. I am finished. Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Thank you, Members. That brings us to an end of the Question Period this morning. And we now move on.

**Hon. E. David Burt:** Mr. Speaker.

**The Speaker:** Yes. Hold on one sec, please. There is a clarification that was required on one of the comments that was made.

Premier, would you like to make the clarification?

### QUESTION 3: MINISTERIAL ADVISORS OR CONSULTANTS AND THEIR REMUNERATION

*[Additional information provided for Hon. N. H. Cole Simons ]*

**Hon. E. David Burt:** Absolutely, Mr. Speaker.

Mr. Speaker, again as we have had the questions, I did offer my apologies as the time between the

time the question was submitted and et cetera. So some answers were ready, and some were not. So I apologise for that omission. And I have clarified that.

Mr. Speaker, as I know that political items, as these things can become political in nature, I just wanted to make sure that Honourable Members, especially the Honourable Member who asked the question, that it should be noted that I have directed the annual remuneration of contracts for personal staff who became Members of the Legislature following the 2020 General Election to be reduced by 50 per cent of their annual legislative salaries. So I just wanted that to be noted. And that was communicated in late last year.

**The Speaker:** Thank you.

We will now move on.

## CONGRATULATORY AND/OR OBITUARY SPEECHES

**The Speaker:** Would any Member wish to speak to that?

No one wishes to speak?

**Lt. Col. Hon. David A. Burch:** Mr. Speaker.

**The Speaker:** Yes. Sounds like Minister Burch. You have your three minutes.

**Lt. Col. Hon. David A. Burch:** Okay. I do not think I will need them. I wish to have condolences extended to the family of Ms. Joanne Raynor, who was funeralised this week. She was of course a friend of mine, but she also worked for 12 years in the Department of Tourism Office in New York and lived in New York subsequent to that. Anybody who knew Joanne, the first thought that comes to mind was *laughter*. She had a personality that was designed for tourism, I think, and thus the success she had representing Bermuda in the New York office. I would ask that condolences be sent to her two sons, Omar and . . . (I have them right here, Mr. Speaker)—Omar and Micah, and the grandchildren and the rest of the family. Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Does any other Member wish to speak?

**Hon. E. David Burt:** Mr. Speaker.

**The Speaker:** Premier. You have your three minutes.

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

Mr. Speaker, I would like to be associated with the condolences that were expressed to the family of Joanne Raynor from the Minister of Public Works just now. I did attend the eulogising and offer my condolences to the family. As the Colonel said, she was a

long-time employee of the Bermuda Tourism Authority or the Department of Tourism.

Mr. Speaker, as Leader of the Bermuda Progressive Labour Party in this Honourable House, I wish to ask that this Honourable House do send condolences to the family of the late Sister LaVerne Furbert, JP, who served in the Legislature in the other place. And I would like to associate all Members of the House of Assembly with these condolences, Mr. Speaker. I am sure there will be other tributes that will be offered by Members later today.

Sister LaVerne supported the Progressive Labour Party in countless ways over decades of service. She served as right hand to the former party leaders, Dame Lois Browne-Evans and L. Frederick Wade in his time as Leader of the Opposition. Friend for the Progressive Labour Party in multiple general elections, amongst them the 2010; was appointed to the Senate; and by the then Premier the Honourable Paula Cox who served as the Minister of Education, Youth Affairs and Community Development. We certainly know of her active time in the Progressive Labour Party [serving in] many different capacities, whether it be at the branch level, whether it be at the international level or the executive level, and could always be counted on for support and counsel in many times.

Without question, she was a freedom fighter and forcefully stood up for persons who were not able to stand up for themselves. And at never a point in time was she afraid of stating her views, her positions and her convictions. After her time of serving in the Opposition, of course, she went on to the Bermuda Industrial Union and served for a long time there, serving the presidents and members and staff of the Bermuda Industrial Union.

No question, Mr. Speaker, it is an incredible loss. And I would like, as I ask the House to send a letter . . . of course, we will make sure that she is recognised tomorrow (we will give her recognition at the funeral), but on behalf the Government and the people of Bermuda, I want to extend our condolences to her sons, Vance and David, their wives, her grandchildren, her sister Maxine, her relatives and friends, her BIU family and her Progressive Labour Party family. And we will forever remember our dear and departed Sister LaVerne Furbert. Thank you, Mr. Speaker.

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

Does any other Member wish to speak?

**Hon. W. Lawrence Scott:** Mr. Speaker.

*[Crosstalk]*

**The Speaker:** Yes, is it Minister Scott?

**Hon. W. Lawrence Scott:** Yes.

**The Speaker:** Okay. Minister Scott, you have your three minutes.

**Hon. W. Lawrence Scott:** Thank you.

Mr. Speaker, I would just like to have the House send congratulatory remarks to the Public Service employee [INAUDIBLE], who hosted a [INAUDIBLE] step and activity challenge for all public offices through an app called MoveSpring [INAUDIBLE]. The Government of Bermuda [INAUDIBLE] step challenge took place between October 5, 2020, and January 8, 2021. Out of 65 teams, the TCD, or the Transport Control Department, won with with 14,989,522 steps. Mr. Speaker, so can we send a letter of congratulations to the TCD team of Yolanda Johnstone, Vernon Tucker, Raymond Bean, Sue-Ann Smith, Debra-Ann Tucker, Charles Clarke, Lisa Smith, Claire Williams-Stovell, Terry Spencer and Lavette Ford-Durrant. So if a letter of congratulations could be sent to the TCD team which won the MoveSpring challenge, that would be most appreciated.

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

Does any other Member wish to speak?

**Mrs. Ianthia Simmons-Wade:** Yes, thank you. Ianthia Simmons-Wade.

**The Speaker:** MP Simmons-Wade, you have your three minutes.

**Mrs. Ianthia Simmons-Wade:** I would like to give my condolences to the family of the late Thelma Robinson, mother of Delores, Deborah, and Doreen Robinson from Paget.

I would also like to give my condolences to the family of the late Cecily Seaman from Pembroke. She was 100 years old earlier this year. She was the mother of Shirlene and Dawn.

And I want to say both of these ladies are examples of women who lived their lives to the fullest and who aged well—a perfect example for our young people and our older people to take care of themselves so that they too may make 100 years old.

Thank you very much.

**Some Hon. Members:** Mr. Speaker. Mr. Speaker.

**The Speaker:** Thank you, MP Simmons-Wade.

Mr. Opposition Leader, would you like to make your contribution?

**Hon. N. H. Cole Simons:** Yes, Mr. Speaker.

Mr. Speaker, on behalf of the Opposition, I would like to associate myself with the comments made in regard to the former Senator LaVerne Furbert. As we all know, she was a champion for the rights of labour and the labour movement. She was a fighter with passion. She was fearless. If she had you

in her sights, you were in trouble. So I would like to send condolences to her entire family, her sons Vance and David, her grandsons and her sister, Maxine.

Mr. Speaker, I would like to also send condolences out to the family of James [E.] Smith. Mr. Speaker, as you will know, James Smith was a former Clerk to the House of Assembly. He was a history professor at Bermuda College. And he was an Honorary Fellow of Bermuda College. He had a passion for writing. He wrote about Black inequality and slavery in Bermuda. He was a born Bermudian. In addition, he was an avid sportsman. He was tennis pro at Belmont. And he was a coach for the Bermuda Triangle Swimming Club. This gentleman was a real Bermudian and crossed many racial barriers.

Mr. Speaker, I would like to also send condolences out to the family of the late Alan “Boopsie” Burrows, a former family friend.

I would like to also send condolences out to [the family of] Hadley Lionel Woolridge. He was one of Bermuda’s tourism ambassadors. He is survived by his son Lionel, and [daughter] Wyonnie, and his sister, Una Mae Bean. He was a founding member of Fathers Unite, a charity that we worked for fathers in Smith’s Parish. And he also did a lot of work, charitable work for Summerhaven. He was one of the patriarchs of Smith’s Parish and a member of the Smith’s Parish Woolridge family. Obviously, he was well known. He was well liked and well respected. So I would like to send condolences to his family as well.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Mr. Opposition Leader.

Does any other Member wish to make a contribution?

**Some Hon. Members:** Mr. Speaker.

**The Speaker:** Is that the Deputy Speaker?

**Hon. Derrick V. Burgess, Sr.:** Yes, yes, Mr. Speaker.

Mr. Speaker, I would like to be associated with the remarks concerning the former Senator LaVerne Furbert, who was a very dear friend of mine. And Ms. LaVerne Furbert was a true freedom fighter, one of integrity and action, Mr. Speaker. She will surely be missed around in Union Square, missed by the whole family on Union Square, Mr. Speaker. It is a big loss for us, Mr. Speaker. And I pray for her sons, her aunt, and Dr. David and sister Maxine and the rest of the family.

Also, Mr. Speaker, I would like to send condolences to the family of Mr. Raymond Astwood, who was funeralised some weeks ago. He leaves his wife, Ms. Linette Astwood, and his children.

Also, Mr. Speaker, Mr. Charles “Charlie” Simmons, who passed some weeks ago. He also leaves his daughters Angela, Charlita, and stepson Robert.

And, Mr. Speaker, I would like to send condolences to the family of Ms. Betty (Fubler) Outerbridge, who leaves children Hubert, Gerald, Glenn, Shane, Donna. (I think there is one more).

And Ms. Wendy Trott from Harris’s Bay, the daughter of Suzanne Simons Trott, Mr. Speaker.

I also would like to be associated with the remarks concerning Mr. Hadley Woolridge.

Thank you, Mr. Speaker.

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

**Mr. Dennis Lister III:** Mr. Speaker.

**The Speaker:** Would any other Member like to speak?

I see the Member from constituency 28.

**Mr. Dennis Lister III:** Yes. Good morning, Mr. Speaker. Good morning to my honourable colleagues and to the listening audience.

**The Speaker:** Good morning.

**Mr. Dennis Lister III:** Mr. Speaker, I just want to send condolences to the family of Ms. [Lynn Hafisa] Ali of Sun Valley, a constituent of mine. And she passed since we last sat in this House.

Also, to another constituent of mine, who is well known, the former Financial Secretary, Mr. Anthony Manders. I would also like to send condolences to his family.

And, Mr. Speaker, while it is always sad to lose anybody, it is more [disheartening] to lose a young person in the prime of their life. And I would like to send condolences out to the family of Ms. Kevina Santucci. She was a former—we were not in the same class, but she was a few years behind me, so I have known her all throughout elementary school, middle school and high school.

*[Crosstalk; Feedback]*

**Mr. Dennis Lister III:** It is very sad to her of her passing this week. So I would like to send condolences to her family.

**Hon. N. H. Cole Simons:** I would like to be associated with that as well, please, Ms. Santucci.

**The Speaker:** The Opposition Leader.

*[Inaudible interjections]*

**Mr. Dennis Lister III:** And also, Mr. Speaker, also to the families, I had mentioned the names prior in press statements, but to the families of the road victims from this year, Mr. Clevonte Lodge-Bean and Mr. Oronde

Wilson. I would also like to send condolences to their families, Mr. Speaker. Thank you.

**The Speaker:** Thank you.

Does any other Member wish to speak?

**Mr. Neville S. Tyrrell:** Mr. Speaker. Mr. Speaker.

[Crosstalk]

**The Speaker:** Is someone there with the . . . Minister Scott, I see a hand. I just cannot catch your voice.

**Mr. Neville S. Tyrrell:** It is Tyrrell, MP Tyrrell.

**The Speaker:** MP Tyrrell, you have your three minutes.

**Mr. Neville S. Tyrrell:** Thank you very much, Mr. Speaker. Good morning, colleagues.

Mr. Speaker, I would appreciate if the House could send a letter of condolences to the family of the late John Edmund White, from Rocklands Estate. Mr. White's family was the first family that welcomed me into Rocklands 40 years ago. So we became quite friendly. We would talk across the fence quite often. And he will be missed in the neighbourhood because he was certainly a person who looked after our cars. He worked on his car almost every day. He liked new gadgets and things. In fact, I will miss hearing his car coming into the yard because he had a voice notification on his backup, which said, *This car is backing up*. So I will always miss that. And I hope that his family find [consolation] during their time of grieving.

Thank you very much, Mr. Speaker.

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

Does any other Member?

**Ms. Susan E. Jackson:** Mr. Speaker.

**Some Hon. Members:** Mr. Speaker.

**The Speaker:** I hear MP Jackson. Is that you, MP Jackson?

**Ms. Susan E. Jackson:** Yes, please.

**The Speaker:** You have your three minutes.

**Ms. Susan E. Jackson:** Thank you. Good morning.

I would very much like to be associated with the condolences to the [family of] the former Senator LaVerne Furbert. I did not know her in a political capacity, but I did know her as a supportive mother. And I just admired her. She was, for me, a role model as a supportive mother while her son, David, was authoring, publishing, distributing free to the schoolchildren his *Daddy and I Explore* children's book series. And I

certainly was able to engage in a number of conversations with the former Senator during that period of time. And David must have published about a half-a-dozen of the *Daddy and I Explore* books series. And she was always so supportive. She was so consistent and very much engaged. And certainly as a mother, I admired her.

I would also like to send out condolences to [the family of] a constituent, Richard Butz. He lost his life at the end of last year. And he was certainly an active participant within the constituency in that I remember him being one of my tougher—you know, sort of tougher constituents when I first came into politics—and have developed a relationship with him and his wife over the years. And I certainly send condolences to his wife Antoinette, known as Toni, and the time that we spent together, making sure that she remains healthy and supported in future years. Thank you.

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

**Mr. Hubert (Kim) E. Swan:** Mr. Speaker.

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

Is that MP Swan? MP Swan, you can have your three minutes.

**Mr. Hubert (Kim) E. Swan:** Yes. Thank you, Mr. Speaker, and good morning to you.

**The Speaker:** We can hear you. Your audio is fine, but I do not have your video. Ah, here we go.

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

Mr. Speaker, I would like to be associated with the condolences offered to the family of Sister LaVerne Furbert, whom I had gotten to know rather well and have known from both sides of the divide and always had great respect and admiration. Because once a Death Valley girl, always a Death Valley girl, even though you have got relatives down in Flatts and you have got a name that comes from Crawl. And she was a Death Valley girl, and we were always proud of that. May she rest in peace.

Mr. Speaker, I would like to be associated with the condolences to former Clerk, Mr. James Smith, whom I knew as a tennis pro at Belmont back in the early 1970s when I was starting off my career.

And [I would like to] be associated with the condolences to the Santucci family, with whom I am very closely connected.

I would like for condolences to be sent, Mr. Speaker, to the family of Ms. Muriel Brown from the Wellington Hill family. Many would know the Curtis family up there, closely associated with them. Her son Maxwell, daughter Muriel, deceased son, and her

grandchildren, Max and Makeisha. We offer our condolences.

And to the Engelman and Tramm family on the passing of Olaf Engelman, they are offered sincere condolences to them.

Certainly to the family of my father's good friend and cricket buddy, Mr. Junius Durrant, Mr. Speaker, I offer condolences. I only spoke to him a couple of weeks ago, getting some historical information. He is going to be sorely missed.

The family of Mr. Tom Smith, [sports advisor to] the Department of Youth and Sports, and also he was a past executive of the Bermuda Golf Association many years ago, Mr. Speaker.

Also to the family of Mr. Vernal Burns, his widow, Peggy Burns. So we send our condolences out to them as well.

And finally, Mr. Speaker, Mr. Vincent Smith, whom I played cricket with at Somerset Bridge. Smitty used to walk down there by George's Bay across the field. And, *Is he coming? Oh, there he goes* with the Afro coming, coming through down there on White Hill Field to play cricket with us, Mr. Speaker. May he rest in peace.

And finally, Mr. Speaker, if anybody who did live in Somerset Bridge, before GP cars, there was Nurse [Moirá Valentine] Cann driving that car through Hogg Bay level who has passed on. May she rest in peace, Mr. Speaker.

**Hon. Michael H. Dunkley:** Mr. Speaker.

**Mr. Christopher Famous:** Mr. Speaker.

**The Speaker:** Thank you, MP Swan. Two voices—MP Famous.

**Mr. Christopher Famous:** Yes. Good morning, Mr. Speaker. Happy New Year.

**The Speaker:** You have your three minutes.

**Mr. Christopher Famous:** Yes. I want to share in the condolences to Sister LaVerne Furbert. During the four years we were in Opposition she helped to—she was instrumental in teaching many of us the proper way to protest. And as we can see, our protests were effective.

I want to give condolences to some Devonshire people, Mr. Speaker. Mr. John Ming of Jubilee Road; Ms. Sherrilyn "Tappy" DeSilva of Hermitage Road; Mr. Antonio de Frias of Collectors Hill; Ms. Viola Powell of Green Acres Road; and Mr. Earl "Gabby" Hart. I am not sure if he was mentioned already, but Mr. Earl "Gabby" Hart of Green Acres, as well. These were elders in the community who did a lot to help keep Devonshire people together. Thank you, Mr. Speaker.

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

**Hon. Michael H. Dunkley:** Mr. Speaker.

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

**Hon. Michael H. Dunkley:** Yes, Mr. Speaker.

**The Speaker:** MP Dunkley, you have your three minutes.

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

I too would like to be associated with the condolences given for Mr. Hart, a former constituent of mine and now a constituent of Mr. Famous; and for Mr. James Smith, who was in Parliament when I first arrived.

And condolences to the family of Anthony Manders, who was a very professional civil servant whom I enjoyed working with. He always had an answer, and he could always give you another answer if you were not quite happy with the answer he gave you. He was not only professional, but he knew his job in and out. And he treated everyone fairly. And I was shocked to see him pass away. So, condolences to his family.

Mr. Speaker, I am sure many people in the House would like to be associated with these condolences to a good friend of mine, Keith Pearman, who passed away about 10 days ago. I have known Keith for decades. As a young child, I first learned how to play golf with Gilbert "Butch" Lindo and Keith Pearman down at the old National Sports Club, where we would hit balls. I played many tournaments with Keith as a senior and junior; I was under the age of 18 at the time.

**Mr. Hubert (Kim) E. Swan:** Associate me, Mr. Speaker.

**The Speaker:** Honourable Member.

**Hon. Michael H. Dunkley:** Yes. I have associated many Members of the House. Certainly the Honourable Member Kim Swan knew him quite well.

**An Hon. Member:** Associate.

**Hon. Michael H. Dunkley:** Politically, he was big supporter of mine, Mr. Speaker. He canvassed with me for many, many years. He lived in MP Famous's constituency right now. And when I moved to Smith's North, he continued to canvass in that area. Keith was excellent on the doorstep, but he had one weakness. He did not like dogs. So that became a problem from time to time. He knew many people. He had many friends. He had very few enemies, Mr. Speaker, because he would always say, *When the going got*

*tough sometimes, it's best just to keep your dog tied up.* He broke barriers in our community as a Black man, especially in golf. Many people will know him as the head pro at Mid Ocean. And he made countless friends from all over the world.

Mr. Speaker, Keith will be sadly missed by his friends. He was a valued counsel to myself. And most importantly, Mr. Speaker, he was a wonderful Bermudian, and we should never forget the values that he lived by. May he rest in peace. Thank you, Mr. Speaker.

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

**Hon. Renee Ming:** Mr. Speaker.

**The Speaker:** Any other Member?

**Hon. Renee Ming:** Mr. Speaker.

**The Speaker:** No other Member?

Before we move on, I would just like to—

*[Inaudible interjections]*

**The Speaker:** Minister Ming, is that you?

**Hon. Renee Ming:** Yes, it is.

Mr. Speaker, I would like to first of all associate myself with the condolences that have been given for former Senator LaVerne Furbert; Mr. Anthony Manders; and also for Kevina Santucci.

I would also like to extend heartfelt prayers to the family of Olaf Engelman, "Ingy." A well-known St. Georgian.

*[Pause]*

**Hon. Renee Ming:** Hello? Sorry.

**The Speaker:** Continue.

**Hon. Renee Ming:** [He was a] well-known St. Georgian who passed away last week. And I just want his family to know that they are in our thoughts and prayers.

And I would also like to extend condolences to the family of Roderick Peterson, who passed in January; and also Mr. Vernal Burns.

Mr. Speaker, I would like to have one congratulatory mention, and that is for Ms. Florenz Maxwell. And that was on her recognition by US media book guru Oprah Winfrey for her book that she has written with regard to young ladies.

Thank you very much, Mr. Speaker.

**Mr. Hubert (Kim) E. Swan:** Associate me with Ms. Maxwell as well, Mr. Speaker and Minister.

**Hon. Renee Ming:** Associate MP Swan, please.

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

Does any other Member wish to make a contribution?

**Ms. Lovitta F. Foggo:** Yes, Mr. Speaker.

**The Speaker:** It sounds like another voice from the East End.

**Ms. Lovitta F. Foggo:** It is indeed.

**The Speaker:** MP Foggo, you have the floor.

**Ms. Lovitta F. Foggo:** Today I would only like to acknowledge one constituent who has indeed passed away. And therefore I must associate myself with the remarks coming from Minister Ming when she expressed condolences for Mr. Vernal Burns. He was a solid PLP supporter, an ardent worker in Branch 3. And he indeed was the husband to Ms. Peggy Burns. They worked closely with us in the East for everything. And so he will be missed. And my condolences go out to Peggy and her daughters, Joanne and Dawn (and his son's name escapes me, but . . .)—

**An Hon. Member:** His son is David.

**Ms. Lovitta F. Foggo:** —and his son as well. He will be greatly missed. Thank you.

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

Does any other Member wish to make a contribution?

**Mr. Jarion Richardson:** Yes, Mr. Speaker, Anthony Richardson.

**The Speaker:** You have your three minutes.

**Mr. Jarion Richardson:** Thank you, Mr. Speaker.

I would like to send our condolences to the family of Michael Whalley of Bostock Hill West, who as a member of Christ Church was very active in the church family and their activities, constantly volunteering to assist in all of their functions and repairing all kinds of electrical issues. He was a very active elder and stalwart of that church family. And I would like our condolences be sent to [his family].

Further, Mr. Speaker, condolences to the family of Elsie L. Thorne, nee Graze, of Tamarind Vale, who had a very quiet strength, a very gracious and strong lady, one of the founding members of Peace Lutheran Church, one of the elders of the church who brought a lot of Lutherans—or introduced Lutheranism into a lot of Bermudian families. Lost her husband at a relatively young age, and then went on to raise five children on her own and now has a very wide and di-

verse family spread across the Island. So condolences to the Thornes of Tamarind Vale, as well.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Mr. Opposition Whip.

Does any other Member wish to make a contribution?

**Hon. Tinee Furbert:** Mr. Speaker.

**The Speaker:** Yes?

**Hon. Tinee Furbert:** This is Minister Tinee Furbert.

**The Speaker:** And, Minister, you have your three minutes.

**Hon. Tinee Furbert:** Yes. Good afternoon.

I just also want to be associated with the comments in regard to Sister LaVerne Furbert, as well as Ms. Betty Outerbridge of Hamilton Parish. Condolences to the families of both of those persons.

As well as condolences to [the family of] Ms. Kim Hendrickson, who recently also passed.

**An Hon. Member:** Please associate me also, Mr. Speaker, for Ms. Hendrickson. Please also associate me.

**The Speaker:** Yes. Yes.

**Hon. Tinee Furbert:** All of these people will be extremely missed by our community. And I just want to give condolences and my condolences on behalf of the constituency of St. George's South.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Does any other Member wish to make a contribution?

Does any other Member?

Before we move on then, I would just like to add my—acknowledge some of the condolences that have been given this morning, particularly for the fact that those who were associated with the Legislature in the past, and I would like to be associated with the [comments regarding] the former Clerk, Mr. James Smith. He was the Clerk when I came to this House many years ago, and he was always one who was extremely helpful and willing to go the extra mile to help in the procedure and processes of information that we needed.

To Ms. Furbert, who sat in the other Chamber, and much has been said about her. We know the contribution and value that she brought to fighting for causes in this community.

And also Mr. Manders, the Financial Secretary. We are all familiar with his presence in this Chamber frequently during the debate, Budget De-

bates and things of that nature. And we know that he will be a valuable miss to government for the service and to his family as well.

And when we speak of clerks who have been serving here, I would like to also acknowledge the fact that the former Clerk Mrs. Roach lost her husband during this period and I would like to acknowledge his loss.

And on a constituency matter note, let me be associated with the remarks expressed to [the family of] Nurse Cann. And that is so sad. She was always very familiar, moving around our community many years ago. And she was well valued in our community, and we feel her loss as a community.

And lastly, I would like to be associated with the remarks that have been expressed to [the family of] Ms. Kevina Santucci. She is gone at a young age. But her short time on this earth has impacted many people. When you listen to the comments and expressions that have been expressed since her passing, it is duly noted that she had sincerely impacted all who came in contact with her. And our sincere condolences go out to her entire family. Her father who is well known by most people in this House, Chaplin Santucci, his wife, Karen. Our thoughts and prayers are with you at this time. Thank you.

Now moving on to other matters.

## MATTERS OF PRIVILEGE

**The Speaker:** There are none.

## PERSONAL EXPLANATION

**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

### GOVERNMENT BILLS

**The Speaker:** I believe there are three to be introduced this morning. The first is in the name of the Minister of Transport.

Minister, would you like to introduce your Bills?

### FIRST READING

#### MOTOR CAR (DRIVER'S LICENCE RENEWAL) AMENDMENT ACT 2021

**Hon. W. Lawrence Scott:** Yes, Mr. Speaker.

Mr. Speaker, I am introducing the following Bill for the first reading so that it may be placed on the Order Paper for the next day of meeting: Motor Car (Driver's Licence Renewal) Amendment Act 2021.

**The Speaker:** Thank you. I believe the second is also in your name.

## FIRST READING

### MOTOR CAR AND AUXILIARY BICYCLES (VALIDATION AND AMENDMENT) ACT 2021

**Hon. W. Lawrence Scott:** Yes, Mr. Speaker.

So, 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: Motor Car and Auxiliary Bicycles (Validation and Amendment) Act 2021.

**The Speaker:** Thank you.

And the next Bill, the third Bill is that in the name of the Minister of Health.  
Minister.

## FIRST READING

### BERMUDA HEALTH COUNCIL AMENDMENT ACT 2021

**Hon. Kim N. Wilson:** 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, namely, the Bermuda Health Council Amendment Act 2021.

**The Speaker:** Thank you.

## OPPOSITION BILLS

**The Speaker:** There are no Opposition Bills.

## PRIVATE MEMBERS' BILLS

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

## NOTICE OF MOTIONS

**The Speaker:** No notice of motions.

## ORDERS OF THE DAY

**The Speaker:** That now brings us to the Orders of the Day.

And the first matter to be dealt with this morning will be in reference to the public health emergency

extensions regarding the COVID-19. And that is in the name of the Minister of Health.

Minister.

## SUSPENSION OF STANDING ORDER 23(3)

**Hon. Kim N. Wilson:** Yes, Mr. Speaker.

Mr. Speaker, I move that Standing Order 23(3) be suspended to enable the House to proceed with the consideration of the Order entitled Public Health (COVID-19) Emergency Extension Order 2021, proposed to be made by the Minister of Health in exercise of the power conferred by section 107A of the Public Health Act 1949.

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

No objections.

Continue, Minister.

*[Motion carried: Standing Order 23(3) suspended.]*

## ORDER

### PUBLIC HEALTH (COVID-19) EMERGENCY EXTENSION ORDER 2021

**Hon. Kim N. Wilson:** Mr. Speaker, I am pleased to invite this Honourable Chamber to consider the Order entitled Public Health (COVID-19) Emergency Extension Order 2021. Mr. Speaker, I would like to take this opportunity to remind the public of their civic responsibility to take steps to protect themselves, their loved ones and their neighbours during this global pandemic caused by the novel coronavirus. We live on a very small island, and as we have experienced already and as recently as late last year, COVID-19 can spread quickly and impact our whole community as scores of people test positive and hundreds end up in quarantine.

We can slow the spread of the virus by wearing a mask to cover our nose and mouth, as well as physical distancing, downloading the WeHealth Bermuda app and avoiding the three Cs—closed spaces, crowded places and close-contact settings. The more barriers and space between you and others, the harder it is for the virus to spread.

Mr. Speaker, also, after enormous hard work by scientists around the world there is another layer of protection we can add, and that is the COVID-19 vaccination. As has been said many times, vaccines save lives, and it is no different with the Pfizer BioNTECH vaccine that is being used in Bermuda now. Getting the vaccine greatly reduces your chance of contracting COVID-19; in fact, the Pfizer vaccine has been shown to be 95 per cent effective after two doses. If you do get COVID-19, you are likely to experience milder symptoms and become less ill, as your body is better able to fight off the virus. This means we can keep people out of the hospital and have fewer deaths

due to COVID-19. With the reduced viral load in your system, it is also hoped that you are less likely to transmit the coronavirus as well, although this aspect of the vaccine's power is not fully known at present.

Mr. Speaker, of the 14,605 vaccinations administered to Bermuda, up to and including Wednesday, 17 February, 8,072, or 55 per cent, were given to women and 6,533, or 45 per cent, were given to men. Bermuda's goal of herd immunity will be achieved when 70 per cent of the population (and our population currently is 64,054) has been immunised. To date 17 per cent of the population has been vaccinated with one dose, and 6 per cent of the population has been immunised having two doses. These are great results so far, and I thank all those who have taken the steps to get their vaccinations to protect themselves, their families and their community.

As a Government, we recognise that it will take some time to reach that goal of herd immunity, and so a more immediate goal is the immunisation of 90 per cent of persons over 65 years. And this is our most vulnerable group. In addition, we continue to encourage our extremely clinically vulnerable persons, health care workers and essential service workers to please get vaccinated.

To repeat: Preventing infection, the onset of the disease itself and community spread via mass vaccination will be a critical part of how we navigate our way out of this current crisis. We have all felt the impact that COVID-19 has had on us personally, and we all know how it has impacted our Island's economy. Getting vaccinated is an integral part of our ongoing collective effort to reduce the spread of the virus here on the Island. And this is essential not only for our health, but also to help and to allow us to return to a sense of normalcy with our daily lives.

Mr. Speaker, Honourable Members, as we all know now COVID-19 was caused by a new virus that spread quickly throughout the world. Unfortunately, it still exists in large parts because it can be transmitted so easily between people who are in close contact or through coughs and sneezes. While most infected people suffer mild flu-like symptoms, some become seriously ill and even die. In my role as the Minister of Health, I consulted the Chief Medical Officer and determined that a communicable disease of the first or second category, namely COVID-19, continues to pose a severe threat to public health in Bermuda. This Order will extend the Public Health (COVID-19) Emergency Order 2021 made under the Public Health Act 1949 to permit the Governor to continue the Public Health (COVID-19) Emergency Powers Regulations 2021, which imposed extraordinary measures necessary in the interest of public health to prevent, control and suppress COVID-19.

Mr. Speaker, Honourable Members will be aware that the Public Health (COVID-19) Emergency Order 2021 was made under the negative resolution procedure, effective on the 25<sup>th</sup> of January 2021 for 30

days, expiring on the 24<sup>th</sup> of February 2021. However, the COVID-19 pandemic continues to rage on globally, and a public health emergency continues to exist on our shores. Therefore, in accordance with section 107A(3) of the Public Health Act 1949, I bring this extension Order to this Honourable Chamber to prolong the state of public health emergency for a further 60 days, ending on the 25<sup>th</sup> of April 2021. Thank you, Mr. Speaker.

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

Does any other Member wish to speak?

**Hon. Michael H. Dunkley:** Yes, Mr. Speaker.

**The Speaker:** MP Dunkley, you have the floor.

**Hon. Michael H. Dunkley:** Thank you, Mr. Speaker. I thank the Honourable Minister for that overview of the Public Health (COVID-19) Emergency Extension Order 2021.

And I guess the first question that I would ask before I make some brief comments . . . the Minister has come to this Chamber today via a Zoom meeting and asked for an extension for 60 days. And we all know that COVID-19 has gripped our Island home and the world for almost a year now, Mr. Speaker. So it is very hard to predict what is going to happen in the future. But there are some positive changes that have taken place recently that I think give us more hope that we have had in some time.

So the first question to the Honourable Minister would be, Does the Honourable Minister have any idea about how long we think we might have to use this extraordinary Order, to have it in place, Mr. Speaker? I say that only because I know the answer will be very difficult to come by, but it would be better, I think, for the public to understand more the rationale behind the thinking of the Government in the extension and only extending it for 60 days, not for a shorter period or for a longer period of time, Mr. Speaker.

Obviously, with this extension Order comes significant power and responsibility, Mr. Speaker. And as we in the Opposition have said from the beginning of COVID-19 . . . we have been generally supportive of the moves that Government has taken. We have also been supportive of the Public Health (COVID-19) Emergency Extension Orders from the beginning, Mr. Speaker, because we believe it is necessary. We had to take action that no one would have believed would have had to be taken at this time.

Mr. Speaker, we all know that this virus can spread very quickly. We found that out at the end of November and right through December where it spread like wildfire in our community because some people let their guard down. Sadly, and most unfortunately, this virus spreads without knowing it until people actually feel sick or people get tested and they are found to be positive with the virus. So it is a silent

challenge. It is a quiet challenge that has rocked the world and rocked our lifestyle, Mr. Speaker. And it will have dire consequences even when we are able to achieve herd immunity.

Mr. Speaker, unfortunately, many people have been rocked with their health and well-being, [have] been put in a fragile state, whether it is their mental health or their physical health. Many people have seen the freedom of their movement . . . all people saw the freedom of their movement curtailed drastically when we were in lockdown. And the freedom of movement is still somewhat curtailed at the present time. Many people have felt it with the loss of employment. Many people have felt it with the loss of income and loss of jobs. Families have been separated. This pandemic has struck us and the rest of the world in ways that we would have never foreseen a year ago this time as we just rounded ourselves into the start of a new year in 2020.

And, Mr. Speaker, it will take a long time. It will take a long time for the Island to recover. And some people may never be able to recover to the position they were in before. That is the length, the breadth and the severity of the impact of this virus. So the sooner that we can get ourselves in a better position, Mr. Speaker, the better we will be. And Orders like this help us get into that better position, Mr. Speaker, because we found out that we have to make sure that we watch what we do at all times because of this virus. And generally, Bermudians have been very supportive of the policies that are put in place. I have found that Bermudians have been wearing masks and have been practicing social distancing, have been doing all of the things that are important, Mr. Speaker. However, there are always a few amongst us who will let their guard down or intentionally take action that could impact not only them, but our community. And that causes us great consternation.

Mr. Speaker, the Honourable Minister did mention the vaccination process and where we stand right now, that as of Wednesday (I believe it was) 14,605 individuals have been vaccinated, 55 per cent of them women and 45 per cent of them male. The Minister did mention that she believed the health officials who informed her that herd immunity would be effected at 70 per cent of our population vaccinated. And to date, I think the Minister said that we are at 17 per cent of those who have been vaccinated. So, Mr. Speaker, in looking at many of the hurdles, the challenges we face in rebuilding our lives, rebuilding our economies, getting our children back into the proper school environment, getting our freedom of movement back, [being] able to do things in life that are important to us, one of those big challenges is also the ability to get 70 per cent of our community vaccinated.

And why do I say that? Because we have had a great deal of talk, Mr. Speaker, in the time since vaccinations became available on the Island that there

is significant hesitancy about vaccinations. And so I would ask the question to the Honourable Minister, or to any one of her Government colleagues: What are we doing to address this hesitancy, Mr. Speaker? Because, clearly, if we intend to get 70 per cent of our population vaccinated to have this herd immunity that everyone speaks about—and I believe it will be effective if we get to 70 per cent—what are we going to do to make sure we can get to that 70 per cent in a quick-as-possible timeframe?

The hesitancy is real, certainly amongst the Black population. And I understand much of the hesitancy that people have. I have made it part of my daily movement to have discussions with people about, *Have you signed up for the vaccination? Have you got the vaccination yet? What are your thoughts on it?* And it is amazing to me, Mr. Speaker, that so many people have no intention of getting it or are taking a wait-and-see attitude. So we have a big hurdle that we need to get over in this case. And if we do not get over that hurdle, we will continue to fight this virus in a more difficult way than is necessary.

And so, while we have been blessed to have great support from the UK, first in making sure that we have the availability to the PCR test, and we have managed to launch that programme, and the Government has heralded the significance and the widespread capacity we have . . . and it is true, it has helped us in many ways to control the virus in testing, and we are still doing that. It helped us to open our borders and to control the spread of the virus even with our borders being open. We have to thank the UK for that. We have to thank the UK for our first couple of batches of the vaccinations, which have arrived, and the third batch, which is arriving shortly. Without that assistance and help, we could still be in a very difficult position.

But now that we have had that assistance and now that we have had that help and it is has put us in a position of envy for many countries around the world—because with vaccinations, the Premier has touted that we also rank up there very highly—that ranking can rise even faster and further if we can get rid of some of the hesitancy. It is all very good for one person to get vaccinated, but we need our community to get vaccinated, and we need to be able to dispel those myths and to make more people get and be comfortable to have the needle, more people being comfortable in having the vaccination and more people to understand that any side effects for the vast majority of our population are minimal or very small, Mr. Speaker. That is our next big hurdle right now. That 70 per cent, that bar for herd immunity is a long way off with the hesitancy that we have in our community.

So, I would ask the Honourable Minister to give some more information to the public on how we are going to address that. Public service announcements are well and good, but they do not reach down

into many sectors of our community, and they certainly do not deal with personal challenges that some individuals may face.

Mr. Speaker, with that overview of the Public Health (COVID-19) Emergency Extension Order, I thank the Honourable Minister for sharing it with the Opposition Leader and myself and colleagues yesterday. We still face significant challenges within our community in dealing with COVID-19. There are many people who are still struggling at the present time. And the future does look dark quite often. But I have faith. I have faith in Bermuda. And I have faith in Bermudians, because when times are tough we manage to come together. And times are tough now.

We have made great strides with COVID-19, but we cannot take our foot off the accelerator in this case. We must continue to drive this Bermuda bus forward for a better Bermuda because COVID-19 can linger, can jump up at any time and get us, as we found out in December. And we do not need for that to come back.

So in that vein we support this Extension Order 2021. I would appreciate the Minister's background on some of the questions we asked, and would support the Government in urging Bermudians to make sure that we pay attention to the three Cs and *please* sign up for vaccinations. Because it will allow all of our lives to improve at a quicker pace and we can all be in it together for a better, healthier Bermuda.

Thank you, Mr. Speaker.

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

Does any other Member wish to make a contribution?

**Ms. Susan E. Jackson:** Mr. Speaker, I have a few words I would like to share.

**The Speaker:** MP Jackson?

**Ms. Susan E. Jackson:** Yes.

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

**Ms. Susan E. Jackson:** Thank you.

First, I would at every opportunity just want to acknowledge and thank the so many people in our community who have persevered through these challenging times. It has been a really tough road. Everyone has stuck to the wicket. And as a community, I think that this is something that we should be proud of.

The other thing that we have an opportunity to be proud of as well is that we are one of the nations that has the vaccine, and we are small enough to get that herd immunity pretty quickly. And if we could just convince or share with the community as often as possible the idea that if we can all get the vaccination

and achieve herd immunity, then we can start to open up our borders again as a unique place for visitors to come to the Island because there is the immunity here amongst the population. And it will make the citizens of Bermuda safer because we are vaccinated, and it will also be attractive to the visitors who want to come to Bermuda, because they will understand that the virus is minimal on our shores because we are all vaccinated.

I believe that if we are able to share that message with the community, this may help to motivate some folks who are feeling hesitant about receiving the COVID-19 vaccine. I mean, it has been a number of months. There has not . . . I have not, at least, been made aware of any major repercussions or side effects from the vaccine. So I do not believe that the vaccine is taking us into any risky environment. So if we can do everything we can do to encourage as many people to get vaccinated, and then we can promote ourselves to the world as being a jurisdiction that is (quote/unquote) "COVID-19 free" or have minimal, minimal incidents of COVID-19 as local transmission, then we can really get the economy going again and start being more active outdoors and get our life back to normal, or as close to normal as we possibly can.

I just wanted to share that idea in case that is something that the Government may be able to use in messaging, because I do believe that it presents a powerful argument for vaccination.

Thank you, Mr. Speaker.

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

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

**Mr. L. Craig Cannonier:** Mr. Speaker, can you hear me?

**The Speaker:** Yes. MP Cannonier, you have the floor.

**Mr. L. Craig Cannonier:** Yes, thank you very much, and good morning once again, colleagues and Bermuda.

Minister, I just want to go through [briefly] some things that I have seen come to the [fore] here in researching the vaccine and the challenge that we are having with Bermudians, especially those of us of Black descent, and not coming forward, cautious, concerned, about the taking of the vaccine.

I will declare my interest. I have had my first vaccine shot. And I too was leery about the fact that not enough information is being given, worldwide I think, just about the pros of getting this and the fears that we are having and dispelling those fears.

I have noticed that the BBC [British Broadcasting Corporation] in the UK have gone on a third-party validation promo, which I think is a brilliant, brilliant idea to get third-party validators out there, whether they will be talking to doctors and actors and

the like, comedians would sing the pros in getting the vaccine to help dispel some of these myths. And I would encourage the Government and our Minister to maybe speak to the media on how we can go about doing something similar in having third-party validators in Bermuda promoting this here.

We certainly have third-party validators who were dispelling and putting a whole lot of information—*misinformation*—out there about the “so-called vaccines,” even questioning, *What is this? Is it a vaccine or not a vaccine?* And so we could go a long way in helping to dispel some of those fears. Just to come out and say, we as parliamentarians, *Well, look. Go and get the [vaccine]*. It is not going to be enough.

I do have a question about that as well, because when it came up, people are asking, *Am I taking it?* And I was hearing other folks saying, *Well, listen. You politicians should wait last. Let everyone else go first.* And I am curious as to whether or not the Minister has thought about the fact that all parliamentarians should be encouraged to get it so that we are setting examples to Bermuda to ensure that we get to the point that we need for herd immunity— [INAUDIBLE]

[No audio]

**Mr. L. Craig Cannonier:** —especially those of us of colour. So I would encourage our Minister to continue to press on. We in the Opposition will continue to support in this matter. The Shadow Minister has been speaking to us on an ongoing basis of his updates with the Minister. So I appreciate the correspondence that has been taking place.

We are living during a very testing time. And we in Bermuda, because of its economic prowess in the international world, are at risk here. And other countries are going to take advantage of this here if we do not get ourselves and get to herd immunity as soon as possible. And I think that that threat in and of itself is a challenge. But more importantly, our people in Bermuda need to get to the point whereby it is important that we look out for one another. And this herd immunity is vitally important, getting to that point as quickly as possible. We are a destination that you can come to. And the numbers are speaking for themselves. Now we need to back it up and ensure that we get the vaccine.

There are a few other things that I thought about as far as this process is concerned. And having watched the process, I was very curious as to how we are making out. I notice there were a lot of people who were showing up who were not scheduled to take the [vaccine]. And so I am curious as to whether or not we are seeing the numbers of those who have appointments but are not showing up is going down. I do not know if it is an extensive amount or not, or whether or not it is a concern or an ongoing concern of the Minister's. But I did notice that there were, when I had my

[vaccine] taken, at least two dozen folks were on standby there just in case someone did not show up. So if the Minister could elaborate on where we are with that as far as people not showing up to take the [vaccine]. Is that still an ongoing challenge that we are having?

At the end of the day, we also need to be concerned about the disposal of the drug as well. Where are we with that, and are we disposing a concerning amount by the Minister of the drug because people are not showing up for their [vaccine]? But at the end of the day, Mr. Speaker, I think that we are doing a fairly good job here. The challenge we do have. . . so, if she can address some of these issues, it would be wonderful. Thank you, Mr. Speaker.

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

We were trying to do lunch for 12:30 as normal. I am going to ask, is there any other Member? Or the Minister, would your concluding remarks be long? Or would you like to come back at two o'clock?

**Hon. Kim N. Wilson:** They will not be long actually, because we do seem to have bipartisan support. So I will only be a few moments.

**The Speaker:** Okay. We will let you bring this to a close, and then when we come back from lunch we will start with the second Order of the Day.

Go ahead, Minister.

**Hon. Kim N. Wilson:** Thank you, Mr. Speaker, and I thank the Honourable Members for their contributions. More importantly, I thank them for their willingness to raise their hand on having received the vaccination.

One of the issues that was raised concerned the vaccination, and what we are trying to do actually is change the messaging. And instead of referring to “vaccine hesitancy,” refer to it as “vaccine acceptance.” Because we all, I think, appreciate the importance of an immunisation as it relates to matters such as COVID-19. We have seen in the past certain worldwide pandemic diseases have been completely eradicated through properly utilised immunisation programmes.

I would also like to thank the MP from constituency 20—and I share her sentiments—for thanking all of those frontline workers who have been at the forefront of this COVID-19 exercise, since many of them [have been] leading for up to a year. With respect to the Ministry of Health, I am so incredibly blessed and fortunate to work with the most amazing, committed, dedicated team at this Ministry, as well as those persons from National Security, the hospital, everybody who has contributed, all of our frontline workers, towards helping Bermuda to mitigate and navigate through this thing called COVID-19.

Mr. Speaker, there were a couple of questions that were asked, one with respect to what we are do-

ing to address the Members' concerns with respect to vaccination. We obviously have a very strong communications plan which includes education, open communications, Facebook Live, social media. There will be a mail-out coming out this week actually to address that. We invite everybody to go to the government as a resource. There are FAQs concerning the vaccine, concerning COVID-19, et cetera, on the government website. So we are encouraging people to look at the government website with respect to getting their information as opposed to unauthorised sources such as on Facebook and the like.

And I would like to conclude by [considering] the first question which was asked by the Honourable Member, Mr. Dunkley. He answered his own question, you know: *When do we see an end to this?* It is "difficult to come by," and I am quoting him. We do not know. We would like to be able to extend this Order. Obviously, we are seeking for 60 days. And I would like to be able to represent in 60 days that because of the level of vaccination we do not necessarily see a public health crisis continue. But we obviously do not know. Day by day is unfortunately the mantra with respect to COVID-19.

I want to just add real quickly, I did represent these statistics recently at the press conference. It is interesting that from the registrations from the 7<sup>th</sup> of February to the 13<sup>th</sup> of February, the disparity between registrations for the vaccine concerning the races is starting to greatly decline. So we did see approximately 42 per cent of persons who registered were white, and 34 per cent were Black, and then the others identifying as *other* or not caring to indicate their race. So we are seeing that disparity being addressed. And I think it is because of the education. And a lot of people are just kind of having a wait and see.

I see you looking at your clock, Mr. Speaker.

[Laughter]

**Hon. Kim N. Wilson:** I would like to thank Members for their contributions with respect to this, Mr. Speaker. And as such, I move that the said draft Order be approved and that a suitable message be sent to Her Excellency the Governor.

**The Speaker:** Fair enough. Thank you, Minister. I appreciate that very much.

There are no objections to that message being sent to the Governor? No objections. The matter has been approved.

[Motion carried: *The Public Health (COVID-19) Emergency Extension Order 2021 was approved.*]

**The Speaker:** Mr. Premier.

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

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

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

Members, the House now stands adjourned until 2:00 pm.

[Gavel]

**Proceedings suspended at 12:38 pm**

**Proceedings resumed at 2:00 pm**

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

**The Speaker:** Good afternoon, Members. It is now 2:00 pm. We can resume today's session, after our lunch. And we broke at lunch—just to give a refresher for our listening audience—we were about to begin the second reading of the Cannabis Licensing Act 2021 in the name of the Attorney General and Minister of Legal Affairs and Constitutional Reform.

Minister, Attorney General, are you ready?

**Hon. Kathy Lynn Simmons:** Yes, sir.  
Good afternoon, Mr. Speaker.

**The Speaker:** Okay.

Members, the House is now back in session.

Minister Attorney General, I just want clarification. It is listed still as "Act 2020." I am assuming you are going to amend that to make it 2021.

**Hon. Kathy Lynn Simmons:** Yes, sir.

**The Speaker:** Okay.

You have the floor, Minister.

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Speaker.

I move that the Bill entitled the Cannabis Licensing Act 2020 [*sic*] be now read the second time.

**The Speaker:** [That is] 2021.

**Hon. Kathy Lynn Simmons:** Yes.

**The Speaker:** Yes.

Are there any objections to that?

No objections.

Continue, Minister.

## BILL

### SECOND READING

#### CANNABIS LICENSING ACT 2021

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Speaker.

I am pleased to introduce to this Honourable House the Bill entitled Cannabis Licensing Act [2021]. This Bill ushers in a new regulatory regime, licensing all activities involved directly or ancillary to the cultivation, import, export, production, sale, supply, the use, the transport of cannabis or medicinal cannabis or products derived from cannabis or medicinal cannabis in Bermuda. The Bill establishes the Cannabis Licensing Authority to be the statutory regulator to oversee the issuance of licences, inspection, compliance and enforcement of the cannabis licensing regime.

The Authority will also make recommendations to the Minister responsible for Drug Prevention on related policy issues and the administration of the Act. Provisions in the Bill will permit lawful activities relating to the cannabis plant, medicinal cannabis, cannabis products and cannabis-infused food products.

Mr. Speaker, this Honourable House has before it today a multi-faceted and transformative Bill of significant national importance. Before I detail the schematics of the Bill, allow me to put on record for the first time in this Honourable House the full policy context and the Government's objectives of a regulated cannabis regime.

Legalising Bermuda's cannabis laws is certainly long overdue. This is undeniable in a society and a world awakening to an inflection point the discussions about systemic racialised disparities and inequities within institutions, laws and policies, Bermuda's own peaceful Black Lives Matter and policies. Backtracking for a minute, Bermuda's own peaceful Black Lives Matter demonstration last year that gathered 7,000 people amidst a backdrop of a global pandemic and physical distancing rules is a historic marker that transformative change is necessary.

Mr. Speaker, we can all remember a time when Bermudian society was not always so even-tempered when demanding rights for marginalised groups. Bermuda's civil uprisings of the 1960s and 1970s cannot be recounted without acknowledging that cannabis prohibition laws were used as one of the many tools by the Colonial Government and police to quiet Black disquiet and to systemically criminalise Blacks on the front lines of the racial progress movements. Many of our own families, if not some of their own Members who have served in this Honourable House, were directly impacted by the historic stain of colonialism and the oppression of a white oligarchy. If Black lives truly are to matter, we should not hasten to recognise, deconstruct and reform laws, institutions, and systems that have racialised and [have been] harmful to Blacks. Crises are often the precursor to revolutionary change and we are in an unprecedented economic crisis demanding radical new thinking. Increasingly, cannabis legalisation is not that radical at all.

Mr. Speaker, our 49-year old Misuse of Drugs Act 1972 is a carbon copy of the Misuse of Drugs Act of 1971 in the United Kingdom. Strict drug controls which were duplicated across the British Empire based on an imperfect Nixon-era war on drugs originated out of the United States with its specific use of marijuana enforcement laws to demonise and criminalise Blacks and Latinos in their country. The great Reverend Dr. Martin Luther King, Jr., in his 1963 *Letter from the Birmingham Jail* gifted humanity with his perspective: "I submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law."

The unjust colonial legacy of our local laws has not been fully dismantled after generations of Black Bermudians being incarcerated for minor cannabis infractions. As the entry point to our reforms, cannabis prohibition laws, designed to help society feel safe and secure, have undoubtedly had enduring damaging social, economic and health effects upon our small community. The impact of the enforcement of cannabis laws in Bermuda is disproportionately borne by Black Bermudians.

These costs of prohibition controls are no longer justifiable by modern standards and contemporary science. Criminalising cannabis, primarily through enforcement of personal use offenses [as found] in the Misuse of Drugs Act 1972 is ineffective, costly, and represents poor public policy in contemporary anti-colonial and antiracist theories. Evidence of the tangible human cost hides in plain sight within our justice system: inequities and disparities based on race and police stops and arrest data, drug-related crime rates, prosecutions for cannabis offences, and our prison population. Black males are over-represented in all relevant metrics, even though it is proven Blacks are no more prone to drug use, or cannabis use, specifically, than any other racial group.

Collateral consequences cause separation and breakdown of families and personalised trauma within families affected by cannabis enforcement. Cannabis users and persons convicted of cannabis offences are endlessly excluded from jobs, housing and travel.

Mr. Speaker, to underscore this point, a clear thread recognising the very same racialised social disparities and the social economic impact is woven through the findings of the Clark Report of 1978, the Pitt Report of 1978, the Gurr Report of 1984, the Archibald Report of 1986, the National Drug Strategy Proposal of 1991, and the Tumin Report of 1992, among others. Looking back at the recommendations in these seminal reports demonstrates that our society must collectively confront, interrogate, and dialogue with our past using today's knowledge, respectful of the aspirations of future generations.

It is undeniable that cannabis use is part of Bermuda's culture, despite it being unlawful to trade, share or even to use. Cannabis use is common at social and football matches and, certainly, at Cup Match and other large public events. Essentially, unlawful use happens in plain sight for police officers who are unable to effectively enforce cannabis laws at such events.

The illegal market in cannabis is estimated to be valued at [between] \$6 million and \$6.5 million. This puts tremendous strain on public resources through enforcement, criminal justice, and the health system.

Mr. Speaker, the drug data supporting the Government policy is captured in the Bermuda Drug Information Network 2018 Annual Report [BerDIN]. I will highlight some of the salient figures.

In the reporting year 2017, some 71,160 grams of cannabis were seized—plants, resins, seeds and edibles. This accounted for 84.5 per cent of all drug seizures by weight. Criminal trials for cannabis possession were at 56 with a total of 18 trials for cannabis possession with intent to supply. Contrastingly, convictions for cannabis offences were reported as: possession, 47 convictions; intent to supply, 10 convictions; importation, 14 convictions; and cultivation, 2 convictions. Only 11 per cent of all total drug arrests in 2017 were for importation offences.

For the fiscal year of 2017/18 a total estimate of \$9 million was spent on drug treatment; \$770,000 in drug prevention; and \$5.7 million spent on drug enforcement and interdiction. Historically, the cumulative government spending for drug use issues is approximately \$15.5 million per year. Cannabis enforcement is overly represented in the drain on these government resources.

Further, Mr. Speaker, when analysing the prison population in 2017, at least 94 trials for cannabis offences were initiated. Most of those accused would have spent some time in custody, either on remand or after conviction. The annual cost of housing a prisoner is recorded at \$70,000 per year or \$5,800 per month. It is also noteworthy that the recorded primary drug for those seeking treatment in order of prevalence are: opioids, cocaine, and cannabis. Yet, the order of prevalence reverses once persons are incarcerated, the cannabis overtaking cocaine and opioids. This suggests the accessibility of cannabis contraband within the prison population.

Mr. Speaker, the status quo has not been effective at deterring illegal consumption and trade in cannabis by any matrix. When faced with the paradox of these truths, how does a society progress from cannabis prohibition to regulation? Thinking of it as a continuum, the stages of cannabis laws reform are as follows: total prohibition, decriminalisation, regulated medicinal cannabis, partial legislation via a strict licensing regime, legalisation with a light touch regulation, and full legalisation without regulation.

Currently, Bermuda has partial decriminalisation of cannabis as persons are permitted to possess 7 grams of cannabis without criminal penalty since December 2017. Hemp and CBD formulations are also legalised in Bermuda since November 2019. The legal definition of hemp is purposefully defined to include cannabis which contains concentrations of not more than 1 per cent THC. Further, approved medicinal cannabis pharmaceuticals like Marinol, Cesamet and Sativex are lawfully available for prescription in Bermuda.

Other formulations of cannabis for medicinal purposes can be authorised for patients under a licence by the Minister responsible for the Misuse of Drugs Act 1972. Globally medicinal cannabis is regulated or authorised by law in all of North America, most of South America, Western Europe, Australia, and New Zealand.

Mr. Speaker, this Government's efforts to take the next logical steps to establish a regulated medicinal cannabis regime were curtailed after public feedback was largely indifferent. Public consultation overwhelmingly showed the public thought the cost, complexity, and proposed bureaucracy outweighed any likely benefits for limited patients who would participate or for attracting prospective entrepreneurs and investors. The overarching call was for broader steps toward legalisation for cannabis. The Government took a deeper look at how far cannabis reforms could go. Raising the decriminalisation amount to above 7 grams of cannabis, similar to Portugal's model of wholesale decriminalisation, was not a feasible option for Bermuda's size and limited resources. Therefore, a balancing exercise acknowledged that full legalisation of cannabis without a robust regulatory framework might have the unintended consequence of increasing cannabis abuse and could negatively impact Bermuda's pristine reputation. Inadequate regulation would neither dissuade cannabis use nor eliminate the illegal cannabis market, or prevent the known health risks and associated social harms.

Mr. Speaker, the Government's conclusion was that we need a regulated cannabis regime tailored to Bermuda which would improve public health and safety and which is not unjustifiably punitive. Opening up entrepreneur opportunities for all in the post COVID-19 economic recovery, including for persons convicted of minor cannabis offences, became a necessary consideration. Soft-touch regulation was ruled out because it could not achieve the needed protections for vulnerable groups and would not satisfy our national commitment to maintaining our favourable assessment in the mutual evaluation report by the Caribbean Financial Action Taskforce for our effective anti-money laundering framework.

Mr. Speaker, the Government is mindful to ensure that reforms effectively curtail the persistence of the illegal cannabis market of unknown quality and potency and that the inherent exploitation within crimi-

nal enterprise would fade over time. The longer cannabis use remains criminalised, cannabis users would largely be out of reach of prevention and risk reduction protocols and treatment services without also being caught up in the criminal justice system.

Mr. Speaker, scientific advances and attitudes about cannabis now indicate that the health risks of using cannabis are lower than that of alcohol and tobacco. Dependence potential of cannabis is moderate to low and on par with that of caffeine. However, local cannabis use data places cannabis and alcohol side by side as drugs of choice in Bermuda. Reported lifetime consumption rates are at 78.7 per cent for alcohol, 76.5 per cent for cannabis, and 70.4 per cent for tobacco.

There is no escaping that alcohol and cannabis are cultural staples in a country where almost 99 per cent of people admit to taking drugs in their lifetime. Law and policy models around cannabis interventions globally are shifting focus towards identifying persons at high risk, modifying risk factors and risky behaviour, and modelling responsible use—the same as for alcohol—instead of outdated criminality focused models.

Mr. Speaker, the cannabis policy follows the leading science that signals that health risks for cannabis users are heightened for adolescents, persons with mental health challenges or a family history of such, individuals with cardiovascular problems, and pregnant women. These high-risk factors can be worsened by initial cannabis use in early adulthood, near daily cannabis use, smoking cannabis plant material, and by consuming cannabis with excessively high THC levels. Because illegal cannabis is of unknown quality or could be laced with other more harmful chemicals or drugs, available data suggests that contamination of street cannabis could be an aggravating factor.

The Cannabis Licensing Bill provisions effectively address each of these perspectives. An objective of the Bill is to restrict access for young persons and discourage inducements to use cannabis, specifically, persons under 21 are not permitted to consume or use cannabis under the Bill. It will, therefore, be an offence to supply or sell cannabis to a person under 21 years of age. Licensees will also have a duty to ensure that persons under 21 are not employed by retail shops and not gain access to retail shops and that cannabis or cannabis products from retail shops are not procured for persons under 21. Applicable offences and penalties are included in the Bill with fines for non-compliance being between \$8,000 and \$40,000.

Mr. Speaker, examples of other safeguards provided in the Bill are such that the Minister may, by order, exclude harmful strains of cannabis from the licensing regime. Availability of cannabis is being curtailed to approved premises meeting strict guidelines, and clearly prescribed packaging and design are re-

quired. Supply chains will need the approval of the Authority to keep out criminal elements, and mechanisms for policies and resources and enhancing education, prevention, and treatment for at-risk groups are also included. Strict security requirements for licensed facilities and conditions on licences will be imposed by the Authority.

Mr. Speaker, public education campaigns and outreach will be promptly executed so that young persons and the general public understand the known dangers of cannabis in the same manner as we educate on the dangers of alcohol and tobacco. The Department of National Drug Control and the Authority will be tasked with collaborating to design and deliver effective, targeted, prevention campaigns, improving understanding of drug abuse, and the development of the best possible responses to it. The intended messaging will emphasise responsible adult use and will be sufficiently nuanced so as not to demonise positive uses of cannabis. Public messaging ought to coincide and reinforce other community-wide values exemplified by parents and family members, educational institutions, and society generally. In addition, the messaging will promote responsible attitudes and beliefs which will provide young people with the tools to decide on the most healthy course of action in regard to the use of potentially addictive substances. Research shows that educational programmes focusing on learning how to manage emotions and stress do better in addressing the root causes of addiction and dissuading young people away from using addictive substances rather than direct programmes focusing exclusively on drug abstinence.

Mr. Speaker, licensed cannabis activities within the Bill's licensing regime are ultimately designed to allow adults to access regulated, quality-controlled cannabis plant material, medicinal cannabis, cannabis products and cannabis-infused food products for medicinal and personal use. The licence categories are as follows:

- a tier 1 cultivation licence, to allow for the growing, harvesting, drying, trimming or curing of cannabis for adult personal use;
- a tier 2 cultivation licence, to allow for the growing, harvesting, drying, trimming, curing or packaging of cannabis for medicinal cannabis for commercial purposes;
- a cannabis retail shop licence, to allow for the operation of a cannabis retail shop for the sale of cannabis or the sale and consumption of cannabis;
- an import licence, to allow for the cannabis and medicinal cannabis planting material for cultivation from any country from which it is lawful to do so;
- a tier 1 manufacturing licence, to allow for activities relating to the processing of edible cannabis; and

- a tier 2 manufacturing licence, to allow for the manufacturing of cannabis products or medicinal cannabis products;
- an export licence, to allow for the export of locally cultivated cannabis to a country in which it is lawful to do so;
- a research licence, to allow for the conduct of scientific research relating to the development of medicinal cannabis;
- a transport licence, to allow for the transport of cannabis or medicinal cannabis in Bermuda; and
- a cannabis event licence, to allow for the sale and supply of cannabis at authorised private or public events of an infrequent, but temporary, nature.

Mr. Speaker, collectively, the proposed Bill creates strict national regulation of cannabis to be enforced by the Authority and police, each empowered under the Bill to control and regulate cannabis within the framework. HM Customs Department Officers retain their role and powers for protecting our borders from drug trafficking. Ongoing cooperation between agencies will continue under the Bill and is essential for the integrity of the regime.

Mr. Speaker, another dimension of the Bill is that the associated licence fees are designed to avoid a situation of *champagne for the few instead of water for all*—to borrow an African expression from Thomas Sankara. It is a priority of this Government to prioritise economic access to the licensing regime for all segments of our society. Licensing fees are accessible and affordable, ranging from \$500 for a tier 1 cultivation licence, \$500 for a transport licence, and \$750 for a private cannabis event licence. On the higher end of the licensing regime, entrepreneurs can opt for retail shop licences and research licences at \$10,000 or tier 2 commercial cultivation licence for \$6,000.

Mr. Speaker, the Bill presented is the culmination of a comprehensive social justice reform project which includes extensive consultation and stakeholder engagement from entities and experts across health, law enforcement, finance and justice. The final iteration of the initiative began during the previous legislative term, with the Government renewing its promise for cannabis reform in the 2020 Speech from the Throne. The policy behind the Bill was informed by a substantive public consultation throughout the policy development phases and included the presentation of an illustrated draft Bill. The final public consultation exercise closed on July 3, 2020 with over 500 comments made by approximately 150 members of the public, stakeholders, and affected entities.

Mr. Speaker, the public consultation not only showed large numbers of supportive comments and ideas for improvement, it showed there is an overwhelming appetite for changes to our cannabis laws and that the populace generally accepts that cannabis should be available lawfully under a licensed regime.

The public feedback can be chiefly described as supporting the licensing system. Most contributors gave views and insights into particular provisions or shared their individual opinions for or against the different policy options being pursued. There were less than a handful of persons holding against a regulated cannabis regime as proposed.

Most opposing attitudes offered explanations and suggestions. Certainly, all contributions were constructive, thoughtful, and valuable. Not surprisingly, the quality of some consultation submissions uncovered substantial local cannabis expertise waiting in the shadows and margins of society to take root. It is anticipated that our homegrown experts are readying themselves to start their local cannabis operations.

*[Desk thumping]*

**Hon. Kathy Lynn Simmons:** Mr. Speaker, on 2 December 2020 the UN Commission on Narcotic Drugs decided by 27 votes to 25, with one abstention, to delete cannabis and cannabis resin from Schedule IV of the 1961 Single Convention on Narcotic Drugs, the listing of the most harmful psychotropic drugs. The UK Government voted in favour of this change.

Mr. Speaker, with this change by the United Nations' oversight bodies they radically removed some of the structural hurdles in emerging cannabis industries globally. It effectively allows for greater national competence for signatories to enact legislation to allow increased medicinal, scientific and industrial uses of cannabis without falling afoul of the three major international narcotics conventions. The reclassification of cannabis was resulted from World Health Organization [WHO] recommendations, recognising therapeutic and treatment benefits of cannabis, further indicating that it is not liable to produce ill effects similar to other drugs in Schedule IV, such as heroin, fentanyl and opioids.

Mr. Speaker, the Government is aware that United Nations Treaties oversight body, the International Narcotics Control Board (INCB), has articulated the limitation that domestic laws of cannabis can only be allowed for medicinal, scientific, and industrial purposes. The Bill before us goes to permit lawful uses of cannabis for personal adult use and other licensed activities. In doing so, the Bill's provisions will exceed the prescribed limits of the various narcotics conventions. The Government of Bermuda is pursuing all diplomatic and legal options to deliver on its promise to our people, fully cognisant of the UK's role to ensure compliance with International Narcotics Conventions extended to Bermuda. However, Bermuda, as a small overseas territory of the UK, democratically desires for social, cultural, and public health reasons to chart its own distinct course in the difficult area of cannabis reform, while adhering to international law to the greatest extent possible.

*[Desk thumping]*

**Hon. Kathy Lynn Simmons:** As Bermuda is a non-state party to the Narcotics Conventions, the conventions are extended to us by the United Kingdom Government. International law requires that territorial application of treaty obligations of signatory state parties requires the consent of the territory government. The UK Government and Government House has confirmed support for Bermuda's policy and legislation only so far as it does not contravene the UK's international obligations. To be clear, the Governor has indicated that she will be unable to assent to any legislation that contravenes our international obligations.

Mr. Speaker, it is worth noting that the UK are already entangled in a diplomatic stalemate with the British Virgin Islands because of Her Majesty's UK Government's refusal to assent to two cannabis related Bills. The BVI's Cannabis Licensing Act, 2020 would open up commercial opportunities related to medicinal cannabis in the territory. Also, the BVI's Drugs (Prevention of Misuse) Amendment Act, 2020 sought to decriminalise possession of small amounts of cannabis and erase some previous convictions. It is reported that the UK is withholding assent because they were not consulted during the Bill's development and to secure a Memorandum of Understanding granting the UK Government a binding role in the territory's licensing authority.

Mr. Speaker, the Government of Bermuda has consulted with the UK and Government House during our laws development. As previously stated, Bermuda has already passed laws to decriminalise small amounts of cannabis, and medicinal cannabis is already available under our existing law. Should the UK Government take the same approach for Bermuda as they have in the BVI, the Government of Bermuda will have to reconsider the terms of its consent to the Narcotics Convention.

*[Desk thumping]*

**Hon. Kathy Lynn Simmons:** Mr. Speaker, the mutuality of Bermuda's relationship with the UK requires the UK Government to support the democratic aspirations of Bermuda by representing our interests in the international arena, insulating Bermuda from any potential INCB [International Narcotics Control Board] sanctions. Even though we are officially represented by the UK Government at the international level, Bermuda's own voice on issues which affect our political, economic or financial interests must be represented. This was a position framed as far back as the tenure of Sir Edward Trenton Richards, Bermuda's first Black Government Leader from 1971 to 1973. [

*[Desk thumping]*

**Hon. Kathy Lynn Simmons:** Mr. Speaker, let us be clear, Bermuda is met with a dilemma—continue to wait for the INCB and other state parties to catch up to modern attitudes on cannabis and miss the opportunity to give a real change and economic opportunities for our people, or to meet the potential international challenges head-on. The road to progress is never perfect. Progress comes at a cost. The legendary US Congressman John Lewis, best known for his lockstep advocacy alongside Dr. Martin Luther King, Jr., powerfully tweeted in June 2018: "Never . . . be afraid to make some noise and get in good trouble, necessary trouble." Defending Bermuda's democratic policy position on cannabis on the international front is the type of "trouble" this Government is not afraid to get into.

*[Desk thumping]*

**Hon. Kathy Lynn Simmons:** Mr. Speaker, Bermuda can be confident that the pathway to a regulated cannabis legal framework has been trailblazed by Canada and 36 states within the United States of America. Other jurisdictions further afield, like Uruguay, have a completely regulated cannabis sector with Mexico's legal cannabis industry expected to come on line by the end of 2021. Remarkably, Mexico's legalisation was driven by a Supreme Court ruling that cannabis use falls under constitutionally protected modes of individual self-expression and that country's desire to eradicate drug cartels.

Canada and the USA by enacting domestic laws permitting personal adult use of cannabis and creating regulatory frameworks for cannabis for cannabis industry are in the position of respectful non-compliance in regard to the International Narcotics Conventions. Notwithstanding, neither country has been subject to any sanction by the INCB despite Canada being called an international rebel and the INCB declaring its legislated regime to be weakening the drug treaty framework. Respectfully, it would be disingenuous for the INCB to take a hard-line approach against Bermuda's cannabis laws in the face of two G7 state parties to the conventions notoriously in non-compliance with their treaty obligations.

Mr. Speaker, the cannabis policy and laws emanating from the Americas and Caribbean region are more coherent with local views and culture. Prevailing views in these regions, like those in Bermuda, recognise that contemporary science and risk-based harm reduction strategies are far more effective at preventing cannabis misuse and illegal trades in cannabis than a prohibitionary approach advocated by the INCB. The cannabis laws from the model jurisdictions informing this Bill are sensibly consistent with the overall objective and purpose of the narcotics conventions, that is, to be concerned with the health and welfare of mankind. This is per recital to the 1961 Single Convention on Narcotic Drugs.

This Government believes that a regulated cannabis industry, even one which permits responsible adult use, has greater likelihood of safeguarding the health and welfare of our population than the status quo, systems that criminalise users and continue to proliferate despite all the best law enforcement efforts.

*[Desk thumping]*

**Hon. Kathy Lynn Simmons:** Mr. Speaker, I expect this Bill will receive bipartisan support. Let me explain why. Despite the rainbow coalition of candidates run by the OBA in the 2020 election, they collectively failed to address cannabis reforms or even examine the impact of drug enforcement or drug use in their election platform. Fanciful buzz headings in their platform, such as, “equitable wealth creation,” “restorative justice,” and “social contract,” they remained silent on the subject of cannabis reforms and without any substantive discussion or critique of the Government’s policy intentions.

At the time of the election cannabis reforms had been widely reported on, two public consultation exercises had been completed, and two illustrative Bills have been laid in the legislature for public and parliamentary scrutiny. In fact, cannabis is referenced only once in the OBA’s 2020 party platform and there is no reference to drug policy generally. I dare you to search.

And what, you ask, is the singular cannabis issue the opposition party was focused on? I quote, “Re-examining cannabis growing legislation to ensure that any legalisation would provide real entrepreneurial opportunities.” The failure to engage meaningfully on cannabis reform in the OBA’s platform was trailed by the silence on cannabis reforms in the Opposition’s Reply to the Throne Speech under the new party leader, the Honourable Member for constituency 8.

Mr. Speaker, if I may, let me also cast our memories back to 2014. That was when the Honourable Member from constituency 10 held the portfolio of Minister of National Security. In January of that year the Honourable Member is on record “rubbishing” the PLP Opposition’s proposals to decriminalise small amounts of cannabis. He spoke publicly calling decriminalisation reckless and that he would “refuse to believe that this is supported by the people of Bermuda.” Yet, by November the OBA had changed tack proposing policies to allow for approved medicinal cannabis pharmaceuticals and giving wider police discretion to caution first-time cannabis possession offenders in his 2014 Throne Speech.

Also, that same year, the OBA Government commissioned and supported a comprehensive analysis of cannabis reform in Bermuda by a group called the Cannabis Reform Collaborative. That group’s findings and recommendations, published in April 2014 in a 137-page report, by and large captures the policies

of this Government’s cannabis reforms, including the social justice and social equity underpinnings to cannabis reforms. One month after that report’s publication, the Honourable Member was appointed Premier, retaining the portfolio of Minister of National Security.

So, what exactly did the OBA do while in government to advance cannabis reforms? Did they shelve the report? Was it simply an exercise to placate or garner Black support? Respectfully, I leave it to the Opposition Members to explain their party’s half-baked position on cannabis and inertia in implementing the substantive reforms recommended in 2014 report they commissioned. They can choose to rise today banging pots and pans in a display of [INAUDIBLE] against the Bill, if their conscience allows. But in reality, the Opposition have no real standing to oppose the policy changes in this Bill because they gave no input during its development and they repeatedly failed to deliver on meaningful cannabis reform during their term in Government.

Whatever the OBA’s position today, they never had the public trust to advance credible reforms on cannabis. Incontestably, it is the PLP Government who possessed the legitimacy and audacity to progress cannabis reforms on a resounding mandate from the people.

*[Desk thumping]*

**Hon. Kathy Lynn Simmons:** Mr. Speaker, political dynamics aside, cannabis has already gone mainstream. Industries are emerging and growing steadily in all of our gateway neighbours. We have fixed our gaze towards Canada’s and the USA’s example. We are bold enough to chart our own course to create economic opportunities for our citizens. The Bill presented opens the door for a viable, vibrant and equitable cannabis industry in Bermuda. There will not be large monopolies dominating the industry. We have designed a framework that encourages entry to the business for small and medium-sized entrepreneurs as well as large companies.

Overall, the Bill accomplishes an agile regulatory framework for cannabis in Bermuda that can grow in line with the evolutionary needs of local industry and can be further adapted as cannabis regulatory models emerge globally.

*[Desk thumping]*

**Hon. Kathy Lynn Simmons:** Mr. Speaker, constructing an entirely new regulated industry is not altogether unlike building a house. This Bill represents the tent, foundation, walls and roof needed to shore up the cannabis industry in Bermuda. The legislation cannot possibly, at this stage, capture every eventuality, answer every technical challenge the industry may face, nor be tailored to match the myriad of business proposals imagined. Continuing with the same metaphor,

the expert tradesperson, such as industry experts, entrepreneurs, investors, the banking industry, the Office of the National Anti-Money Laundering Committee, and the Authority will be able to influence the future design of added specifics within the existing licensing regime. Each of these stakeholder groups will have the benefit of the clear regulatory framework of the Bill to inform their due diligence and risk analysis before participating or discharging the operational mandate with regard to the cannabis market. With their expertise, they will have the best understanding of the potential risks associated with any ambiguities in the licensing regime, identify ways of improving security issues, safeguards, and dynamics from within the specific areas they operate.

Thus, Mr. Speaker, regulation-making powers are included within the legislation, allowing the Minister responsible to make specific and general regulations to enhance the regulated licensing regime. Additionally, the principal Act can be amended by regulation to include future development. By modelling our framework on the Canadian model, Bermuda can also rely on Canada's experience with regard to maintaining its high anti-money laundering rating, notwithstanding its regulated cannabis industry. Applying the Canadian lessons will ensure that our Mutual Evaluation Report by the Caribbean Financial Action Task Force continues to demonstrate our effective anti-money laundering compliance.

Mr. Speaker, the totality of the proposed legislation, together with the miscellaneous amendments that will shortly be proposed, provide for a better, effective regulatory control framework for cannabis to displace the illicit market, protect the youth and vulnerable persons, and finally, redress legacy harms afflicting Black families. It provides fair and equitable access to participate in the proposed market at a time when the economy and families are suffering and searching for new economic activities and opportunities. The passage of this Bill and the future implementation will deliver the greatest good for the greatest number.

Mr. Speaker, I would like to take this time to thank the team of technical officers who have worked tirelessly over the last two years to get us to this point: Jason Outerbridge, our lawyer and policy analyst; Amani Lawrence, our Parliamentary Counsel, aided by Assistant Parliamentary Counsel Alsha Wilson. All are part of an effective and dedicated team and to them I will always be thankful.

With those remarks, Mr. Speaker, I move that the Bill be committed.

*[Desk thumping]*

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

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

**Mr. Scott Pearman:** Mr. Speaker, MP Pearman.

**The Speaker:** Yes. MP Pearman.

**Mr. Scott Pearman:** Good afternoon, Mr. Speaker.

**The Speaker:** Yes, you have the floor MP Pearman.

**Mr. Scott Pearman:** Mr. Speaker, this Bill has a—

**The Speaker:** Let me just get you to turn your microphone *[sic]* on.

**Mr. Scott Pearman:** Can you hear me, Mr. Speaker?

**The Speaker:** I mean, not your microphone, your video. Your audio is fine; we just do not have the video.

**Mr. Scott Pearman:** Can you now see my mug, Mr. Speaker?

**The Speaker:** Yes, we can.

**Mr. Scott Pearman:** There we go.

Mr. Speaker, this Bill has a lot of problems. But it does have one positive. It is consistent. The consistency of this Bill is that no matter what position you may take on cannabis use, this Bill is not for you. That is right. No matter what your position on cannabis use may be, this Bill is not for you.

If you are a believer in the prohibition against cannabis, if you believe that drug use and abuse erodes the very fabric of our society, then this Bill is not for you. Because this Bill will legalise cannabis and, in all probability, it will lead to increased drug use.

If you are a believer in decriminalisation of cannabis, if you believe that it is wrong for people to be incarcerated or criminalised for cannabis use, then this Bill is also not for you. Cannabis is already decriminalised in Bermuda, it was decriminalised in 2017. This Bill does nothing to alter that. Decriminalisation has already happened.

If you are a believer in full legalisation of cannabis, if you believe that adults should have the freedom of choice to use cannabis where and when they wish, then this Bill is also not for you, because this Bill is not about freedom of choice.

What this Bill is is actually very clear from the title of the Bill itself. This Bill is about the licensing of cannabis. And licensing and licences, as we know, Mr. Speaker, are ultimately about control. Licences are about cost.

Mr. Speaker, the Bill before you today is somewhat different than the Bill that was originally provided to the public in draft. It is notable that in the draft Bill there was Section 3, which said what the object of the Bill was, and it was *to provide for a regulatory and licensing system*. Well, Section 3 of the draft

Bill with the stated object of the Bill has now been removed from the final Bill before the House today. Why is that? Why would someone want to not say what the object of the Bill was anymore?

In short, Mr. Speaker, this is a Bill which is really about who controls the manufacture, importation, and supply of cannabis in Bermuda. Simply put this Bill is about money—cold, hard cash—and ultimately, it is about who gets that money. This Bill is about corporate cannabis. It is about the commercialisation of cannabis. It is about a licensing system to dictate where the money will go and who will get the money. So, yes, the Bill is about the licensing of cannabis because, ultimately, this is about who gets the cash.

Mr. Speaker, let me first speak to those who think that cannabis is a bad thing, those who think that there are perils involved and that the society is right to prohibit cannabis. This Bill is clearly not for you. If you are a believer in prohibition, if you believe that drug use and drug abuse erodes the very fabric of our society, then this Bill is not for you. If you are concerned that the proximity of drugs will lead to increased drug use, then this Bill is not for you, because cannabis will be more widely available than it is now. And as the legalisation in Colorado and other places has shown us, there will likely be an increase in use. And if you are concerned as a Bermudian that the increased use of drugs will lead to greater risk of abuse of drugs, then this Bill is not for you. Because this Bill does not provide—

**Hon. Jason Hayward:** Point of order, Mr. Speaker.

**Mr. Scott Pearman:** —for adequate support systems for abuse. It is about licensing.

**The Speaker:** Is there a point of order?

**POINT OF ORDER**  
*[Standing Order 19(7)]*

**Hon. Jason Hayward:** Yes, Mr. Speaker, I am raising a point of order.

To what extent is the Member permitted to read an entire statement in the House?

**Mr. Scott Pearman:** Mr. Speaker, I am reading from notes in the same way that the Attorney General read from her brief when presenting this.

**Mr. L. Craig Cannonier:** Absolutely.

**The Speaker:** We know that the Minister always has notes.

**Mr. Scott Pearman:** Thank you. I will keep my eyes on the screen.

**The Speaker:** Other Members are not permitted to read word for word, but if you have notes, you can use your notes.

**Mr. Scott Pearman:** I am grateful, Mr. Speaker, thank you.

**The Speaker:** Thank you.

**Mr. Scott Pearman:** As I was saying, Mr. Speaker, if you are against cannabis, if you are for the prohibition of cannabis, this Bill is not for you because this Bill does not provide adequate support systems for abuse. It is about licensing. It is about the commercialisation of cannabis. It is about corporate cannabis.

If you are concerned that the increased use of drugs will lead to increased addiction, then this Bill is not for you as well. Bermuda already has substantial addiction issues. Bermuda already has insufficiently supported addiction issues. If we have significant addiction issues before this Bill, then what does our community look like when this Bill passes?

Mr. Speaker, like many, many others in Bermuda, I have witnessed personally the damage that addiction can do, the damage that addiction can do both to the life of an addict and the damage that addiction can do to the lives of those who love that addict. For people who have been there, who have seen the sadness and the depravity, have experienced the lies, the tears, the breakdown and the damage that addiction can cause—cause to anyone who just slips—then this Bill is not for you.

Mr. Speaker, let us speak next to those who think that people should not be punished for cannabis use, and that decriminalisation of cannabis is the correct approach. This Bill is not for you either. Bermuda has already decriminalised cannabis possession of up to 7 grams when the law was changed in 2017. Although the Honourable and Learned Attorney General, when introducing the Bill in the Senate and again today, spoke about social justice, the fact is that the removal of the injustice of criminality for cannabis possession happened four years ago. That is not what this Bill is about and it should not be dressed up in this way.

Take the stop list. What about the social injustice of the US stop list? If you believe that Bermudians should not be prevented from going to the United States—

**Hon. Jason Hayward:** Point of order, Mr. Speaker.

**Mr. Scott Pearman:** —because of prior cannabis conviction, then this Bill does nothing to resolve that significant issue for you.

**The Speaker:** There is a point of order.

**Mr. Scott Pearman:** Thank you, Mr. Speaker. I will pause.

**POINT OF ORDER**  
*[Standing Order 19(7)]*

**Hon. Jason Hayward:** Mr. Speaker, the Honourable Member continues to read word for word from a prepared written speech.

**Mr. Scott Pearman:** I am looking at my notes.  
This Bill . . . Mr. Speaker, shall I continue?

**The Speaker:** I cannot tell that you are reading directly because we are not in the House, but I am just cautioning everybody that we know you are not supposed to . . . you should not be reading directly a word for word speech. But you are entitled to look at your notes. But I trust that you are not reading word for word.

**Mr. Scott Pearman:** I will do my best to make eye contact with you, Mr. Speaker, over the Internet.

**The Speaker:** Good.

**Mr. Scott Pearman:** And I, too, am sorry we are not in the House.

**The Speaker:** Thank you.

**Mr. Scott Pearman:** It will be good when we are.

So, if you believe, Mr. Speaker, as I do, that Bermudians should not be prevented from going to the United States because of a prior cannabis conviction, then this Bill does not resolve that significant issue for you. It does nothing. This Bill is not about whether people should be incarcerated for cannabis possession. Ironically, if you believe in decriminalisation of cannabis, Part 6 of this new Bill provides for a cluster of new criminal offences. And I will come back to those offences in a bit.

But if your objection to the illegality of cannabis is that people—and most often, people of colour—are wrongly charged, convicted and sent to prison when they should not be, then this Bill does not address that either, because that is decriminalisation and that has been dealt with.

Mr. Speaker, let me now speak to those who think that cannabis is a question of personal freedom—legalisation—people who think that as freedom-loving adults, that they should be able to go to the park or to a beach or to a bar, smoke a joint, swallow an edible and for a little while block out the frustrations which life may be throwing at them. It may surprise you to hear this, but when you actually read and think about this Bill, you will find that this Bill is not for them either. This Bill is not about the people's plant, it is about corporate cannabis plain and simple.

If you support legalisation, you should know that the 7-gram limit under the 2017 Act for decriminalisation is not being changed unless you pay for a licence. Take a look at [clause] 19 of the Bill. Take a look at [clause] 44(1)(c) of the Bill, and you will not be free to sit down where you like and spark a joint. And if you want to grow your own cannabis at home, you will have to be licensed. There will be an application fee of \$250 and a licence fee of \$500 for you to pay. And that is an annual licence fee every year—the Government's stealth cannabis tax for homegrown weed.

There will also be a limit on what you can grow. The Bill actually provides that the police come into your home if you have more than your permitted amount. [Clause] 44 with Offences provides for a fine of \$5,000 or up to two years imprisonment. That is not the legalisation of cannabis. That is not even the decriminalisation of cannabis. Someone is going to jail, potentially for two years, and for what? One or two extra pot plants on their back porch? That is what this Bill is.

**Mr. Dennis Lister III:** Point of order, Mr. Speaker.

**Mr. Scott Pearman:** And before you can even get a licence for those pot plants, the Authority can come to your home—

**Mr. Dennis Lister III:** Mr. Speaker, point of order.

**The Speaker:** Point of order.

**POINT OF ORDER**

**Mr. Dennis Lister III:** And my point of order is to the MP who is speaking now, what you are saying is that if you . . . that this Bill says that if you got caught with over the limit that you are allowed, but at present, if you got caught with just one you would get more than two years for growing just one plant at your house. So, we are at least fixing that, Mr. Speaker, just for a point of order.

**Mr. Scott Pearman:** Mr. Speaker, the point I am making is that if you support the legalisation of cannabis, this Bill is not for you. And the Honourable MP's intervention does not change that. It is not for you. This is not the legalisation of cannabis.

**Mr. Christopher Famous:** Point of order, Mr. Speaker.

**Mr. Scott Pearman:** This is not the legalisation of cannabis.

Before you even get a licence for those pot plants, the Authority has to come to your house, conduct an inspection, take photos, they can even estab-

lish the boundaries of your property. Take a look at [clause] 23 of the Bill. It provides that there—

**An. Hon. Member:** Mr. Speaker, there was a point of order.

**The Speaker:** I was waiting to hear back. I heard someone . . . I was waiting for the person to come a second time.

**Mr. Christopher Famous:** Point of order, Mr. Speaker.

**The Speaker:** Point of order.

#### POINT OF ORDER

**Mr. Christopher Famous:** The Honourable Member from constituency [22] talks about legalisation of marijuana. We are still a colony of his ancestor's country, so we cannot legalise it.

Thank you.

**Mr. Scott Pearman:** Thank you, Mr. Speaker. I am not quite sure what that point of order was, but as I have said, for those who seek legalisation of cannabis as an opportunity to enhance personal freedom, this Bill is not for you.

The Government will still be able to control the strains and the strength, take a look at [clause] 6 of the Bill. This is relevant because if the strength of the cannabis sold on the Island is regulated, as it will be by this Bill, the people will look for stronger cannabis if they wish and the illegal drug market will continue.

Take a look, Mr. Speaker, at the Penalties for the Bill in Part 6. Take a look at [clause] 44. "No person shall knowingly" (and I am reading, Mr. Speaker, now from the Act) "No person shall knowingly—(a) use or engage in the use of cannabis in a public place, except in a cannabis retail shop or at a cannabis event." So, no park bench for you, no beach, no bar . . . cannot go to the dock, cannot go out on your boat. Also, "No person shall knowingly—(b) supply or sell cannabis to a person under the age of 21 years."

**Mr. Dennis Lister III:** Point of order.

**Mr. Scott Pearman:** Point of order, Mr. Speaker, obviously people do not like to hear the truth of it.

**The Speaker:** Point of order.

**Mr. Dennis Lister III:** Mr. Speaker, I decline. I will save those for my comments, Mr. Speaker.

**The Speaker:** Good move. Everybody is going to have their chance to say something, you can save your comments for then.

**Mr. Scott Pearman:** I am looking forward to the other speakers, Mr. Speaker.

Continuing on, the Offences in [clause] 44. "No person shall knowingly—(b) supply or sell cannabis to a person under the age of 21 years."

Twenty-one years. I will come back to that in a second. [Clause] 44(1)(c) "No person shall knowingly—(c) possess cannabis that is more than 7 grams in a public place"—

**Hon. E. David Burt:** Point of order, Mr. Speaker.

**Mr. Scott Pearman:**—"unless he is the holder of a relevant licencee that authorizes him to do so."

**Some Hon. Members:** Point of order, Mr. Speaker.

**The Speaker:** Point of order.

#### POINT OF ORDER

**Hon. E. David Burt:** Mr. Speaker, if . . . just so one question, I understand the Honourable Member is excited about this debate and is clearly going to tell everyone what he opposes, but I do not believe that we are permitted to refer to actual clauses as we are debating the principles of the Bill. If we are going to be examining particular clauses, those would be done during the Committee stage. I think we are speaking on general principles and not specific clauses during this part of the debate, Mr. Speaker.

**Mr. Scott Pearman:** Mr. Speaker—

**The Speaker:** You cannot get into actual clause by clause, you can make reference to—

**Mr. Scott Pearman:**—I am merely—

**The Speaker:**—you can make reference to parts. You can make reference to the content of it without naming the section. So, you cannot go clause by clause, but you can make reference to the fact that the Bill has the impact of doing this or the impact of doing that.

**Mr. Scott Pearman:** I am sorry. I am duly directed, Mr. Speaker. Duly directed and I am sorry that the Honourable Premier feels the need to intervene.

What I am doing is pointing out the various offences that are being introduced by this new Bill. And without reference to the clauses, I will refer to the next one—No person shall knowingly possess cannabis that is more than 7 grams in a public place unless he is the holder of a relevant licence that authorises him to do so.

No person shall knowingly handle cannabis with intent, whether by him or some other person, for

supply unless he is the holder of the relevant licence that authorises him to do so, et cetera, Mr. Speaker.

So, we are introducing a whole slew of new penalties. And if you support legalisation, then this Bill is not legalisation.

Turning to the issue, Mr. Speaker, of age. I say it again, people who think that as freedom-loving adults they should be able to go to the park or to a beach or to a bar and smoke a joint or swallow an edible, the Bill is not for you, because you may be an adult at 18, you may be a husband or a wife, you may have children, you may serve in the Regiment, but this Bill will not let you have a licence until you are 21 years old. I will not refer to the section, but it is in there.

And not only that, let us say you already have a shop and you want to get a licence to sell cannabis, but you have employees who might be 18 or 19 or 20, well, you are going to have to fire them. I will not refer you to the section. How can you tell an 18-year-old that he or she is too young to have that job? And as for that Bermudian entrepreneur who wants to run that cannabis shop, for every year the application fee of \$250 and the licence fee of \$10,000—every year.

And what about the illegal drug market? What about those under 21? Does anyone actually think that people under 21 are going to stop cannabis use because of this Bill?

So, Mr. Speaker, who is this for? If this Bill is not for all of the people I have mentioned, if this Bill is not for people from all sides of the cannabis debate, then who is the Bill for? Who will be the Mr. Big in terms of manufacture, importation and supply of cannabis? This Bill is about the creation of a licensing system for corporate cannabis. Who will be the shareholders of that company? Will it be a monopoly? Do tell.

When the Attorney General tabled this Bill on the 11<sup>th</sup> of December, she stated that she “[looked] forward to debating the provisions of this Bill and the benefits the proposed new law would provide . . . .” She said, “I am confident that the . . . Bill is . . . sufficiently comprehensive to garner cross-aisle support.” Given how little this Bill actually meets anyone’s expectations, other than one or two big players and their shareholders, people who already have enough money to secure and pay the licenses for manufacturing or importation, what is the benefit of the Bill?

The Opposition calls upon those across the aisle to tell us why this Bill should be passed. We would genuinely like to hear from the Honourable and Learned Minister of Health as to what impact this Bill will have on the physical and mental health issues of Bermuda, Bermudians, and on addiction issues. Where is the increased support for those who, like so many of us, may battle with addiction and fall victim? In Colorado, just before cannabis was legalised, in that period and for the next five years hospital visits

nearly doubled in Colorado because of cannabis legalisation.

As to the Honourable Minister of National Security, we would like to hear what she thinks of the Bill as the Minister responsible for drug prevention. What does she think the impact of the Bill will be? In particular, what will it be on the illegal drug market and the illegal market—

**Hon. Derrick V. Burgess, Sr.:** Point of order, Mr. Speaker.

**The Speaker:** Point of order. We will take a point of order.

#### POINT OF ORDER *[Standing Order 19(7)]*

**Hon. Derrick V. Burgess, Sr.:** Yes. Mr. Speaker, the Honourable Member is continuously reading his notes. Mr. Speaker, the rule is quite clear, if you are going to read your notes then you have to provide copies to all Members. You cannot read like that. You can refer to your notes, you cannot read them. Standing Orders are very clear.

**The Speaker:** Thank you, Deputy. I have already cautioned the Member on it.

**Mr. Scott Pearman:** Yes, duly directed, Mr. Speaker. Excuse me for one second, I am just plugging in my device here as the battery is getting low.

So, Mr. Speaker, what I was saying before the point of order was that I hope that we will hear from the Minister of National Security, the Honourable Renee Ming, as to what she thinks will be the impact of this Bill.

Likewise, we would like to hear from the Minister of Education, the Honourable Diallo Rabain, as to what he thinks of this Bill. What does he think will be the impact on our kids and the impact on our schools?

Many of those in this Chamber will have children, some of us will have very young children, I would like to hear from MPs about what they think this Bill will do to our children and families. We would like to hear from —genuinely hearfrom—the Minister of Labour, the Honourable Jason Hayward, as to what he thinks of this Bill. What does he think will be the impact on work attendance, employee performance, and job retention?

The Opposition would like to genuinely hear from the Honourable Minister of Social Development as to what she thinks about this Bill. What does the Honourable Tinee Furbert think will be the impact on those who fall victim to addiction? And how does the Minister and our community plan to cope with this when it happens? Because it will happen, just as it already happens now with alcohol and with prescription and legal drugs. Our social support system is

struggling already. What does the Honourable Minister have to say about this Bill and its impact? What about the impact from third sector agencies? What have they told the Minister?

Leaving aside the money that will almost certainly be made by a select few on the importation, manufacture and sale of cannabis, what are (quote) “the benefits the proposed new laws will provide” which the Honourable and Learned Attorney General has hinted at?

We have had a long opening speech from the Honourable and Learned Attorney General. In fairness, the speech that she gave was largely directed, quite properly, at the unfortunate fact of illegality for drug use and for cannabis use, which is already dealt with by those who support decriminalisation. But her speech was not about the Bill today.

So, Mr. Speaker, the Opposition shall wait to hear with genuine interest what is said in the debate by those on the Government’s side. But as things presently stand, this Bill really seems to offer one thing—the prospect of a whole lot of money placed in the hands of very, very few. The Honourable and Learned Attorney General made a reference to *champagne for the few instead of water for all*. Unintentionally, I think she hit the mark with this Bill.

If you support prohibition, this Bill is not for you.

If you support decriminalisation, this Bill is not for you.

If you support cannabis legalisation, this Bill is not for you.

Then who, then, is this Bill really for? Mr. Speaker, on this very, very important issue for our island community the Opposition believes this: For a range of reasons, all of them carefully considered, and from a range of beliefs, all of them reasonably held, Bermudians deserve far better than the Government’s current corporate cannabis Bill. The Premier has indicated publicly that this will be a conscience vote for PLP MPs and the Opposition will be calling for a name vote.

Thank you, Mr. Speaker.

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

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

Any other Member?

**Mr. Dennis Lister III:** Mr. Speaker.

**The Speaker:** Yes?

**Mr. Dennis Lister III:** Good afternoon, Mr. Speaker.

**The Speaker:** Good afternoon. How are you today?

**Mr. Dennis Lister III:** I am all right.

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

**Mr. Dennis Lister III:** Okay. Good afternoon to the listening public and to my fellow colleagues.

Mr. Speaker, I speak in support this afternoon for the Attorney General and her team for bringing this Cannabis Licensing Act 2021 to the House. I have four short words to say, Mr. Speaker. It is long overdue.

In my comments I have three key points I would hit on, Mr. Speaker, but I will first give a short, brief history of my experience. I do not proclaim myself as an expert on cannabis, Mr. Speaker, but I can say that over the last 20 years I have done much research and collected as much information as possible about it as I can. And I have been advocating for the change of the stigma of cannabis, Mr. Speaker.

I was born in the 1980s, during the era of Nancy Reagan, the wife of President Ronald Reagan. I grew up and I can always vividly recall the *Just say no* commercials, the *Nope to dope* commercials, Mr. Speaker. I also can vividly recall watching TV and seeing commercials where you have a big circle and it would say *This is your brain* and then a small circle that would say *This is your brain on drugs*. I also recall other commercials, Mr. Speaker, where there would be a hard-boiled egg in a frying pan and it would say *This is your brain*, and then they would crack it open and as the egg white and the yolk fried in the pan it would say *This is your brain on drugs*.

Mr. Speaker, that is when we grew up—my era—a [biased], one-sided opinion on what drugs were.

Mr. Speaker, at about 15 and a half or 16 years of age I had a wide awakening when I found that that was not the only opinion on cannabis. At 16 years of age I then wanted to learn as much as I could about cannabis because for so long we had been taught that drugs kill, that you can . . . and Mr. Speaker, I was, maybe, a little naïve when I was younger, but I assumed that it meant you would die instantly or that, you know, drugs kill you the moment you take them. And that is because from that one-sided approach that is all we got.

So, Mr. Speaker, at 16 years old when I found out otherwise, I wanted to do as much research as possible. At 18 when I went off to college, Mr. Speaker, in my freshman year there was a class project where we had a debate on cannabis, to legalise it or not, and I had to be on the side that was for it.

Mr. Speaker, with the materials and resources or access to resources at a collegiate level, I was able to delve deeper into my research on cannabis. And, again, I sort of broadened and got away from that one biased opinion that I had been brought up on all my life.

Mr. Speaker, I do not want to go too far down that way because I do have my points to hit, but I will just finish that by saying this: In the mid-2000s there

was a documentary series that came out called *Wired*. It was put on by Dr. Sanjay Gupta, a well-known doctor. He has been on the TV and different talk shows before. At that point in time he was an ardent [INAUDIBLE] he did not support cannabis. He was against it as far away from it as possible. At the end of this docu-series where he did investigations on cannabis and the medicinal benefits of it and how it would help those who dealt with chronic illnesses, he had a total [180] degree turn and he is now an advocate for the responsible and correct use of cannabis, whether medicinal or recreational use, Mr. Speaker.

Mr. Speaker, I will go to my three points that I have. My first, there is much that I can say on cannabis, but I know there are other speakers and I know that they do not want to hear my voice all night. So, I will just limit it to three points that I want to hit.

Mr. Speaker, the first is redemption. I say “redemption” because for the last 70-odd years there has been this war on drugs. For 70 years—you say that and it is mind-blowing—we are going to do the same thing for 70-odd years and get the same result, which is not success, Mr. Speaker. And if I look up the definition of “insanity” in the dictionary, Mr. Speaker, it says *doing the same thing over and over again and getting the same result*. So for the last 70-odd years world governments have been insane because they have been doing the same thing over and over again.

Mr. Speaker, it is well-known that the prohibition of cannabis has been used as a discriminatory racial tool to harm minorities. In Bermuda the Black people might not be a minority, but they are in other parts of the world. In Bermuda we are the majority and in Bermuda, in the majority, [cannabis is still being] used as a discriminatory and racialised tactic. For 70 years this has harmed and negatively affected young Black men, Black families, even white families, Portuguese families—everyone has been affected, Mr. Speaker. There were young men that got caught with a small joint and they could not go off to school to further their education and they are then stuck on this rock, Mr. Speaker, all because of one joint.

Mr. Speaker, the time has come for change and redemption. Redemption, I refer to, again, Mr. Speaker, because [it] states in the Bill that the Bill is looking to encourage persons who have been affected by this, persons who have been incarcerated, persons who are . . . while now it is an illegal illicit trade , Mr. Speaker, but persons who have the experience in it, at present, they are being criminalised against. So, redemption is that those who have served time in prison, away from their families for something that the world’s attitude is changing on, Bermuda is not the first place to take this approach, Mr. Speaker. We have seen Canada. Canada did it in 2017. And as much as the previous speaker before me said that “this Bill is not for you,” the way it is now is not for you, Mr. Speaker.

The OBA and all that was said by the previous speaker before me, not one alternative was mentioned, Mr. Speaker, not one. So, you would rather have it the way it is now and not change it, [rather] than try to at least have some changes so that we can . . . as the consultation period showed, that this is for Bermuda. The consultation period that was done last year showed that medicinal [use] was not the interest, they wanted recreational use. So, Mr. Speaker, the next consultation showed that this is what Bermuda wants. And, yes, there are those who opposed it, but the overall majority that did this consultation, Mr. Speaker, showed that this is what Bermuda wants.

Mr. Speaker, the redemption for persons who have been affected by this, persons who were using this illicit trade to make illegal funds before, can now do a 180 degree turn and now apply for permits to have legal businesses which they have the expertise in. We talk much of importing expertise into Bermuda. Well, in this particular case, Mr. Speaker, with this cannabis industry, we have the expertise here in multiple Bermudians who, while this is an illicit drug, participate in it.

You know, they have been caught and they have served their time. They have the expertise, Mr. Speaker. So, they now can have the opportunity to take what they were making . . . what was an illegal substance and making illegal cash, they can now make legal cash and have legit legal businesses. So, this is about giving a second chance to persons that fell afoul of a law that is unjust, Mr. Speaker, and it has been proven to be unjust.

The usage rates of cannabis are equal, one to one, in people of colour versus white people, Mr. Speaker. But the incarceration rates, Mr. Speaker, are almost triple to quadruple that of Blacks to whites. So, this goes to prove that this is an unjust system the way it is. It has been used as a racial tool to harm and to negatively affect and disproportionately harm the Black people, whether in Bermuda as a majority or in other parts of the world where they are a minority, Mr. Speaker.

So, Mr. Speaker, this Bill as a way to redemption will help to address and correct. And I will just input, Mr. Speaker, that the PLP has shown over the last three years that step by step we have been looking to address that.— In 2017 we did the decriminalisation of marijuana of up to 7 grams. The speaker before me referenced much of that, but Mr. Speaker, he did reference to say that if you feel that you can carry in public, if you are over this you can still be charged.

Mr. Speaker, research has shown that 7 grams is an acceptable personal amount to have on you. So, persons who want to carry more than that . . . that is not the average. The average person, at present, that carries more than that on them is for retail [reasons]. So, we are looking at the persons who want

to have personal possession, which is 7 grams or less, Mr. Speaker.

And Mr. Speaker, the Member before me mentioned a lot about how this Bill we are putting forth "is not for you" because it would encourage the usage of young people to go higher. Mr. Speaker, I would ask of that Member to do research on the country of Portugal. In 2000 Portugal decriminalised all drugs, *all* hard drugs—cannabis, cocaine, crack, heroin, dope—*all* drugs. They decriminalised it and allowed for persons to, instead of using it on the street hidden in an alley somewhere, that they can go to a clinic, use clean needles so that there is not the sharing of AIDS and that, you know, people are not overdosing and dying in the streets by doing that, Mr. Speaker. And the research is across all the drugs, but as we are specific to cannabis, I will talk specifically to cannabis. What the Portuguese have found is that, since the year 2000, which is over 20 years ago, Mr. Speaker, the usage rates of young people, which was expected to go sky high, [remained stable]. They did not . . . after a few years it evened out, it did not drop, it did not go higher.

And what one reason used for that, Mr. Speaker, is that it is human nature. If you tell someone not to do something because it is bad, it is wrong, it is illegal, they will do it. If you tell your seven-year-old child, *Do not touch that hot stove*, they will consider it and, if you are not looking, they will do it. If you tell your seven- or eight-year-old child, *Do not take the cookie out of the cookie jar*, they will, when you are not looking, take the cookie out of the cookie jar, Mr. Speaker.

So, the research showed that by making it decriminalised, the attraction of something decriminalised has gone away. It is not the big bad bogeyman that your mama said don't do or don't try because it is now decriminalised. So, that attraction has been taken away, Mr. Speaker.

So, Mr. Speaker, I did get caught up, but I will now move on to my next point and it is about the education. And when I say "education," I refer back to my earlier comments regarding Dr. Sanjay Gupta. Education on the medicinal benefits of cannabis, Mr. Speaker. And I will apologise in advance that I may go a little deep but, as I said, I have done a lot of research, Mr. Speaker.

The chemical that makes up cannabis, CBD, which is cannabidiol, . . . is well-known by research and science and scientific fact that our bodies have cells in them called CBD receptor cells, which means that our body has already been wired and programmed to accept the CBD from cannabis in our bodies. That is why persons who have chronic illnesses, Mr. Speaker, off-hand I cannot think of any chronic illnesses, but persons who live in constant pain, they have seizures and different things like that, it is well-known, researched, and a proven fact that cannabis has a healing effect on that. It calms down persons

who have seizures. They can live better lives, going from having 20, 50 seizures a day it is proven that a person can down to having two seizures a day and even less, being able to live a normal life, Mr. Speaker.

So, we have to educate people on the medicinal benefits of cannabis. Everywhere when we hear about cannabis, people get caught up on recreational. Recreational cannabis is one small part of the vast numerous opportunities and endless utilisation of cannabis, Mr. Speaker.

Mr. Speaker, I would like to cast persons' minds back. You will all recall Dr. George Washington Carver, who in the late 1800s [and] early 1900s discovered over a hundred ways and, I dare say, if I am correct, over 1,000 ways to use the peanut. But most people only really know of peanut butter and the more common uses. There are over almost 1,000 ways to use the peanut. That is similar to cannabis, Mr. Speaker. There are various ways to use it, but people always get caught up in the recreational and they do not understand the medicinal benefits, Mr. Speaker, which can help us, as much as has been referenced earlier in . . . much has been referenced before about Bermuda's state of health. It is a well-known fact that Bermudians suffer a lot from bad health.

Mr. Speaker, research has proven and shown that cannabis can help with cancer, multiple types of cancer, and Bermuda is a place with a high population of cancer patients. So opening this legislation for cannabis, Mr. Speaker, also opens up the opportunities of medical research and gaining the benefits of that medical research.

Also, is to educate persons . . . and much has been said, Mr. Speaker, on the negative effects of cannabis, which are also well known. But Mr. Speaker, just as with anything in life, there are good and bad, there is a yin and a yang to everything.

Mr. Speaker, alcohol, cigarettes, which are legal and at the age of 18 you can purchase alcohol and cigarettes, which is a well-known scientific fact that they do more harm to your body. From alcohol and cigarettes you can get liver cancer, lung cancer, throat cancer, eye cancer, tongue cancer. Mr. Speaker, the list is unlimited.

Mr. Speaker, I put on my hat as Road Safety Chairman. The number two cause of accidents in Bermuda outside of speeding, the second is drunk driving, Mr. Speaker. So, while we have these well-known facts, Mr. Speaker, what are we doing to address the alcohol usage? Nothing. Yes, the Road Safety Council does push and promote the advocacy against it, but we still see it is still legal. While we know that persons drink and the previous speaker mentioned "addicted," we have alcohol addiction. It is rampant in Bermuda. But yet, alcohol is still legal. We do not have cries to make alcohol illegal, Mr. Speaker. We do not hear those cries. Why? And the Member

before me made much reference to it, why? Because it is business in alcohol, Mr. Speaker.

And Mr. Speaker, we well know it in Bermuda—the Goslings, the Burrows Lightbourns—they make money off the sale of alcohol. But we do not hear the outcry when it comes to . . . we know the addiction rates of alcohol, the drunk-driving rates, where is the outcry for the prohibition of alcohol in Bermuda, Mr. Speaker? There is none. Why? Because in the 1920s prohibition proved that it does not work, Mr. Speaker—the prohibition of alcohol. So, they legalised alcohol and regulated it.

Mr. Speaker, the same with cannabis. It is proven that the prohibition of cannabis does not work. So, Mr. Speaker, we must now look at how we can make it work by regulating it. The speaker before me made much mention that this is a “corporate” this and “corporate” . . . Mr. Speaker, we are regulating it so that persons, yes, you might not have the full legality to walk around and smoke at your free will, but you cannot do that with a cigarette and alcohol now. You cannot walk in a building and smoke a cigarette. Most places have dedicated spots where you can go and smoke on your smoke break, Mr. Speaker. You cannot just drink alcohol when you want. You cannot even have an open bottle of alcohol in your own private car.

So, Mr. Speaker, all of this talk of expectations of full legalisation in Bermuda . . . that is not the dream. The understanding is a regulated market, Mr. Speaker, where we can regulate those who do want to participate in it.

Yes, Mr. Speaker, reference was made earlier by the previous speaker, this creates other offences. But Mr. Speaker, those other offences are persons choosing to do something outside of what they are permitted. If you know that your licence is only for personal cultivation to grow four plants in your house and you are getting caught with growing 10, Mr. Speaker, that is a choice that you made on your own. But Mr. Speaker, at present, now, today, if you have one plant in your house you can get arrested and your life [will] be turned upside down—over one plant.

So, Mr. Speaker, again, the previous Member before me mentioned a lot, but as I said, if the Bill that we are proposing is not for you, then what is? The way it is now is not for you.

Mr. Speaker, personally, the last point I want to touch on is opportunities. As I mentioned earlier under redemption, not only persons who have been convicted and charged and have a record of cannabis [possession] before, Mr. Speaker, but for the everyday person that wants to get into the industry of cannabis. As I mentioned before, the opportunities are endless. We see, Mr. Speaker, Bermuda is a very creative, inventive place. Every weekend you can drive up and down this Island and see people selling their wares, whether it be food, small objects, clothes, whatever it is. Cannabis has those same opportunities, Mr.

Speaker. The edible industry of cannabis is worth billions of dollars. We see Bermudians . . . on a daily basis in Bermuda, if you walk into a gas station, they are selling popcorn, Mr. Speaker, they sell other little snacks. You can do the same with cannabis, cannabis-infused foods. And, again, the list is endless. You can have cannabis-infused foods with oils, outside of food products you can have lotion bars, I mean, soap bars, the products of cannabis are endless.

So, if now, in a time pre- and post-COVID-19 where the economy has not been in our favour, persons have been struggling, looking for ways to make a little money on the side, Mr. Speaker, this is a perfect opportunity for that person who is a baker and they know they can whip up some [good]-tasting food infused by cannabis.

Mr. Speaker, yes, much has been made of the cost of these licences, but if a person can afford and pay for that licence, they can then open themselves to business opportunities that come with that.

Also, Mr. Speaker, and I did make reference to it before under medical benefits, under education, is the medical tourism. I mentioned how cannabis can have a healing and calming effect for persons with chronic illnesses. But if we do more research and find that it has other opportunities, Mr. Speaker, Bermuda can be a medical cannabis tourism hub. And as I reference that, Mr. Speaker, there are already countries that are really getting into that. Indonesia is already one of the largest medical cannabis tourism destinations in the world. Their government has already made that the direction they want to go in, Mr. Speaker. There is also Jamaica. And I did have it written down, there was a therapist, Mr. Speaker, but we will not be the first. Medical cannabis tourism is taking off, Mr. Speaker. Indonesia is a distinct example because in Southeast Asia, across that region, the tolerance for marijuana is zero. Zero tolerance. If you import it, they can chop your hand off. There is a high rate of death penalties for that, Mr. Speaker.

So, to see Indonesia make another 180 degree turn from their stance on cannabis, again, shows that the attitudes around the world are changing on this. You can only for so long—70-odd years—fight the same battle with no positive effect, Mr. Speaker. The previous speaker before me made mention to where would the cost come from. But Mr. Speaker, if you regulate it, that means the funds and efforts that will be put into the enforcement side of it can be directed into the social services and the health services side of it. As I said, in Portugal they have clinics where persons can come and be treated and not have to then go and hide in the dark alleyways.

Mr. Speaker, our resources can treat this as a health issue instead of a criminal issue. By treating it as a health issue you are able to get to the root causes. Mr. Speaker, for the last 70 years we have been treating it as a criminal issue and have not got into the root causes of it. As much as we would like to take

pride in saying that, we have not. The root causes are also expanded on by incarceration. So, if we can change this from a criminal issue to a health issue, we will be able to address it just as any other health issue, any other sickness, disease or addiction. We will be able to get to the root causes of this, Mr. Speaker.

So, Mr. Speaker, as I do near the end of my comments, I do want to—

**The Speaker:** You have just under five minutes left.

**Mr. Dennis Lister III:** Okay, thank you, Mr. Speaker, it should not take that long.

I do want to make reference to a piece of work that has been discovered and was researched by Alicia Lister. And Mr. Speaker, I will have to ask if I can present this to be tabled. But this is actually an excerpt from the front page of the *Royal Gazette's*, Saturday, August 14, 1784. I will hold it up in front of my camera if anyone would like to see, but I will have to ask for permission to table this.

Mr. Speaker, on August 14, 1784 . . . that is 238 years ago, and I would know because my birthday is August 12 in 1985, so it resonates to see something just around my birth, even being some 200 years before. This is a proclamation from the Government of England which gives Bermuda the authority to grow hemp and the derivatives of it and to import it into the United States, Mr. Speaker.

So, in 1784 Bermuda was given permission by His Majesty in England to grow and export and transport hemp outside of Bermuda. So, we have a long history, Bermuda as an Isle, with the hemp plant, or cannabis or marijuana, whatever it is called, Mr. Speaker, we have a long history with it that dates back over 200 years ago.

So, Mr. Speaker, in closing, again, I would like to thank the Attorney General and her team for bringing this Bill to the House. As I said in the beginning, it is long overdue. It is time to us to stop being insane and doing the same thing over and over again. I look to be progressive, proactive, and pro cannabis, Mr. Speaker.

Thank you.

*[Desk thumping]*

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

You can . . . the item that you would like to table, you should have it sent into the Chamber so we can have it tabled along with this debate, all right?

**Mr. Dennis Lister III:** Okay. I do have to ask permission because it was researching discovered by Alicia Lister and I do have to have permission, but I will follow up on that, Mr. Speaker.

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

Does any other Honourable Member wish to speak?

No other Honourable Member?

I hear none, see none.

**Mr. Dennis Lister III:** There should be some coming on, Mr. Speaker.

**The Speaker:** I would have thought so, but I hear no other than yourself.

Does any other Member wish to speak?

**An. Hon. Member:** I do, Mr. Speaker.

**Mr. Jamahl S. Simmons:** Yes, Mr. Speaker.

**The Speaker:** Yes.

Honourable Member.

**Mr. Jamahl S. Simmons:** Yes, it is . . . hold on, let me get my video started.

How are you doing, Mr. Speaker? And good afternoon colleagues.

**The Speaker:** Honourable Member Simmons.

**Mr. Jamahl S. Simmons:** I guess the Opposition is feeling a little shy today.

**The Speaker:** Honourable Member Simmons, is that you?

**Mr. Jamahl S. Simmons:** Yes, sir.

**The Speaker:** Yes, I recognised the voice; I just do not see the face.

**Mr. Jamahl S. Simmons:** Well, Mr. Speaker, I listened and I want to congratulate the Honourable Member who took his seat before me for his well-researched and well-thought-out presentation.

Now, if I had listened only to the presentation by the Opposition, I would almost be under the impression that we were putting black tar heroin and crack out on these streets, Mr. Speaker. And I would also be under the impression that they stood for prohibition and stood for legalisation, they stood for greater enforcement and stood for greater freedom, they stood for those who want hot air and hot coffee and cold war and cold breeze or whatever, but they were all over the place. They were quick to say what this was not for, but they were very slow to say what they are for. And that has been a pattern on this issue and several issues of basically trying to have it all ways.

Leadership requires taking a stance, taking a position, and having the guts to move ahead with it. And so far, we have seen one person speak from

notes, all over the place, trying to represent everybody.

Mr. Speaker, I learned a long time ago that the best things in life do please nobody completely. And I think that we have been very often, as a country, very slow to act and very slow to move because we have allowed perfect to be the enemy of the good. And so, while I recognise, Mr. Speaker, me personally, I am a free guy. I am the type of person that says let's legalise it completely, but the Attorney General has made a very strong reasoning as to why we have come to the position we have come to. And I cannot oppose that. I cannot allow perfect to be the enemy of good.

Mr. Speaker, when I speak to a lot of my young constituents, there is a repeated refrain: *We don't do anything; nothing ever changes*. And while I do not agree with that, I understand why a person could feel that way. Because when it comes to a lot of issues, we have dragged our feet. When it came to gaming, we were late to the dance. When it came to getting something as simple as a drink served to you on the beach—late to the dance. And while we are still not that late, not that early to this dance, the music is still playing and the opportunity is there for our people if we are willing to take it.

I think that we have tried to strike a balance. And the balance is one where it is about regulation, it is about allowing people to have greater freedom, but it is also about making sure that the freedom comes with a certain degree of responsibility. You know, if you listened to part of the Honourable Member's speech, you would assume that they want it to be a free-for-all. And I think we recognise, as a society, a free-for-all is probably not where we want to be at this time.

Mr. Speaker, this is a living law. I believe that when we look at the pledge from the Honourable Minister, and incorporated in the Act, that there will be a report given back on its progress in a year's time. And in two years' time an evaluation and reassessment will be made. And I think that is a very wise thing to say, it is a wise thing to incorporate in the Act, because it allows us the opportunity to correct, nip, tuck, expand, or contract as best fits the needs of the country. And I think that with this Minister, in particular, I am encouraged by that because the consultative process . . . and I have to give her tremendous credit on the consultative process.

The Bill that was tabled originally, as the Opposition Member said correctly, is not the same one that we are debating today. And it is not the same one because there was an opportunity for the public to weigh-in, share their views, and contribute to the shaping of this document. Is this a perfect document? I would be the first to say no, it is not. But perfect must not be the enemy of good.

And the good within this Bill is this: There will be greater opportunities for our young men and wom-

en to avoid being prosecuted, to avoid being targeted, avoid being victims of a lifestyle choice that they have made. Good is the opportunity for more of our people to enter the business, to become entrepreneurs, to become profiteers in this. And I recognise that there are people quaking in their boots in their mansions who have profited off the status quo, but the opportunity for new people to enter the field legitimately and to be able to enter the field in a regulated fashion is an opportunity that many Bermudians take up. And not just that, I hope that entities such as the Bermuda Economic Development Corporation will be at the ready to ensure that they are able to participate fully.

I think the greatest sin that we could look back on 20 or 30 years from now is this, because I believe we will manage the health aspects of it, informing the public of what the dangers and the issues are. I believe we will handle the enforcement aspects, but I think that we have to not look ahead—too far ahead—and see that the same faces, the same loaded pockets, benefit from this legalisation that have benefited from everything else in this country.

It is my hope that those who occupy the grey economy will move into becoming part of the real economy—the traditional economy. That they will become the entrepreneurs and the moguls and they will be the ones who will be hiring and providing opportunities. And that is not something to be afraid of. I know that there are some who are afraid of the competition of people who are not their kind, but that is okay. This is something that is good for our country and opportunities present and we must make sure that we do all we can to make sure that those who want to transition into this from an entrepreneurial standpoint, have every opportunity to do so.

But Mr. Speaker, I think we also have to look at, on the other side, is that with more freedom, more opportunities, more chances to do better, to live differently, we also have to exhibit more discipline. As a people we have found many ways to self-medicate. We have found many ways to dull ourselves to the various stresses and pressures of our world. As a Government and as we go forward with this process, we must investigate further why so many of our people, based on the numbers the Attorney General presented, feel the need to medicate themselves and address those from a social, a policy, and a governmental perspective.

But we also must take self-discipline as well. I have worked for a number of employers who did drug testing. And I know many people who would say to me during those times, you know, they might offer me something and I would say, *No, I can't because I get drug tested*.

And they would say, *Well, how could you work in a place where they have drug testing?*

And I would say, *Well, I've got bills to pay, dude*. But, you know, you would sometimes have to sacrifice because that is what you do. And we have to

make sure that with these new freedoms we do not become undisciplined, that we do not become dependent on things to numb ourselves. And, as a Government, we should make sure that we continue to inform, continue to press on and give people options to recognise as an adult you have choices, but also you must be responsible.

Mr. Speaker, with those brief remarks, as I said, I am a person . . . I would have probably liked to have seen it go even further. But I am not going to let perfection be the enemy of good.

Thank you, Mr. Speaker.

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

Does any other Honourable Member wish to speak at this time?

**Mr. Vance Campbell:** Mr. Speaker.

**The Speaker:** Yes.

**Mr. Vance Campbell:** MP Campbell.

**The Speaker:** MP Campbell, you have the floor. You have your 30 minutes.

**Mr. Vance Campbell:** Thank you, Mr. Speaker.

Mr. Speaker, we have heard from the Attorney General that the Misuse of Drugs Act 1972 is 49 years—

**The Speaker:** I remind you as well if you can get a camera on it would be appreciated.

**Mr. Vance Campbell:** It is 49 years old. And in those 49 years our knowledge of the cannabis plant has increased tremendously, Mr. Speaker. We know that it has medical and other health benefits.

During that same 49-year period, Mr. Speaker, we have also seen a softening of the public attitude to one of acceptance more so than not when it comes to the cannabis plant.

Mr. Speaker, the purpose of the Bill, as we have heard, is to create a new regulatory regime around licensing all activities related to the cultivation, importation, export, production, sale, supply, use, or transport of cannabis, medical cannabis, or products derived from cannabis or medical cannabis.

Mr. Speaker, in addition, the Bill allows for lawful activities relating to cannabis, medicinal cannabis and cannabis products. There were a whole lot of things attributed indirectly to what the Bill was supposed to do by the Member of the Opposition that spoke earlier, but it is as simple as that. The purpose of the Bill is to create a new regulatory regime that will allow for lawful activities relating to cannabis, medicinal cannabis and cannabis products through a licensing programme. And that will be done through the es-

tablishment of a Cannabis Licensing Authority, Mr. Speaker.

So, we have the issuance of licences that will be one of the main responsibilities of the Cannabis Licensing Authority. We have inspection, compliance and enforcement on the other side of that licensing regime which will fall under the Authority.

Let us not kid ourselves, Mr. Speaker. The use of cannabis is already prevalent in our community, even amongst our young, and currently it is illegal. So, what argument are we going to make? That our kids are going to have access to it? They already have access to it. You would be surprised—maybe not, Mr. Speaker—how young our kids [are when they] get access to cannabis. Under this Bill those under 21 will be precluded from having access. It will be illegal to supply them. That is a good thing, Mr. Speaker.

We said that [currently] use is prevalent and that use takes place right out in public places. Sometimes . . . I will not say that, I will not say that. It happens in places that you would least expect it to happen. And as we have heard, that illegal market is worth somewhere between \$6 million and \$6.5 million.

We know that there are cannabis-based products that are already available in Bermuda through prescriptions. We know that the Minister responsible for the Misuse of Drugs Act 1972 has the power to authorise cannabis formulations, products, for medicinal purposes for patients. That is already there.

Mr. Speaker, by creating a regulatory regime for lawful activities, the quality of the cannabis in circulation can be controlled, particularly when it comes to the harmful chemicals that are sometimes found laced in the cannabis product that we have. Under a regulatory regime, Mr. Speaker, potency can be controlled. We can control where cannabis can be smoked. We can control who can be smoking it. Although I have already said that our young people are smoking it now, we can better control (than we are now) the use of cannabis by those under 21 by putting it into a regulatory regime. We then remove the stigma for those who may be addicted and who really want to seek help. They now are free, without shame, to go and seek that help.

The Bill moves us from a system that is penal, intent on punishing, to one that is remedial in its approach.

We have heard from a Member of the Opposition today that the Bill is not for anyone. Mr. Speaker, did they participate in the consultation process to ensure that it was for someone? The information that I have is that they did not participate. It was said by the Member of the Opposition that *if you support legalisation of cannabis, the Bill is not for you*. I would say if you support the legalisation of cannabis, they are quite pleased with this Bill as it moves Bermuda closer to what you are looking for, as it makes certain activities lawful within the constraints of the relevant li-

cence. If I own a shop currently and I have young people working for me and I really want to get into the cannabis business, why would I not open up another shop and only have those who are 21 and over working there? Why would I look to put the young people that I have currently working for me at risk and out of work? There are options. We always think the extreme when we want what we want.

Mr. Speaker, we heard from the Attorney General that education is a key component, it is critical in this process. We heard from the Opposition Member that our kids are going to be at risk. Our kids are at risk now, Mr. Speaker. It is our goal as parents now to educate our kids on the pros and cons, not just on cannabis, but on all harmful drugs, just like we educate them on the simple things, if you put your hand in a fire, it is going to burn, it is going to hurt.

So, by introducing this Bill we do not change any responsibility or add any burden to parents that does not exist already. We should be educating our kids. It is our job. And I spoke on that when I was in the Senate. It is our job, as parents, as the first teachers of our kids, to educate them.

Mr. Speaker, what this Bill does not propose to do . . . it does not eliminate the employer's right to have a drug-free work environment. And I am speaking to those who may misunderstand what this Bill means. It does not mean that you can smoke and then walk into your job and if you have a positive test that there is going to be some protection there for you. If you work at a job which drug tests now, do not smoke cannabis. If you want a job at an establishment, at a business that drug tests, do not smoke cannabis.

It is quite clear, Mr. Speaker. And that is the way we should put it to our citizens. I would say young people, but it is not just young people, there are older people who like to smoke or would like to smoke cannabis as well. But you have to be responsible. Part of becoming an adult is becoming more responsible. So, if I work for some place and I know they drug test and I want to keep my job, I do not smoke cannabis. And the same is if I want a job at a place that I know has a drug testing policy.

The Bill does not claim that the illegal of cannabis will cease altogether. That would be naïve, Mr. Speaker, to think that all of a sudden that illicit trade will disappear. But it gives those who might participate in the trade illegally an opportunity to obtain a licence and legitimise their operations.

The Bill does not legalise the possession of more than 7 grams of the cannabis plant without a licence. The Bill does not legalise cannabis use in public, outside of licensed cannabis shops or events. We are simply creating a regulatory framework around the licensing of the cannabis product, the cannabis plant and all the products derived from it.

One thing we know about our Opposition, Mr. Speaker, is that they are consistent. Mr. Speaker, in

today's *Royal Gazette* there are comments attributed to an MP of the One Bermuda Alliance which indicates that they do not support the Bill as presented, and that it was such a complex issue in one piece of legislation . . . and I am reading, Mr. Speaker, with your blessing, hopefully.

**The Speaker:** Continue. Continue with it.

**Mr. Vance Campbell:** That "It's such a complex issue—in one piece of legislation that's trying to do so many things at once, we are not confident that it will do what it sets out to do."

And I continue reading, Mr. Speaker: "concerns over the probability of success of implementing such a large regulatory framework' under the legislation, and that the criteria for where cannabis could be grown appeared to exclude much of the island's property."

I continue, "We do not see the average man on the street being able to compete against people who have the assets." Historically, they have not been concerned about the average person. So, I find that quite amusing.

It goes on in this article, Mr. Speaker, to say that "the OBA supported the idea of 'removing a revenue generator from the criminal fraternity' by legalising the drug." That is not exactly accurate. We are not legalising the drug. It is lawful within certain constraints under certain licences. It is not legalised across the board.

And they continue, "But what we're questioning is, will it do that?"

So, basically, Mr. Speaker, it sounds . . . and then we heard today from the Member that spoke earlier, that the opportunities—the financial opportunities—who are they going to go to? Where is the . . . who is going to benefit? Who is going to make the money? It seems to me that if you read the Act it is quite clear that it is going to be a broad range of people. Perhaps, the Honourable Member on the Opposition is concerned that the opportunities are going to someone other than the interests that his party represents, historically.

But once again, Mr. Speaker, we have an example of the old Bermuda Alliance . . . sorry, Mr. Speaker, the One Bermuda Alliance, not prepared to move away from the status quo. Perhaps, you know, it seems that they are saying with this particular Bill (in any event, in the article), that if we do not know that we can guarantee that the outcome is going to be what we want it to be that we do not do anything. How is that leadership? We do not move unless we know we are going to be successful. We do not have children unless we know they are going to grow up to be doctors and lawyers or whatever profession we consider to be successful.

Is the Bill perfect? I believe my colleague MP Simmons summed it up best when he said, *No, it's not*

*perfect; but let's not let perfect get in the way of good.* And I like the phrase that the Attorney General used in her brief of avoiding the situation that we find in Bermuda all too often—*champagne for the few*. This is not about champagne for the few, Mr. Speaker. And it is not just about money. It is about economic diversity, yes. But it is also . . . as I said, it contains an education component. It is about protecting those under 21.

Am I happy with everything about the Bill? No. I still have questions that revolve around the banking of the proceeds that are legitimately earned under the regime that is proposed by this Bill. But, perhaps, the Attorney General can clear that up. She may.

But in any event, Mr. Speaker, I think this is a good step in changing something that is 49 years old. And as MP Lister pointed out, this will assist, move us away from fighting a losing battle over a 70-year period by putting some regulations and licences in place. So, although I am not completely happy with everything about this Bill—I know it could be better—I will be supporting this Bill.

Thank you, Mr. Speaker.

**Ms. Lovitta F. Foggo:** Mr. Speaker.

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

Does any other Honourable Member wish to participate?

**Ms. Lovitta F. Foggo:** Yes, Mr. Speaker.

**The Speaker:** It sounds like the Honourable Member from the East End again.

**Ms. Lovitta F. Foggo:** It is.

**The Speaker:** Honourable Member, you have the floor. You have your 30 minutes.

**Ms. Lovitta F. Foggo:** I am trying to get the video . . . okay, I think it is on now.

Thank you, Mr. Speaker.

Mr. Speaker, the Progressive Labour Party Government said that it is a future-forward Government for the people of Bermuda. The Attorney General has brought a piece of legislation that she felt compelled from the onset to shift the direction somewhat to ensure that we address many of the inequities that prevailed within the society that we operate. I would say her hope was to make certain that living in this environment where all of us have witnessed many times discriminatory behaviour where certain groups of people are treated one way while others have been treated another way, in a beneficial way. And so, it is imperative that we try and put in certain barriers, regulations, which aim to at least, as best we can at this juncture, somewhat create a more level playing field so that the door is open for all Bermudians to try and participate in what we see as a viable market for per-

sons as we continue to help progress the market of marijuana use and distribution.

Mr. Speaker, I can say that in my former professional life I not only was a science teacher, biology in particular being my area of expertise, but I was also a health teacher. And when it came to teaching young folks about the ills and even the benefits of drugs, but the ills, the misuse and abuse of certain drugs, I often first-hand took my students to the drug addiction services where they got to meet those who abused and misused drugs and could speak to them first-hand about the serious impact of the use and abuse—not just from a legal perspective, but from a medical and biological perspective. So, many of my students got to see first-hand the abnormalities that can manifest in persons when there are abuses that are . . . especially on a continuous basis, and especially for those persons who were quite young, with the use of marijuana.

The Attorney General has made sure that she has put in age and other restrictions to combat against having those that we recognise, if their exposure is too soon, would more than likely experience some adverse effects. I can say that for me personally I am not an advocate of marijuana use or any other illicit drugs, and even prescription drugs. I am not. I am one of those persons who always looked for what I consider the real traditional medicine, and that is the herbal medicines.

But Mr. Speaker, if I have to be honest, I have to stand on the side of what I consider progress to ensure that we create a regime in this world . . . I will call it the world of marijuana, but stops criminalising certain groups of people that cuts or prevents certain persons from being able to progress their lives and that encourages looking at ways for persons to be able to engage in this realm in a way that is beneficial for all.

I certainly embrace the medicinal use of marijuana. There is a whole world of research that has been done—tested, tried, proven—in terms of the medical use of marijuana. But I say again, the Attorney General knew that she could not just stop there because in trying to make certain that we create the space and environment for our persons to be able to operate freely she knew that she had to address certain aspects of the law, again, that whether it is intended or not, tended to target certain groups of people within our society.

As a Member of Parliament and as an advocate for my constituents, and looking at the various communities that have arguments for and against, I think it is imperative that as a regime here in Bermuda we enter into this economic race at this point in time, because we all know those who hesitate are often those who lose out or get on the band wagon too late to be able to operate in a way that is going to prove to be beneficial.

As MP Campbell has pointed out, and others, while this is not the end-all and be-all in terms . . . and

I know it is not for the Attorney General, because I think she has mentioned it, but also, she always tries to address things from a perspective that is going to be best for all, puts people in proper stead and good stead, and creates an avenue where we can continue to progress. And I stand behind her with what she has introduced thus far because I can see how addressing the legislation this way, again, is trying to eradicate many of the ills that we have seen operating within our society from a legal perspective and otherwise, and opening doors that allows what has heretofore been black market activity where millions upon millions upon millions of revenues for some have been realised. It opens the door for us to properly look at and figure out a way for us as a society to responsibly create a situation where we can all benefit from it.

And looking at this from specifically a medical perspective, knowing that there are many sorts of remedies available for the natural use of marijuana, as I said in the beginning, tried, tested and proven, I, for one, cannot sit back and say no to something that I think overall, if addressed properly (and I think we are already heading in that direction) will put us in better stead.

And so, based on those few comments, Mr. Speaker, I thank the Attorney General for trying to bring legislation that addresses the situation in a more comprehensive way. I will work with her. If she needs my assistance, I will work with her to try and continue to take this legislation forward in a way that encompasses all of the areas where we see can be issues. And one of them, yes, being we have to put on a tremendous education programme because even though the literature, the evidence, the scientific evidence, has been there for decades, there are still many in our community and worldwide that do not avail themselves of this education, so that if they are going to use marijuana in whichever form, they are able to do it in a way that promotes beneficial results as opposed to using it in a way where we know from the preponderance of evidence, the impact has largely been negative on the human body, for the most part.

And so, again, Mr. Speaker, I thank the Attorney General and I do not think I need to say any more on this. I think I have touched on some of the key things that I wished to. And I look forward to progressing this in a way that Bermuda and her people will benefit.

Thank you, Mr. Speaker.

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

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

**Hon. Diallo V. S. Rabain:** Mr. Speaker, if it pleases you.

**The Speaker:** That sounds like the Minister of Education.

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

**The Speaker:** You have your 30 minutes, Minister.

**Hon. Diallo V. S. Rabain:** All right.

Mr. Speaker, I just want to thank the Attorney General for bringing this legislation here today because I feel that it is long overdue. I want to thank the speakers on my side that have spoken as well in support of this legislation because it is long overdue.

I know there will be people who will be cautious about any sort of changes in drug law. But Mr. Speaker, I think we all here today can admit that the unfair, discriminatory practices of criminalising our Black population over small amounts of cannabis needed to be regulated and that policy thrown in the trash can. And this is the next step in doing that.

Mr. Speaker, you know, when I read the *Royal Gazette* online (because I refuse to spend any money actually buying that paper) and I saw the comments from the Opposition, I was not surprised. I expected them to bellyache and moan over this Bill. And the one speaker that has come forth from them thus far has not disappointed. But what really had me here smiling and chuckling to myself was how easy it is for them to revert back to their old oppressive, bogeyman, UBP roots when they talk about things like this. And they do it with such impunity to themselves that they really think that the electorate is just not smart enough to see through it anymore.

Mr. Speaker, MP Pearman spent a great deal of time on those scare tactics, and I believe MP Campbell touched upon it, you know: *Who is this for? Who will benefit?* Doing their best to try and malign the Progressive Labour Party to [INAUDIBLE] Black politicians. But Mr. Speaker, it is almost laughable the diatribe that came from that Member. But thankfully our people see straight through it.

He did make reference to the Bill. I am sure he read clause 4 of the Bill and, perhaps, that is what made him so upset to talk about the Bill the way he did. Yes, there are people who benefit—and they will be people who look like me, who have been systematically, historically, and racially oppressed by people who look like him. Maybe that is why he is so upset.

But Mr. Speaker, as pointed out by the Attorney General, their track record on cannabis needs to be relegated to only talking about it when it serves their purposes. Let us review some history on the topic of cannabis reform.

In 2014 they wrote in their Throne Speech, and I will quote this time, Mr. Speaker, if you will allow me, to examine “the issues surrounding cannabis use in this community.”

In May 2014 the OBA (then the Government) tabled a report in this Honourable House, the *Cannabis Reform Report*. And that went nowhere.

In 2016, again in their Throne Speech they promised to decriminalise small amounts of marijuana.

na, and did none such. So, nearly two years after their report was tabled in the House they were then talking about decriminalisation marijuana and [it] never made it up in their agenda.

But do you know what did make it up into their agenda, Mr. Speaker? We got a rushed-through airport Bill. We got a boat race that catered to the primary elite of the elite white in this country. And we got a hotel project that has now cost the Government \$2 million and an unfinished building. That is what we got from them. The OBA is not morally sound to do anything that will benefit Black Bermudians.

Mr. Speaker, during those years that the OBA spent just talking about doing something, the data continued to show that arrests were always slanted toward Blacks, and unfairly so. There are tons of data—tons of data—that support that Blacks are more disproportionately criminalised by our justice system. But what did they do about it? They just talked.

From the numerous reports that have been written dating back to the Pitt Report in the 1970s, the Mincy Report in the 2000s, and the OBA commissioned cannabis report in 2015, the plight of unfairly criminalising and disenfranchising the Black population has been highlighted over and over and over. The cannabis report that was commissioned by the One Bermuda Alliance even went as far as to specifically point out the disproportionate impact that cannabis-related offences have on the Black community in particular. This is why we, with a degree of urgency, look at ways of how we can address these institutional, structural and systematic issues that plague our youth, particularly our Black youth.

Mr. Speaker, I am proud to stand today and speak to another PLP pledge coming to fruition. As we move towards a system that provides a more balanced approach and potential economic empowerment for those who have been historically and criminally marginalised, it can only be described as progressive. Only a One Bermuda Alliance MP would find this oppressive.

A responsible Government makes change responsibly. And the extensive consultation evidenced here allows for the people to have had their say, which is important. There are times when Governments will find themselves having to respond to who is yelling the loudest with their own personal agendas, but this is not productive. This is not taking in best practice. Collaboration and consultation that lead to actual decisions is more productive.

Mr. Speaker, I was also very, very happy to hear the Attorney General speak about the need to protect our vulnerable, our children. Research has shown that cannabis does influence the growth of children's brains, MP Pearman. Limiting the age to 21 years old will go a long way to protect our children.

Now, Mr. Pearman asked about the money raised from cannabis regulation. Well, let us take off his gloom and doom bogeyman UBP glasses for just a

minute and think of it from this perspective: The money raised from a regulated industry and the money saved from unwarranted arrests and prosecution of the same Black boys and girls we are trying to save can now be used for educational campaigns. Our children deserve to be protected and educated in the dangers of using any form of drugs, whether they be legal, such as alcohol and cigarettes, or illegal. Here we have a win-win situation, and we should view it from that angle instead of trying to scare people into thinking about who is going to profit from it.

Once again, Mr. Speaker, the PLP is looking out for Bermudians by putting them first. First over the objections of a toothless Opposition, first over the opposition of our colonisers, and first in a land that has for far too long wanted to relegate us as second-class citizens.

Mr. Speaker, leading the way on this topic the PLP first put forth legislation to decriminalise cannabis for 7 grams. Next, we put forth a Bill to expunge cannabis convictions, paving the way to right decades of racist and discriminatory policies. Now, we are moving towards cannabis regulation. This is what progress looks like when you have a government that cares for the people and is by the people.

Mr. Speaker, the PLP will always move progressively forward with policies that will narrow the gap between the Two Bermudas and provide opportunities for those who have been denied for far, far too long.

So, with that, Mr. Speaker, I told the Attorney General I was not going to speak very long on this. I just want to thank her and thank her team for working on this and bringing it here today. I want to thank her for having the fortitude to do what is right for Bermuda despite the empty rhetoric and protest from the other side. Attorney General, continue to walk the path of what is right for our people.

Thank you, Mr. Speaker.

*[Desk thumping]*

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

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

**Hon. Michael H. Dunkley:** Yes, Mr. Speaker, I wish to make a contribution.

**The Speaker:** That sounds like MP Dunkley.

**Hon. Michael H. Dunkley:** That is correct, Mr. Speaker.

**The Speaker:** MP, you have 30 minutes.

**Hon. Michael H. Dunkley:** Thank you, Mr. Speaker, and good afternoon to colleagues.

Mr. Speaker, let me start by saying first off that I thought my colleague, the Honourable Scott Pearman, presented his thoughts in a very balanced and fair way.

Mr. Speaker, some might have a selective memory. When the speaker just before me in his prepared remarks, which, like some of the other people who raised a point of order on my colleague said before, appeared to be pre-written and read.

Mr. Speaker, the Honourable Member referred to the record of the OBA. Well, here is what the OBA did for Bermuda: We turned the country around. We got an economic turnaround, we brought it back from the brink. I think many will forget—

**An Hon. Member:** Point of order, Mr. Speaker.

**Hon. Michael H. Dunkley:** —that in 2013, Mr. Speaker—

Mr. Speaker, I did not interrupt anybody when they spoke on a point of order, but it is overdue, so—

**The Speaker:** Point of order.

#### POINT OF ORDER

**Mr. Dennis Lister III:** Mr. Speaker, point of order. The speaker before him said Black Bermuda, what did the OBA do for Black Bermuda? You said “Bermuda,” just to clarify that, Mr. Speaker.

**The Speaker:** Continue, Member.

**Hon. Michael H. Dunkley:** Mr. Speaker, I thank for the clarification, but when I speak, I speak for all of Bermuda—everyone is important to me. Unlike what the PLP would like to cast to Bermuda, everyone is important to the One Bermuda Alliance, Mr. Speaker.

So, we are proud of our record of turning the country around, of building hotels. Yes, we made mistakes, Mr. Speaker, I have said that many times and I will keep saying that.

But Mr. Speaker, in 2017 when we had that “boat race,” that this Government likes to refer to, there was opportunity in Bermuda. There was an economic turnaround in Bermuda, Mr. Speaker. People were feeling pretty good about the way we were going, Mr. Speaker. And you know what, Mr. Speaker? It just hit me that that *boat race* that the Government talks about now, the PLP Government, they are bringing a similar boat race back to Bermuda in April, Mr. Speaker. Now, if that is not hypocrisy (to be polite), Mr. Speaker, I do not know what it is.

**Mr. Wayne M. Caines:** Mr. Speaker, point of order.

Point of order, Mr. Speaker.

The Member is misleading the public.

**The Speaker:** Point of order.

#### POINT OF ORDER

*[Misleading]*

**Mr. Wayne M. Caines:** The SailGP is being brought back by the Tourist Authority that is an independent entity from the Bermuda Government.

Thank you, Mr. Speaker.

*[Laughter]*

**Hon. Michael H. Dunkley:** Mr. Speaker, I am sorry—

**The Speaker:** Member—

**Hon. Michael H. Dunkley:** I am sorry to be laughing—

**The Speaker:** —just be guided by your comments, that is all.

**Hon. Michael H. Dunkley:** Yes, Mr. Speaker, I am sorry to laugh at the point of order. While I respect the Honourable Member’s opinion, if that body was so independent, then I wonder how we have so many Government members sitting on the board of that body, Mr. Speaker. And if that body is independent, then tell me now, Mr. Speaker, that the Government—

**Mr. Wayne M. Caines:** Mr. Speaker, that point of order was raised—

**Hon. Michael H. Dunkley:** —does not support—

**Mr. Wayne M. Caines:** —the point was incorrect by—

**Hon. Michael H. Dunkley:** —the event coming back to Bermuda.

**Mr. Wayne M. Caines:** —the Learned Member.

**Hon. Michael H. Dunkley:** Mr. Speaker, I am not a Learned Member, I am an Honourable Member.  
Mr. Speaker, but if—

**Mr. Wayne M. Caines:** I know that for sure.

**Hon. Michael H. Dunkley:** —this Government does not support the race, then state that they—

**The Speaker:** —Members, Members—

**Hon. Michael H. Dunkley:** —do done support the race, Mr. Speaker.

**The Speaker:** Wait, wait, wait, wait! All Members stop.

We have had a decent debate thus far. The first Member who decides they are going to take it in a different direction, I am throwing you out. I am telling

you right now. Because this topic has the ability to go off track, and I am not going to allow it go off track.

It is a serious matter. Let us deal with it and keep the personality out of it.

Thank you.

**Hon. Michael H. Dunkley:** Thank you, Mr. Speaker. I certainly appreciate and understand that, and that is the direction I want to go. I was just referring back to some comments colleagues made earlier.

So, Mr. Speaker, there was a great deal of conversation earlier in this debate about the Opposition being shy to speak. Well, Mr. Speaker, when it is 36 you have to pick your spots when to speak. And so, as an Opposition, we allow Government Members to speak and we will certainly speak. On an important issue like this I would be surprised and shocked if we did not see all 35 Members of the House of Assembly speak this afternoon and this evening, Mr. Speaker.

Now, Mr. Speaker, I respect everyone's views on this Bill and I know that we will probably have 35 divergent views on this Bill because it is such an emotive subject, it is a subject that we all get on the doorstep, and it is a subject that has been talked about for some time.

But Mr. Speaker, I believe that this Bill does not really help those who just want to have an occasional joint. It creates bureaucracy.

Mr. Speaker, I believe that this Bill really does not help those who are uncomfortable with the legalisation of marijuana because they do not get much comfort from how we are going to deal with the challenges around marijuana. And I will come to that more through my comments here this afternoon, Mr. Speaker.

So, what we are doing now is making cannabis legally available to anyone, almost at any time, Mr. Speaker, even our young people, as colleagues have said prior to me in this debate. Even our young people. So, Mr. Speaker, sorry, but I am not going to join the party or the clapping over this Bill because this Bill has some challenges that we need to address.

Mr. Speaker, I understood from early on in this Bill that the Government was, in my view, again . . . in my opinion Government struggled with this legislation because we all have divergent views, as I said to you earlier. Plus, during the Honourable Attorney General's presentation, she took some time to criticise not only Government House in the UK, but took some time to criticise the OBA in itself. And that tells me that we need to try to divert some views away from what we are dealing with at hand to the Opposition that we might trace, Mr. Speaker. And that is all well and good if that is the way people wish to go as we discuss the subject, because at the end of the day the Government has 30 votes and it is likely that their Members will vote fully to support the Bill. But Mr. Speaker, I cannot allow some of the comments that were made to go without speaking to them, because we cannot

write our own selective piece of history and what we thought took place prior to today.

Now, Mr. Speaker, at least two Members of the Government have criticised the OBA's position on cannabis. And that is acceptable. That is their right. They have the ability to do it on the floor of the House of Assembly anytime they speak. But Mr. Speaker, they should also reflect that just like they have reflected in the conversation around this Bill, that there are many divergent opinions and the Bill will always struggle to meet everybody's approval totally.

Now having said that, Mr. Speaker, I think it would be inappropriate if I spoke today and did not mention that the OBA did grapple with cannabis reform. Members have alluded to the collaborative that we set up. What Members have forgotten to mention is the great strides we made with medicinal marijuana.

Now, Mr. Speaker, I have always been a big proponent of medicinal marijuana, because, while I am not an expert on the subject, obviously, as Members of Parliament and as a former Minister of National Security and Premier, I took the time to make sure I researched the subject in detail. And I found out very clearly, not only from my research but from my conversations with people who are knowledgeable on the subject, from doctors to scientists, it was very clear that the properties of marijuana, cannabis specifically—and I refer to CBD—have excellent health benefits in dealing with pain, in dealing with nausea, addiction, depression, and I am informed that CBD is non-intoxicating in itself, Mr. Speaker.

Now, Mr. Speaker, we know that THC causes the high, but the CBD has medicinal benefits that we can use. And colleagues have referred to the excellent property within that to deal with seizures. And I think as Members of Parliament who are in touch with the people that we serve are all aware of individual constituents and some of the challenges that they have. When I was the Minister of National Security, certainly, I was always lobbied by people over medicinal marijuana. And it was with great delight, when we passed legislation to make it available, to hear the stories of people who were getting better comfort, maybe not a cure for their challenge, but they were getting better comfort in dealing with their challenges.

And there are certain things, Mr. Speaker, for example, just like CBD oil, which is just like a cream and if you have a shoulder pain you can rub the cream on your shoulder. It has some effect in relieving the pain, but maybe no long-term effects. But these are all important, Mr. Speaker, as we deal with some of our health challenges. So, the OBA did tackle the real large propensity for medicinal marijuana. So, here we are. We move on forward to today where we deal with this Bill this afternoon, Mr. Speaker.

I find it interesting, in listening to Members as they spoke earlier, and I will applaud all Members as we speak about responsibility in education. I think the Honourable Member Simmons and the Honourable

Member Campbell talked about our responsibility as adults in making sure that we educate our families, our friends, and the community about the pluses and, certainly, the minuses of cannabis. Because that is one of the shortcomings that this legislation faces and that is one of the shortcomings that we face with all drugs. So, I applaud Members for talking about the responsibility that we have, Mr. Speaker, because that, to me, in my humble opinion, is a glaring concern and a problem that we need to address going forward.

I was somewhat surprised and taken aback, Mr. Speaker, by the Honourable Attorney General's comment where she said that cannabis was part of our culture.

Now, Mr. Speaker, it is a good talking point, but I never have seen us, up until this day, celebrate cannabis as part of our Heritage Month in May. And while some people might want to say that cannabis is part of their culture or our culture, Mr. Speaker, I certainly do not think that that is something that we should say is part of our culture. I think we are better than that as Bermudians. We know what our culture is, Mr. Speaker, we know the things that we stand proud of and I do not believe that we should consider that part of our culture. But it is a challenge that we have to deal with today, Mr. Speaker.

Now, Mr. Speaker, I have never supported the legalisation of cannabis. I fully support the decriminalisation, Mr. Speaker, because I understand that many people, and specifically our young Black males, have been put in a very difficult situation for a long period of time—for their lifetime—because they were stopped when they were young and then put on a stop list. And that is why we were so keen to deal with the decriminalisation aspect. But the stop list is still there and that is a debate for another day, but we still need to deal with the stop list, Mr. Speaker.

But now that the Government has decided to move forward with the legalisation of marijuana . . . and I thought the Honourable Member Lister III gave a good history of it. I did not always agree with everything he said, but I thought he gave a good history. The world has clearly changed from the conservative position of saying that marijuana should not be legal, probably because it has not worked where marijuana is illegal and the war against drugs has not worked in many areas, to a position now where marijuana should be legal and we should try to deal with it the best way we can, Mr. Speaker. He also made a comment about alcohol and that there is no push in any way to clamp down on the legality of alcohol. And I appreciate that point.

But as we make cannabis legal today, Mr. Speaker, we need to make sure that we are protecting the vulnerable in our society. Just like we have had to do with COVID-19, Mr. Speaker, we have had to protect the vulnerable in our society. With COVID-19 it was our seniors, it was the people who were not as healthy as most people. Here, Mr. Speaker, it is our

young people. It is our people who are addicted, Mr. Speaker. It is the people who are looking for a better life and are feeling down on their lot and they need some easement from the challenges in their life, Mr. Speaker.

We have serious consequences to face, Mr. Speaker, when we legalise marijuana today. We should be aware of the consequences as we go forward.

Mr. Speaker, we know now that we have huge issues with drinking and drugs, and the Honourable Member Lister III who spoke as Chairman of the Road Safety Council talked about drunk driving. And I think he said (in my words jotted down really quickly) . . . he said, *What are we doing to address drunk driving?* And the answer he answered himself was "nothing," Mr. Speaker.

Well, Mr. Speaker, we need to deal with these challenges of drinking—excess drinking—and excess use of drugs, because it is not only ruining lives and families and creating violence in certain areas, Mr. Speaker, it is taking the drive out of people to do things in their lives that are sustainable for them and their family. It is taking them away from making work at the proper time. It is taking them away from their initiatives to get ahead in the world, Mr. Speaker. And as we liberalise this world—

**Mr. Dennis Lister III:** Point of clarification, Mr. Speaker.

**Hon. Michael H. Dunkley:** Yes, Mr. Speaker, I will accept it.

**The Speaker:** Go ahead, Member, what is your point?

#### POINT OF CLARIFICATION

**Mr. Dennis Lister III:** I just wanted to clarify the comment that the Member said. I did say that . . . when I said, *What is being done in road safety?* I said, *None.* And then I followed that and said, *There is no outcry for the prohibition of alcohol.* And the Member has continued on and he has stated the reasons why. So, again, with the reasons that he said and we have, where is the outcry for the prohibition of alcohol if it has done so much damage?

Those were my comments, Mr. Speaker.

**The Speaker:** Thank you.

Continue, Member.

**Hon. Michael H. Dunkley:** Yes, I thank the Honourable Member for the clarification to the general public. I am focusing mostly on the comment about what are we doing with drunk driving—nothing, Mr. Speaker. And I use that, not as a criticism of the honourable colleague, because I think he has good intent, but as

a criticism of us generally, Mr. Speaker, because we realise we have a huge problem with drinking.

At the same time that we realise we have a huge problem with drinking we are not doing enough to deal with it, Mr. Speaker. Yes, we have made some significant moves with roadside sobriety [checkpoints] and things like that, but Mr. Speaker, getting on the roads after you have had one too many drinks is still—taking the Attorney General's words, Mr. Speaker—part of the culture for some people in Bermuda. It is not acceptable.

So as we deal with drinking and drugs, we need to have a firm hand in helping those who are impacted by it, Mr. Speaker. We cannot slough it off because it is a family member and we do not want to upset a family member or a friend. We cannot turn a blind eye because it is our neighbour, Mr. Speaker. Because when an accident happens and a loved one is killed by a drunk driver, we all had an opportunity to make a difference about it, Mr. Speaker.

So, as we deal with this cannabis legislation today, the most important part of this is not getting enough voice and that is: how are we helping those in our society to deal with it? And in today's *Royal Gazette*, which hardly any Members of the House said they buy, but they read (and I find that interesting in itself, Mr. Speaker), we heard some of the people who are concerned socially about what is going on remark on that. And in today's debate we have had a reasonable amount of conversation so far, as well, about our young people, Mr. Speaker.

Now, Mr. Speaker, in today's *Royal Gazette* as well, Dr. Perinchief said that the impact on our young people, the body development and, specifically, the brain takes place up until your age of 25 or 26. And I quote directly, Mr. Speaker, Dr. Perinchief said: "the last thing you want to do is to be bringing on board a chemical which is going to screw up the choreography of that brain."

Now, Mr. Speaker, how are we going to deal with that? We have already said that the legal age is going to be 21, but we still have got a number of years of development going forward from there. And then it goes on to say, in the paper, Dr. Perinchief says, you know, *if you see an 18-year-old smoking a joint it is likely his 13-year-old brother or sister is going to want it as well.*

Well, Mr. Speaker, an 18-year-old should not be using a joint, but a 21-year-old, Mr. Speaker. And those are the real challenges that we have to confront. Because while we want to take the penal enforcement away from marijuana that we have had for so long, we need to put a system in place that works to protect the people who need protection. And I do not see that here today. And I think my colleagues do not see that here today as well, Mr. Speaker.

So, we have to be very careful because in 5- or 10-years' time down the road, and we look back at the consequences—and we love to go look back at

what has taken place in other jurisdictions, Mr. Speaker. And we hang our hat on it and we say how successful they have been in other areas. But at the same time we forget to look at some of the negative that has come in those other areas. We just want to focus in on the positive.

We talk about Canada and what Canada has done, but Canada still has a black market for cannabis, Mr. Speaker. This Bill is not going to deal with the black market in any way. That black market is still going to be there. It is still going to exist. How are we going to deal with that? Will people actually pay \$500 to grow eight plants in their backyard, or will they just try to get away with it and allow their neighbour to have a few of those plants?

The black market will find its level, Mr. Speaker. And I am not hearing enough from the Government today on how we are going to deal with that challenge.

Mr. Speaker, I was interested, and I was concerned, before I read this Bill and listened to the speaker, but I am now more concerned when I hear the Attorney General say that they have been in discussions with . . . I am trying to look for my note where I wrote down exactly what the Attorney General said, but they have been in discussion with other jurisdictions about how we handle cannabis and how they would handle it. And it is clear that there is some friction between the Government of Bermuda and Government House about this, Mr. Speaker.

But I am concerned because I believe this Bill will not get the Royal assent and, perhaps, that is what the Government wants—to create some friction so they can push another agenda, Mr. Speaker. But I would have thought, if we were that serious about this challenge—and I think we all are—that we want to stop criminalising our people, especially our young people. We want to try to deal with the stop list. The Government says they want to create economic opportunity (and I will get to that in a minute, Mr. Speaker), but if we are that serious about it, would we not try to frame a Bill that we know can get the assent from Government House? I do not think this Bill is going to do it.

Now, Mr. Speaker, I even heard Government Members outside of the Attorney General (when she gave her brief) refer to money laundering and CFATF. Now, Mr. Speaker, I, too, have my concerns because I think as this Bill is drafted, with my understanding, that we are going to have some challenges with banking and compliance.

Sadly, Mr. Speaker, the world that we live in nowadays is fraught with a multitude of layers of compliance. Everywhere you turn, Mr. Speaker, it is fraught with compliance. And I say "fraught," not in a negative way, but I say it in a way that it takes so much more time than it ever did before, even very small companies are having to divert so much energy to it they just cannot get ahead, Mr. Speaker.

Mr. Speaker, you and I, when we were younger, if we went into the bank when we first started working and got our first pay cheque and said we want to open up a bank account, we could walk in and walk out and get it done in a very short period of time—a few minutes, Mr. Speaker, make your first deposit. If you walked into a bank right now to open up a savings account, Mr. Speaker, I do not want to say how long it would take you, but it would not be a walk in and a walk out. It would be a plethora of forms to fill out before you can get there. That is the compliance that we have to do because there are those throughout the world who want to try to abuse right and follow in the wrong, Mr. Speaker.

And sadly, because we are a small fish in a big ocean, we jump to everything that everyone around us says we have to do, Mr. Speaker. And I am afraid that this Bill is going to ruin the great reputation that we have generally as a jurisdiction, Mr. Speaker, and we need to make sure that we do all we can to avoid that. But that is one challenge that I share, Mr. Speaker.

Mr. Speaker, unfortunately, this Bill also creates more bureaucracy, an Authority and staff. Now, Mr. Speaker, I have confidence in many areas of government and there are many first-class civil servants who work in government. I was blessed to be able to work with some of them and I mentioned in condolences earlier the good man Anthony Manders as one of them. There are many like that within government. But, Mr. Speaker, if you ask members of the public about bureaucracy and the ability to get things done, they will step back for a minute and say, *Well, it's questionable at times*. How can we be sure that this added layer of bureaucracy is going to be fair and balanced, Mr. Speaker? Because I have heard . . . the previous speaker said it is going to take care of people who look like him, Mr. Speaker.

Now, I have no problem . . . and I think we should strive for equality in every area, Mr. Speaker. However, we have to be careful where we draw the line and how we draw the line. I want to make sure that this Authority is respected, gets the job done, people are comfortable with it, people trust it, and people have the opportunity that Government says they are going to get.

Now, Mr. Speaker, I do not believe—and I am not as bullish as the Government Members are—that this is going to be the boon economically that they have led on to believe. I would love to be proven wrong in 5- or 10-years' time, Mr. Speaker. But I think cannabis liberalisation is the thing that everyone is getting into because people are demanding it. Politicians play for votes too often in it and do not say really what is on their mind. They say what people want to hear, Mr. Speaker. But the economic boom, I do not think is going to be there. Because I think everyone is going to want to do it and there is only so much to go around, Mr. Speaker. Time will tell, but we need to

make sure the Authority gets the job done in the appropriate way.

Now, Mr. Speaker, colleagues have talked about the different tiers and the licences. You know, a number of people I have talked to about the Bill have raised their eyebrows about the cost of some of the fees—\$500 just to grow a few plants in your backyard, Mr. Speaker? Well, Government is doing it to raise funds and that is fine, Mr. Speaker. But if we are serious about creating economic opportunity, if we are serious about making sure that some of the harms of the past are dealt with, maybe that tier phase would have a different representation in those costs.

Now, Mr. Speaker, my honourable colleague even went so far as to say it was “corporate cannabis” and it was a “cash cow.” I think in the beginning it might be, but I think in the longer term it will wane away, Mr. Speaker. Yes, it provides some economic diversity, but it is not something we can hang our hat on or get out of our challenges with, Mr. Speaker. It is going to take a lot more than that. So, just like bitcoin, it might be a small peg, Mr. Speaker, but I do not see it rising up to amount to much that the Finance Minister will be overly pleased about.

Now, Mr. Speaker, [I am] cognisant that I only have a few minutes left. I want to just reflect back on some of the most critical points in regard to this.

The Government will win the vote because it is 30 to 6. We know that. The Opposition will never shy away from stating what is on our mind after we listen to the people we serve. And we will not shy away from speaking what is on our minds, even with the criticism that will come from the Government, Mr. Speaker.

We know that this Bill is going to create an Authority. We want that Authority to be efficient and effective.

We know that this Bill is going to create some challenges for family and friends, Mr. Speaker. We want to make sure that social services can handle the crunch that comes with it, Mr. Speaker.

We know that this Bill is going to create some real challenges on education, Mr. Speaker. We want to know, we want to feel comforted that that educational aspect will be dealt with, Mr. Speaker. I have not heard anything about it today.

We look forward to understanding how we are going to work through some of the compliance issues. And, most importantly, if the Government is so keen on this Bill being effective, as they say they want it to be, we look forward to seeing how we are going to heal any division that might take place between the Government of Bermuda and Government House for the benefit of the people we all serve.

So, Mr. Speaker, I have always had reservations about legalisation of cannabis. I will not support it for my family or my children. But they can make decisions when they are old enough and, hopefully, with the upbringing they get they will make the best deci-

sions for themselves. Any drug we take has its consequences, Mr. Speaker, and we need to be aware of those.

Thank you for allowing me to have time to make a contribution, Mr. Speaker.

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

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

**Hon. Derrick V. Burgess, Sr.:** Yes, Mr. Speaker.

**The Speaker:** Mr. Deputy Speaker, how are you today, sir?

**Hon. Derrick V. Burgess, Sr.:** Fine, fine, sir.

**The Speaker:** Good, good.

You have your 30 minutes, Deputy.

**Hon. Derrick V. Burgess, Sr.:** I am not going to be that long, Mr. Speaker.

**The Speaker:** It is all yours. It is all yours to use.

**Hon. Derrick V. Burgess, Sr.:** Thank you, Mr. Speaker.

First, I want to thank the Attorney General for being brave enough to bring such a Bill to Parliament, Mr. Speaker.

Mr. Speaker, let me just remind the Opposition that they were the ones who made alcohol available seven days a week from the retail shops and, consequently, it certainly increased the profits of the retailers. It is our hope that when this Bill is passed those who will reap the benefits will be those who have been deprived of profits so many years ago.

Now, let me say right up front that my party knows my stance on this here. I am against increasing any elements in our society that is going to cause us a problem. And when I [say] "a problem," I am talking about the protection of children. I am always going to be there, Mr. Speaker. One may say, *Well, children are using alcohol at a young age*. Yes, they are, because it is available. It is legally available for them. Not legally available as far as sales. But it is around them. And the more you have [of] whatever it is around people, whether [they] be young or old, there is a chance that they may use that.

Also, let's look at probably some of the benefits. Alcohol has its health benefits. And so does weed have its benefits. But, Mr. Speaker, what concerns me is that we may solve one problem, but we create three more. Because, Mr. Speaker, there are many employers who have drug policies in place where employees in safety-sensitive areas are randomly drug tested. And if they are found to be under the influence of drugs, then there is a programme there for them to clean up—not to lose their job, but to clean up. And if

it happens one too many times, maybe three times, their job is in jeopardy, Mr. Speaker.

I do know, as we all know, that Blacks in particular have been the beneficiaries of the consequences of drugs. I mean, there are many Bermudians who cannot travel for just having a seed a couple of years ago. They cannot travel. I am sure you, being the Speaker, an MP, have gotten calls, and all of us have gotten calls, from Bermudians who need to go away for medical assistance but who cannot travel to the United States because their names have been forwarded to them. And I reply to [these Bermudians] that they probably need to go to Britain to get treatment because if you are able to get to the United States, by the time you get there the problem may have taken you out somewhere, or whatever. So those are the consequences of that, Mr. Speaker.

Mr. Speaker, I can remember as a bartender some years ago, not many years ago, and I was working where the buses would come almost up in the yard of the establishment where I worked. And an operator came inside, this is [around] noon (I can remember it like it was yesterday.) and asked for a Scotch. And they were dressed in uniform and I said, *No, I cannot give you a Scotch*. The driver got annoyed at me and I invited him, *Well, you need to get the manager because I am not going to serve you any liquor here because I have children who may be on the streets, on their bikes (push bikes because they weren't old enough to drive motorcycles at that time) [or] nephews, cousins, neighbours, and if you are driving that big bus I am not going to give you a drink because it would put our kids at risk*.

Not to say that this person would have an accident, which I hope they wouldn't, but when you consume alcohol and other things that affect your mind, your chances of having an accident increase.

And, Mr. Speaker, there are some areas, what we call "safety sensitive" areas, where there is drug testing. Do we want a crane operator, or a heavy equipment operator to be under the influence of weed, or alcohol for that matter? And with our [narrow] roads that we have . . . I must say, we have some of the best bus operators, heavy equipment operators, crane operators in the world. But we do not need one more negative (as I would call it) to add to this habit that can put us at risk, Mr. Speaker. So, Mr. Speaker, I am really concerned.

Mr. Speaker, I looked at this scenario. If you have an 18-year-old, and they were in school and they had weed—marijuana, or whatever you want to call it—and they were caught with it, what do you do? Under this law they are not supposed to have it, but you know I question that too because at 18 that person could be drafted into the army, they can get married, and they can buy a home. But they cannot purchase marijuana out of the shops that this Bill would enable them to do. That, to me, would create another issue. I guess if that person might even take us to the Human

Rights. *What right do you have for me not to have . . . I mean, I am 18 years old. I can join the army. What right do you have?* So those types of things, I don't know if we will be challenged with, Mr. Speaker.

And then again, from what I have read, the marijuana today is four times more potent than the weed that they had in the 1960s and 1970s. I have got some problems there, Mr. Speaker.

But my main problem is Government House. The chief occupant of Government House will say that I am not going to sign this Bill. That is not what they should be doing. We were elected by the majority. Even though I am not in full agreement with this Bill, I am certainly not going to support any Governor not signing the Bill.

Just like the chief occupant of Langton Hill, the largest house on Langton Hill, did not sign the land grab Bill. Why? Now I find out just following the inquiry that has gone on . . . because as I understand, many people . . . not many, those people who benefited from taking people's land, love him, they love the chief occupant. So they will not sign the Bill. But all of this has come out in the wash in this inquiry.

And for the chief occupant . . . and this chief occupant . . . it took 186 years to get a person of colour on Langton Hill. Some people were happy about it. Some people were excited. I'm not. I wasn't excited because, regardless of the complexion of the person in that position, they come with the agenda of the FCO [Foreign and Commonwealth Office]. So, nothing is going to change. So it did not excite me then and it does not excite me now. I guess you see now what we know. They come with the agenda of the FCO.

And what is the FCO doing? They are going through these overseas territories, particularly the Black ones, and investigating anybody, anything they can get. All they got to hear is a rumour and they will do an investigation. They do not investigate people who look like them. They only investigate people who look like us. And they got to stop this nonsense. You know, investigating Black overseas territories, Black leaders because they put us all together. And as in 1852, Samuel Brownlow Gray said, *Blacks are promiscuous, thievish and untruthful*. And some people still have that belief about us.

So, I would urge the chief occupant of the largest house on Langton Hill to have a conversation with the FCO, because they are not here to stop the Government from governing. We were not elected by anyone in Britain. We were elected by the majority of people in this country based on the platform. This Bill that we have today was in our platform. Whether I agree with it or not, it was in our platform. So it is not for any occupant of that house, that largest house on Langton Hill, to stop us in our endeavour to satisfy the people of this country.

Thank you, Mr. Speaker.

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

Would any other Member like to make a contribution at this time?

Any other Member?

**Ms. Susan E. Jackson:** Yes, Mr. Speaker.

*[Crosstalk; Feedback]*

**The Speaker:** I hear the voice of, I believe it is MP Jackson. MP Jackson, would you like to take your 30 minutes?

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

I do not have much to add. It has been a full-on debate already. But I do want to speak on behalf of two populations. One, the children, and the other being those who are interested in having social . . . people who would like to consume cannabis socially.

So, from the young persons' perspective, my concern is the exposure to cannabis more broadly. And I feel the same way about exposure to alcohol and exposure to tobacco. So it makes no difference to me who, what, when or what as far as the people and the historical background to any of these things. But the idea that there will be commercialised locations where cannabis will be openly put up for sale is for me . . . [for me it is] an issue. I believe that it is going to expose our children, to a certain extent. It will demystify cannabis and there may not be the barriers or the security put in place as far as education and awareness is concerned so that the children take the knowledge of the hazards around the consumption of cannabis seriously enough.

Mr. Speaker, our children are being put in a position where if they decide that they want to participate in the consumption of cannabis then they are going to be doing it illegally up to the age of 21. So, if we go back to the very first conversations that we had around whether we should decriminalise or legalise cannabis, the point was, let's [make it so] the children [will not get] charged and [thus] not having themselves put on the stop list. So, if everything that is being discussed in this piece of legislation today is for those over the age of 21, then we still face the same criminal risk for our under-21s that we have always had. So I do not feel as though we have really found the solution—

**Mr. Dennis Lister III:** Point of order, Mr. Speaker. Point of order.

**The Speaker:** We will take your point of order.

#### POINT OF ORDER

*[Misleading]*

**Mr. Dennis Lister III:** The Member, even the previous Member, MP Pearman, he actually said that as of now

it is decriminalised up to 7 grams. So the young people, if they do get caught, it is not a criminal record. It is decriminalised, so we will not be putting them on the stop list. That is how it is as now and will still stay the same. So, the MP is misleading the House, Mr. Speaker.

**Ms. Susan E. Jackson:** All right. Yes, please—

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

Just remember that some legislation and adjustments have already been done in the past.

**Ms. Susan E. Jackson:** Yes, good point. So it is that they cannot go into any of the establishments that are being proposed in the Bill. Thank you very much for that clarification.

So, I just want to make sure that children under the age of 21 are not penalised for any kind of consumption. So I am going to accept the fact that 7 grams is allowed, and that is fine.

But the other piece is the medical repercussions that could occur from children who are consuming cannabis. So, yes, we have got the decriminalisation already, but we still have to face the risk that children are exposed to some various forms of injury through psychosis and other [effects] through the consumption of cannabis. So, keeping our eye on that, I am feeling as though we may be putting a gap in there without having the support. I do know that the Attorney General did discuss the education piece around children and cannabis use, but I just want to make sure that we are always mindful that young children are going to now be exposed to cannabis more openly and the effect that that is going to have on them and making sure that they receive the education and the support that they need in order to manage as responsibly as they can their consumption of, or better yet, their abstinence of cannabis until they reach the age of which it will be legally and commercially available to them.

Now, one of the other concerns that I have is the self-medication, which someone has already raised today. There was a time when I had a conversation with a psychologist here in Bermuda who was doing some research around young men and women who have had bike accidents. And one of the big issues that this psychologist raised was the fact that so many of our young people who have bike accidents have undiagnosed head injuries and sometimes are in pain and do not understand what that pain is, and so they self-medicate. And usually, according to the informal research that was done, they were consuming marijuana as a way to alleviate some of the repercussions from injuries from bike accidents. And this is not medicinal.

So, I guess, maybe, if we were to educate our young people that if there are medicinal cures . . . not cures, but medicinal ways to alleviate some of the

pain and discomfort from, let's say, an accident or an illness, that our young people are educated in the availability through medicinal rather than going through the illegal channels and consuming more potent cannabis through the black market.

I also am just curious about the licensing of these establishments. It seems to me that the commercialisation of it is going to really only be available to the few who have the financial resources to set up these establishments. And certainly the people who I have listened to who are interested and do maybe, potentially, experiment with growing cannabis, that the main aim or goal that they have is that they just really want to be able to grow the plants, whether it is because they just enjoy the challenge of growing cannabis (because I understand it is not an easy thing to do), and then they enjoy the fruits of their harvest. So there is not really an appetite to go into a store and buy commercial marijuana, they would just prefer it to be a natural product of a hobby, their gardening experience, and there is not really a desire to get involved in licensing and having a commercial establishment and the like.

So I just am curious whether, one, there will be . . . and this is a question for the Attorney General. Have we measured the demand that people are going to want to get licences? And then the other question, is there enough of a market for anybody to make enough of a profit to cover all of the expenses which, you know, there are just pages and pages of security and the way that the establishment has to be set up and the way that the businesses conduct themselves, and much of the legislation seems to be around all kinds of expenses that a licence holder has to buy into in order to have an establishment. I am just curious what that return on investment is really going to look like and whether it is maybe a high barrier for people to even enter into this market.

There are a number of our, sort of, third sector non-profit leaders who have concerns about the commercialisation of cannabis and whether the Government in their consultations and the like is speaking to some of these organisations so that structured and organised education programmes can be created not only for the youth but also the vulnerable in our community who are consuming marijuana and some other forms of drugs, and how we may be able to support those vulnerable given the fact that there are going to, potentially, be an increasing number of outlets for people to get their hands on marijuana.

I mean, just as an example, and I do not know how this would work, but if somebody has been diagnosed with a psychosis caused by cannabis—and we do know that it exists and it is real—that they would not be able to walk into one of these dispensaries and purchase more and smoke more and then have an episode while they are in the establishment and what that looks like, and whether we are prepared to deal with those kinds of risks.

And then, you know, one of my final pieces really is the financing of it. I will have to disclose that I do work for a financial institution and that just generally, one would think that it would be quite difficult for us here in Bermuda to be able to bank the cash from these establishments. And what [is] Government going to be able to put in place in order for these establishments to be able to invest their funds?

I mean, otherwise we are going to become cash heavy, and I do not even know whether people are really going to be interested in purchasing cannabis without having the luxury of using credit cards and debit cards and cashless transactions, and what that is going to look like. If it does become a cash industry, then what effect, maybe negative effect, is that going to have on our community? Because with cash you are going to raise the criminal element, and you know, it will be interesting to hear from the Minister of National Security around how we are going to consider managing this, if we do have the potential for acts of violence, or if we have situations where it could become a cash-heavy industry and robberies increase, and how the police community is going to manage that.

With that, Mr. Speaker, I am done. Thank you very much.

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

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

Any other Member?

**Hon. Tinee Furbert:** Mr. Speaker.

**The Speaker:** Yes. Minister Furbert?

**Hon. Tinee Furbert:** Yes.

**The Speaker:** You have your 30 minutes.

**Hon. Tinee Furbert:** Thank you, Mr. Speaker.

I am speaking today, Mr. Speaker, because as the Minister for Social Development I would want to make something very clear. When we look at people and we study people, we want to be very aware of their social well-being, and making sure . . . let me put on my camera, Mr. Speaker. You did not say anything. Sorry.

I wanted to make sure that we are considering persons' overall well-being. It may be their emotional, their physical, their spiritual, their economic well-being. And so, we always do not have this in a balance. There is always some give and take. But we want to be able to put people in a position where they have the opportunity to do better. And as a Government I believe that we are making strides to assist people in Bermuda to do better.

I bring this up because we make unhealthy choices all the time. And those unhealthy choices can

be by the way of the food that we eat, by the way of our shopping habits, by the way of how we interact and our relations with people. So there are many, you know, sort of things that encompass unhealthy behaviours and our social well-being. And for many years we have looked at the use of cannabis as being an unhealthy behaviour. Some people think that way because we relate cannabis use or even substance use to health problems, even mental health problems. And we look at those things as being bad.

But we want to be in a community where we are supporting. And if you talk to any sort of professional in the helping field, they will tell you that persons who find themselves using any substance will constantly need a support structure. So this is very important, Mr. Speaker, that for social development, we are always making ourselves prepared as a country providing for a support structure.

Mr. Speaker, life is hard and every morning I wake up and I say, *What is this day going to bring me? What will the challenges be?* Challenges come around us every day in all shapes and sizes. And I can speak from personal experience of having persons in my life who have used substances, and growing up as a child being around family members and friends who have used cannabis. These were not bad people, Mr. Speaker. You know, being around it, being young, I often thought about *Why are they doing it? Maybe I should try it because it looks like they like it what they are doing.* Mr. Speaker, I want to be very clear. I have never ever used cannabis. But I know with this cannabis regime structure that it will encourage us to talk more about it.

We will continue to talk about the advantages and the disadvantages and we will not act as though this use of cannabis in Bermuda does not exist and yet we know that it does. Because if you drive up and down this Island, Mr. Speaker, and you look around Bermuda, it is pristine and very clean as though we have no social issues—the Bermuda we have been hiding too long.

So the message here is not just *Don't do drugs*, but it is *Let's talk about drugs and let's talk about how too much of it or too much of anything is not good for us.* But also, let's talk about the coping strategies. Let's talk about other alternatives and let's talk about if you need help, we are here to help each other. If you mess up, we are here to help. So using cannabis, using any other substance, does not make you a bad person; it may make your behaviours inappropriate when you use it. And I will continue to teach my children this, how if you use substances, your life could be impacted with abuse.

Mr. Speaker, this Bill is not about legalisation. It is about providing a regulatory and licensing regime. It is about liberalisation, which is the removal or loosening of restrictions. I want to draw a reference to the Bermuda Drug Information Network [BerDIN] of 2020. And actually it shows in this resource that cannabis

and alcohol are the most commonly used substances in Bermuda. It also demonstrates that the average age of initiation for the use of cannabis is actually 13.8 years. And the initiation age for the use of alcohol is actually 16 years of age. And this is before a regulation framework. It is an interesting stat, Mr. Speaker, alcohol is regulated and cannabis is not. So this will be something for us to watch and observe, whether under regulation the initiation use of cannabis by age will hopefully increase because we want it to. We want people . . . well, we do not want people to use any sort of drug, but you know, the whole thing is that they are using cannabis at an appropriate age.

Nevertheless, Mr. Speaker, we have provided for proper public protections with this Act. There are protections for young persons included in this Act. There are provisions for proper advertising and marketing of cannabis products. There is actually specific education and treatment programmes for persons under the age of 18 that we can now regulate with powers given to the Minister to provide specific education and treatment programmes if we find that our young persons are in court due to cannabis offences. And as my colleagues have already stated, this Bill considers the impact upon children and young persons by setting an age restriction of 21. Actually we had many discussions about this age of 21. But I do feel that we have come to the right place in regard to making those restrictions to the age of 21.

So we will continue to talk about it. We will continue to talk about the advantages and the disadvantages. We do not want people to engage in cannabis use at a young age. And this Government is very, very aware of that, because we do not want persons having a criminal record under the age of 21.

This Government also has an appreciation for the negative impacts upon young persons, so we are putting up a monitoring regime so that cannabis products cannot be sold within the proximity of a school or a day care centre or a church or a young centre. What we cannot control, Mr. Speaker, is what happens in people's homes. So this is just not a Government issue, it is also a community issue. And we have to be speaking up about what is going on in our own personal homes, speaking up about it to our family members when it has disadvantages associated with it.

So we know about the health outcomes, Mr. Speaker. We know the good and the bad. We know about the short-term and the long-term effects, and what we should do so that it gets better. But there are also economic advantages which my colleagues have highlighted.

This Bill, Mr. Speaker, will also protect the public. The aim is to protect the public from dangerous strains. Because right now people do not always know what is in the cannabis that they purchase. They do not know what is in it. And, Mr. Speaker, we have made sure that with this Act there is a regulatory framework to include—

*[Crosstalk; Feedback]*

**Hon. Tinee Furbert:** We have made sure that there is a regulatory framework to include public protections from the impact on young persons.

This Bill, Mr. Speaker, also will assist disadvantaged groups to achieve or to attempt to achieve equal opportunity, or to increase employment of certain groups, particularly with the section 6A of the Human Rights Act as there is a provision included in this Bill. So when we talk about monopolies or we talk about only certain people having opportunities, Mr. Speaker, our community can hold us to account as a Government because we have carved out a provision to assist all with getting ahead with this Bill, and this is the economic empowerment that we will provide.

Mr. Speaker, voters voted us in in October 2020 because they wanted us to see this Bill through. So, here you go Bermuda! While I am out on the doorstep, Mr. Speaker, constituents who were over the age of 21 said to me, the MP, *When is this Bill going through?* And while it is not perfect, Mr. Speaker, we recognise that. But again, here is a step. It is a step for a check and a balance. This Bill, again, Mr. Speaker, is not about legalisation. It is about providing a regulatory and licensing regime and it is about liberalisation where we will not continue to say to the people of our country *Shame, shame on you.*

Mr. Speaker, I believe that this Bill that we are bringing forth today has a consideration for a person's well-being, again, both recognising [the] disadvantages and advantages, and also providing for a regulatory structure around the use of cannabis in Bermuda. And we will continue to watch and see how this Bill will progress. As we know with any other Bill, if things need to be changed we can bring it back and we can make amendments. And so we will keep our finger on the pulse as it relates to that.

So I am comfortable to say, Mr. Speaker, that I support this Bill as it is written today, as we are receiving it today. And I am also confident that this Government, Mr. Speaker, will make any necessary changes that it needs to, should there be any sort of negative or adverse effects as it relates to this Bill. And I am actually looking forward, Mr. Speaker, to monies going toward the assistance of treatment programmes. I am actually looking forward to that.

So, without further ado . . . and I do not have to spend too much time on this, Mr. Speaker, I just want to say to Bermuda that this is a Government that has made a promise to put such a Bill through and here it is today. Social issues will always be around us. They will always be around us. And I just want our public, our community, our people to recognise that we must continue to provide support to help to improve everyone's well-being. And that is the message that we will have to continue, that we will be a Government committed to providing support. Thank you, Mr. Speaker.

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

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

Any other Member?

**Mr. Hubert (Kim) E. Swan:** Mr. Speaker.

**The Speaker:** Sounds like Mr. Swan, if I am correct.

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

**The Speaker:** Mr. Swan, would you like to make a contribution at this time?

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

**The Speaker:** Go right ahead. You have your 30 minutes.

**Mr. Hubert (Kim) E. Swan:** Mr. Speaker, first of all, I would like to make representation with regard to the presentation by the Attorney General today. And I would like to start off by saying that I think it is important, notwithstanding how comprehensive a presentation she provided, that the diversity which exists, that you have listened to this afternoon from us within the Progressive Labour Party, the divergent views that take place with any issues, that first and foremost she is a mother. And I heard the lead counterpoint come from someone who is Learned like she and sits in these Honourable Chambers who was certainly advancing the position of “no.”

I just think it is important to put a few things in context when we talk about this cannabis legislation before us today. And the historical context is important as well, because we are talking about cannabis being a plant. We also must take into consideration the political and historical damage that has been done mainly to, as the United States likes to call it, “the Black and Brown communities,” when they are talking about those of us from African descent and those of our cousins from the Latino community, specifically from Mexico as it related to the United States of how, certainly within the period of the FBI, Hoover, and the Nixon Administration, you have seen . . . and Bermuda has followed suit for 50-or-more [years] paralleling the United States in many policies.

And you have seen policies take place that we have piggybacked on that have been harmful to those of African descent and the Latino communities, particularly harmful and very much in stigmatising our communities adversely and having long-lasting impacts, negative impacts, to the present day. And so when we look at that, we have been consistent in our presentations, our platform, even long before I was here, Mr. Speaker, to be able to say that this is an area that has to be addressed.

But when we look at what takes place within our community, I share that I was once the marketing manager of a major liquor company in this country and I could look at monthly sales reports and I could tell you when the supply of marijuana was non-existent because Supertea sales would spike. And certainly there was a brand that I used to market, represent, and a beer brand that has the connotation of being of one that breeds abuse, abusive behaviour,—

*[Crosstalk; Feedback]*

**Mr. Hubert (Kim) E. Swan:** —and you would not see that from those—

**The Speaker:** MP Swan, just a minute.

MP Dunkley, I believe your microphone is still live. Can you shut your microphone down?

Continue on, MP Swan.

**Mr. Hubert (Kim) E. Swan:** Okay. And I believe mine might have been on during an earlier speaker and I apologise as well.

But, yes, when you have that type of thing happening, Mr. Speaker, we do not look sufficiently enough at the harmful effects of other products that are within our community that are completely legal. And I make the point that cannabis is a plant and alcohol is derived from chemical making. And they have very harmful effects. Tobacco and cigarettes, likewise. The negative health impacts of them are tremendous. And whilst there are some regulations around smoking as it relates to the places that you can and cannot [smoke] these days . . . even second-hand smoke in that regard has proven to be very, very harmful.

So when I look at the presentation by the Attorney General, and I take into consideration, notwithstanding that others I am sure are clear and [INAUDIBLE] I certainly know that she is one that will look at each line item when we go into Committee and look at this Bill and be able to speak to those points which she articulated in a very comprehensive presentation.

But I was struck by the fact that in our jurisdiction with this Bill, and in the BVI [British Virgin Islands], there has been some resistance from the representatives of the Foreign and Commonwealth Office [FCO] in these Islands. And I just want to remind the public that the United Kingdom is noted as the largest exporter of cannabis in the world, and may have a conflict as overseas territories look at legislation for varying reasons. We have seen conflicts as it relates to our position when it comes to finance and we may be having a serious conflict as we look at what takes place in their marketplace and how they export the very product that they would be quick not to sign off on if this Government or another overseas territory is looking to move in that direction. So we certainly need to beware of what we are confronted with.

I heard the Honourable Member allude that we may be looking to pick a fight. I think MP Dunkley alluded to that. Those might not be his exact words. But I say this, as Britain has moved away from Europe by way of its electorate, it is looking at our territory in ways in which is more colonialistic in the mind-set than ever before. And as we look to carve our way forward in this world, I make no bones about it. In 1995 I stood at the polls and supported independence. So I am not speaking of anything that I have not espoused long before today.

But I certainly am seeing a mother country that is looking to strengthen its grip on these overseas territories, and this is but just one example. I do a lot of research of history these days. I am looking at a lot of 1920 and 1930 and 1940 articles as I research my elders and ancestors, and I can tell you there were a lot of things that were done in this country in the best interest of the white community, both here and in the United Kingdom (and other places) specifically, and endorsed by the hierarchy from overseas, notwithstanding some elements of compassion that were shown by some along the way. I have uncovered that, and I glory in their spirit. And I will elevate those who have. But by and large, in more cases than not, history has proven that there are many things that we are saddled with today that are born in some very poor, bad decisions that were made in the worst interests of the majority population in this country, in the Black community in this country. And as a consequence, delving and dealing with it is not a simple exercise.

So with that, I just want to say, Mr. Speaker, that it struck me, when I looked at some of the farms that exist, particularly in England, and note that the world looks at Britain as being a major exporter of cannabis, that they will look at these territories, and they are looking at these territories a lot differently today than they were before Brexit came on the scene.

Thank you, Mr. Speaker.

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

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

**Mr. Michael A. Weeks:** Yes, Mr. Speaker. MP Weeks here.

**The Speaker:** It sounds like MP Weeks. MP Weeks, is that you?

**Mr. Michael A. Weeks:** Yes, sir.

**The Speaker:** MP Weeks, you have your 30 minutes. Continue, sir.

**Mr. Michael A. Weeks:** Yes, Mr. Speaker. Good evening to you.

**The Speaker:** Good evening.

**Mr. Michael A. Weeks:** I have been impatiently waiting my turn. I would like to start off—

**The Speaker:** I know you as a patient man. So you are in good stead.

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

**The Speaker:** There you go.

**Mr. Michael A. Weeks:** I would like to start off like others have done, by congratulating the Attorney General. I think in the climate that we are in here in Bermuda I have to praise her courageous stand, because I could imagine the pushback that she has gotten. But she stayed the course and here we are, Mr. Speaker. So it would be remiss if I did not start there. I take my hat off to the Attorney General.

Having said that, Mr. Speaker, I looked long and hard at this piece of legislation. And, like my honourable colleague from constituency 33, I think I could start off my comments by saying that I did not want the perfect to negate the good. So rather than look at it through those lenses, I said, *Okay, this is a great start.* And you know, Mr. Speaker, when we as a party have promised our constituents that we will address this issue—

[Audio skip]

**Mr. Michael A. Weeks:** —many others—

**Hon. Kathy Lynn Simmons:** Mr. Speaker, I cannot hear the Member.

**Mr. Michael A. Weeks:** —in my constituency there is a segment that always said, *Well—*

**The Speaker:** MP Weeks, are you having a challenge with your audio right now?

**Mr. Michael A. Weeks:** I don't think so. Can you hear me now, Attorney General?

**Hon. Kathy Lynn Simmons:** Yes, I can.

**Mr. Michael A. Weeks:** Okay. I will just sit a little closer to the . . . Can you hear me, Mr. Speaker?

**The Speaker:** Yes, continue on.

**Mr. Michael A. Weeks:** Okay. Thank you.

So I was saying that what happens is that not only on the doorstep but at a lot of functions, people are challenging me and saying, *Well, when is the PLP going to come good on their promise?* So I am actually excited about the good—

[Audio skip]

**Hon. Derrick V. Burgess, Sr.:** Mr. Speaker, MP Weeks is breaking up somewhere.

**The Speaker:** Yes, I am trying to see—

**Mr. Michael A. Weeks:** —done at the start, Mr. Speaker.

[Crosstalk]

**The Speaker:** Yes, you are having a challenge with your system there, Mr. Weeks. We will let you continue, but if it keeps breaking up we may have to just move on to someone else. But let's see if we can sort this out.

**Mr. Michael A. Weeks:** Okay, Mr. Speaker. I am not going to be long. But I am just saying that we are in a conservative—

**The Speaker:** You are nice and clear right now.

**Mr. Michael A. Weeks:** and I know—

**The Speaker:** You turned your camera off, that may have strengthened your broadband, so keep your camera off and just let us hear your voice.

**Mr. Michael A. Weeks:** Yes.

**The Speaker:** All right.

**Mr. Michael A. Weeks:** Okay. That sounds better?

**The Speaker:** Much better.

**Mr. Michael A. Weeks:** All right.

I will start again by saying that we have delivered on our long-overdue promise. So this is going to allow us, a segment of our society, mainly Black men, Mr. Speaker, not to be criminalised by association with cannabis.

But I must put things in a historical context, Mr. Speaker. I have done my research. I remember coming across in the 1920s, because we have to ask ourselves, *When and why did cannabis become illegal in the first place?* And in the 1920s, right around prohibition or the repeal of prohibition, people of colour, Blacks and Latino (mainly Mexican)—

[No audio]

**The Speaker:** We have lost you again. MP Weeks, I think you—

**Mr. Michael A. Weeks:** [INAUDIBLE]. The—

**The Speaker:** Okay.

**Mr. Michael A. Weeks:** —main—

**The Speaker:** Yes, go ahead.

**Mr. Michael A. Weeks:** Pardon? Can you hear me? Yes. Okay.

When the powers that be, Mr. Speaker, made marijuana illegal, it was not because of medicinal purposes, it was strictly to try to control that market. When we fast-forward 40, 50 years from the 1920s, into the 1970s when we finally had a Bill, the Misuse of Drugs Act in 1972, which mirrors that of England and Nixon in America, again, it was really aimed at controlling that lucrative industry. Not because of medicinal purposes, it was always a financial purpose, a financial endeavour by the powers that be. So, I do not want us to get caught up in the minutia that I have heard some of the others say. And if I could use the words of one of our senior MPs, Mr. Speaker—

[No audio]

**The Speaker:** MP? We may—

**Mr. Michael A. Weeks:** [INAUDIBLE] nonsense for those who are naysaying—

Yes, sir? Am I gone again?

**The Speaker:** You are back now but we lost you. You started to say you were going to use senior words and then you just dropped off.

**Mr. Michael A. Weeks:** Okay. Well, Mr. Speaker, let me see if I move to another location. I will stop now and let someone else [speak] and I will come back.

**The Speaker:** If the House is obliging, the Honourable Member wants to see if he can move to a location where he can get a stronger reception and we will give him . . . I think he has used up about eight minutes of his time. So we will let him finish the balance of that.

Is that acceptable, Honourable Member?

**Mr. Michael A. Weeks:** Yes.

**The Speaker:** I think your colleagues said okay.

Would any other Member like to speak at this time?

**Some Hon. Members:** Yes, Mr. Speaker.

**The Speaker:** Yes, I hear two voices.

**Mr. Christopher Famous:** I yield to the other person, Mr. Speaker.

**The Speaker:** I cannot see . . . [INAUDIBLE] are you the other person?

**Hon. E. David Burt:** I think it is MP Cannonier, Mr. Speaker.

**Mr. Christopher Famous:** I will yield, Mr. Speaker.

**The Speaker:** MP Cannonier?

**Mr. L. Craig Cannonier:** My video is up.

**The Speaker:** Your video is up and we just need to get your audio a little louder. We see you.

**Mr. L. Craig Cannonier:** My audio?

**The Speaker:** Can you get a little closer to the microphone. Okay?

**Mr. L. Craig Cannonier:** Can you hear me, Mr. Speaker?

**The Speaker:** Yes, we can hear you now.

**Mr. L. Craig Cannonier:** Okay. Great.

Thank you very much for the opportunity to weigh in on this substantive and in many ways subjective [matter], but it is something that I believe that everyone is taking as a conscience position vote on this particular Bill.

I think what I would like to do, Mr. Speaker, really is, and I appreciate the last speaker just prior, I believe the Honourable Swan from constituency 2 and Honourable Minister Weeks, in their deliberations. They began to talk about the history of—

*[Audio skip]*

**Mr. L. Craig Cannonier:** —of cannabis, and try to put a framework out somewhere of where we are today, to be informative. And I think that this is a great opportunity for us to be informative on such an interesting subject.

I must say that there is still a whole lot to be learned, to be gained from the use of cannabis in so many different ways. And I think we need to be concentrating on how we can educate our people as to where we can go in the future with cannabis. Certainly, we cannot rewrite history, but we can make life better going forward.

And so, informatively, Mr. Speaker, in modern times we have kind of just started in the early stages of understanding the many benefits of cannabis and which ailments it can treat. And the reason I say that is because of how Minister Weeks was getting to the fact that the pharmaceutical world really imposed itself and discouraged the discovery of the many benefits that cannabis does provide.

I wanted to let the public know that there are more than probably about 500 different strains of cannabis. And with that we are not entirely sure of all of the benefits that cannabis can provide. But we certainly know that there are hundreds of different strains, and about 100-or-so different cannabinoids that exist within these different hundreds of strains.

Surprisingly enough, we are still just getting to discover many of the benefits, and probably some of the largest labs of research are in Israel where many of the studies are taking place. But I do believe the reason that cannabis has become a major subject, quite frankly, is because of the discovery and the discussions around the benefits of marijuana. And we will get to some of the challenges as far as social justice is concerned and how we got to this point. But cannabis has been around, Mr. Speaker, for thousands of years and used by the Egyptians, by the Chinese, you name it. In fact, between the years . . . and this is where I will carry on from what Minister Weeks was saying.

Between the years of 1850 and 1937 cannabis was being used as a major, major medicinal medicine in the United States for over 100 different illnesses, between the period of 1850 to 1937. Unfortunately, after 1937 is where we begin to see the fall-off of the use of cannabis [when] synthetic drugs [were] being brought into the arena, quite frankly, to enable the fat cats to become even greater. And now we are in a position where we are beginning to discover the great benefits of cannabis.

[One] of the benefits is reducing anxiety [and another] is communication. It encourages communication amongst us as a people. One of the other benefits of cannabis is that we become less violent. And so we know that there are many things that are going on and we know that there are many doctors locally who are encouraging, and I would say that the real focus that we should be having, really, is around the medicinal purposes and usage of cannabis.

Now, invariably, this Bill is trying to set up a framework, quite frankly, as we go forward. And as the Honourable Member Jamahl Simmons said, *We cannot allow perfection to be the enemy of progress*. It is a catchy phrase, and I do like it. I like what it is attempting to say. But we must endeavour as we move forward, to do as much as we can to get things as close to perfection as possible. And so I agree that this Bill is moving in the right direction. But the potential claims and the mechanics of the Bill do allow for questioning. Thankfully, Mr. Speaker, we have this forum where we are able to ask questions, and also at the same time we have done our homework and can be informative.

So cannabis is not going anywhere, certainly not now with all of the benefits that we are discovering. The question is: How do we manage it going forward? And that is what I believe to be the emphasis of where this Bill stands today. It is attempting to answer

the question of . . . we know it is not going anywhere. The subject matter is being discussed at dinner tables, quite frankly. And those who probably in the past would not have even considered using cannabis are now considering using it. And some, quite frankly, with the new discovery of its purposes, are using it, whether it be in [INAUDIBLE] or whether it, quite frankly, be in smoking it or using CBD oil.

You know, this has been a major subject in our household. Certainly, to declare my interest, my wife being a pharmacist and also having the opportunity to be the chief pharmacist for government as some point in time where marijuana, CBD oil and the likes were being allowed to be brought in for medicinal purposes. It has been an ongoing study for us.

And so this is a natural herb, as you have already heard others speak to this fact. The question is, How will we, moving forward, manage this great potential for medicinal purposes and maybe even potential economically to improve the lives of our families economically?

One of the challenges that I do have, and we will talk about that, is the Bermuda market and whether or not it is economically feasible. And we have the numbers in order for it to make sense to make money, although I believe that there is a global opportunity, whether it is positioned in Bermuda, for offices or labs and the like. But the local market in and of itself draws questions as to whether or not we are moving in the right direction in claiming that it will be an opportunity entrepreneurship-wise and lucrative-wise for Bermudians. And that is probably where I will have some questions that I would like to ask.

But I would like to say from this however is that I would like to encourage, especially our doctors, to consider looking at this Bill and getting involved in research labs and the like so that we can be one of those centres that really centres around or really moves around being educational about the many uses of cannabis.

And as I was listening to one of the [INAUDIBLE] a couple of years ago, it was interesting [INAUDIBLE] one of the labs in Israel, one of the doctors called his friend and said, *Look, you know, I heard that you were using cannabis as a means of being able to reduce anxiety and pain.* (In one of his patients.)

And the doctor replied back and said, *Yes, she said it was working out really, really well.*

And as the doctor probed further [INAUDIBLE] said, *Well, exactly how is it that it is benefiting you?*

And she said, *Well, the pain hasn't gone away, but my grandson comes and meets me on a regular basis because I have marijuana in the house.*

So that really led to more research that needed to be done, because some strains will have benefits that others won't. And really, what I am getting to, is that there is still a large part of this plant we call cannabis that still needs to be understood and still

needs to be applied to the many opportunities that we might have in the medical field. And I personally believe that that is where the focus for us really should be.

You know, I heard several times from the substantive Minister (and I thank her for her introduction of the Bill today) and from other Members when they mentioned that there is a broad range of people who will, quite frankly, benefit economically from this particular Bill. And I am beginning to break down exactly . . . Okay, well then, if you are telling us that the industry is about \$6 million. There is a \$6 million market. We are setting up a regulatory body, we are setting up a board to regulate this thing and the likes.

[No audio]

**Mr. L. Craig Cannonier:** [INAUDIBLE] Six million dollars is hardly an industry—

[No audio]

**Mr. L. Craig Cannonier:** —frankly is requiring [INAUDIBLE] an extent [INAUDIBLE] of manpower and the likes to regulate where [INAUDIBLE] cannabis and the sale of cannabis and the like. And so as we go through the Bill when we start breaking it down and we [INAUDIBLE] legalisation of cannabis. [INAUDIBLE]

I think that we need to continue to reiterate the fact that it has been decriminalised. I am surprised that even today that [INAUDIBLE] in Bermuda for a certain amount. And so I think that we still need to go a long way in educating the public on all of the aspects of cannabis. Again, I do not believe that a \$6 million market at this point in time is going to be lucrative to anyone in the near future. And when I say the “near future” not within this year [INAUDIBLE] and still have not [INAUDIBLE] the issues of the banks being able to take the proceeds—

[No audio]

**The Speaker:** Mr. Cannonier, you may be experiencing what we had from MP Weeks—

**Mr. L. Craig Cannonier:** [INAUDIBLE] and to allow them to—

**The Speaker:** Okay. You back?

**Mr. L. Craig Cannonier:** Can you hear me? Yes?

**The Speaker:** We hear you.

**Mr. L. Craig Cannonier:** —to allow them to invest in this particular product and this economy. The banks are not going to loan the money for it. So who are we

empowering? The people who I have heard from are [INAUDIBLE] to be Blacks [INAUDIBLE] fat cats—

[No audio]

**Mr. L. Craig Cannonier:** —of Bermuda who are seeking out the opportunity to get involved in this. Now, I do not have any challenge with that at all, you know, [INAUDIBLE] fill the requirement of being able to get involved in the industry. But make no mistake, low income and middle income are going to have to go and find where they can get the money to invest—

[No audio]

**The Speaker:** Mr. Cannonier?

**Mr. L. Craig Cannonier:** —enterprises that we are talking about. And the question then becomes, okay, [INAUDIBLE] benefiting from the sale of marijuana illegally do not have this issue. And the Bill does not address some of the issues that we have of stamping out the illegalities that are going on with marijuana right now—some.

And if you import marijuana, just like right now if you go to the supermarket, Mr. Speaker, you can get a local tomato and then you go to the other side of the Island and you get an imported tomato, the cost of that imported tomato is less than the locally grown tomato. Why is that? Because our cost of living is high. And so I am not sure, and I have not heard emphatically how the cost of [INAUDIBLE] running a business in Bermuda is going to be lucrative when it comes to growing marijuana in Bermuda, cannabis in Bermuda, as opposed to importing. And with such a small industry my concern is that it will be a single one or two people who will capitalise in on this market because they will be able to afford to low cut.

So that young fellow who wants to grow it, to commercialise it, he is already at a disadvantage. And these are the very young men and women who we are talking about who are already disadvantaged. So what we need to hear from our Government is how they are going to allow and make it possible for the very ones they are saying that they want to champion, how they are going to make it possible to be affordable to get involved in this industry. We have not heard that as of yet. And so those questions will continue to have to be answered and maybe in the future as we go forward, it will be very, very interesting to see how this proceeds. But with the economy the way that it is right now, I do not see where anyone is going to be able to successfully set up shop that is not from already existing law. And that is where we need to hear more from our Government in dispelling this issue.

Now, when I said that I heard from the Government that this was going to be a broad range of people who will benefit from this Bill, . . . I also mentioned earlier that smoking cannabis also improves

communication. So I would probably say that maybe we all need to have a little smoke to be able to communicate a little better as to what are going to be the benefits or not the benefits and be real about exactly what is going on here.

Yes, we have a Bill in front of us. And it is a Bill that I have already stated is a progressive one. It is moving us in the right direction. But we cannot allow our people to be misled into believing that once we pass this Bill, six months from now we will be able to set up shop and be able to have something that is a viable business entity in Bermuda. This is misleading, because the cost of growing marijuana, cannabis, in Bermuda is going to be high. On top of it, you have all the other restrictions that you have to fulfil. And so the fellow who is selling it underground who is already importing it and does not have to pay taxes on it will continue to thrive. And I have a problem with that. And I will explain why I have a problem with that.

I have mentioned it before, and it was mentioned earlier that some of our young Bermudians, particularly Blacks, have unfortunately had bike accidents that have led to head injuries that, unfortunately for many of our young men, in order to relieve the pain they have turned to self-medication [with] the use of cannabis. It makes sense; it is logical that they would do that. But [at 16] I personally experienced that with my father who was in a coma for two months after having a bike accident. He came out and the early use of marijuana [INAUDIBLE], eventually schizophrenia set in [INAUDIBLE].

Now, I am not complaining about it. I have no qualms about the fact of what took place. He was a beautiful man. And unfortunately in the society that he grew up in, more so than what I grew up in, he was marginalised as a Black man [INAUDIBLE] friends and others were incarcerated [INAUDIBLE] because of the sentence for marijuana. And so the system marginalised Black men and what we need to do is ensure that we fix the system. And that is why I say this Bill is progressive and moves in certain directions that are helping to alleviate that, that is helping to allow that to happen, but we still have not heard how proceeds of this industry are going to help those affected and marginalised because of it.

And one of the other things that kind of gets under my skin as well, Mr. Speaker, is, you know, we . . . and I am trying to understand a little more about what the Bill is presenting here and it appears (and I can be corrected if I am wrong) that we will be concentrating more on Black entrepreneurship as opposed to white entrepreneurship when it comes to cannabis and the like. And maybe this Government can clarify that for me, but if that is the case and they feel that this industry should be predominantly run by Blacks, then say so. Just go ahead and say so, so that the people are aware of exactly what the Government is attempting to do.

The verdict is still out, though, as to the proceeds and how that money is going to go toward helping affected communities. And the reason that I bring that up is because the past of the sugar tax. We still have not seen the facts of the tax on sugar coming to fruition where we have [fewer] diabetics and less purchasing of sugar and the likes, and more education as to the ills of sugar. But we are talking about cannabis right now. So the real challenge will always be in the education of it. But the education of it is all around medical labs in educating people on the great uses of it.

I am concerned because I have not heard quite yet, and maybe someone will come up with it and say. I am concerned that Blacks [INAUDIBLE] cannabis [INAUDIBLE] Blacks selling to Blacks. And sometimes we need to face up to these facts. [INAUDIBLE] and what it is doing. I am concerned about the Black community and what we are doing to each other. And many of us in the House of Assembly are aware of those who profit off of selling marijuana and other drugs to our own race, and profited off of it. Some have several houses because of it. Some have lavish and huge houses because of it. I am not complaining about that, but when we start talking about social injustice then we, as a race, need to be keenly aware of what we are doing to each other.

I saw who was selling the marijuana, cannabis, to my father. And I also know who was supplying it to him to sell. And so what we as a community need to do, is we need to talk about the injustices, fix the system which I believe is the direction the Bill is attempting to go in. But we also need to fess up to the fact that we have been doing each other wrong. And we start pointing fingers and the likes and talking about the UBP and the OBA and the like. Well, I can think of a commissioner who was locking up Blacks and when gang activity came to flourish, was a member of the PLP.

So we do not need to be throwing stones at each other, we need to sit down, have a smoke maybe, and communicate a little better about what we should be doing going forward. And in my estimation, entrepreneurship in this industry is not where it is at right now, it is in the research. And that research can provide jobs and opportunities for Bermudians to get involved in an area that so much needs more education to the world. We are in the industry of international business. Let's now do like the [the people from Israel] and have major labs [built] in Bermuda so that we can educate the world on the many uses and [the yet] to be discovered uses for medicinal marijuana.

So I appreciate all of the going back and forth that we have had concerning this particular way as we move forward. But I want the Government to be very, very clear about what the social justices [are] that we are putting in place that is going to make it right for many of the communities that were affected by it. We have seen it! We have seen families destroyed by it.

So exactly what are the avenues that the Government is going to use in order for this to happen?

I dare say it will not be happening any time soon, because I do not believe that there is a lucrative industry as of yet to get involved in. What I do believe is that we do have a framework that is now moving in the direction for being able to make that possible. But we dare not mislead our people into thinking that this is going to be a great opportunity, and that the Governor will have the opportunity to pass it and we will move in the direction of making this another pillar. It will not be a pillar of this economy at \$6 million of an industry. It is not there yet.

And the greater part of that is that we as a people need to understand that if there is going to be anything lucrative in the technological world that we live in today, it is being able to produce something here in Bermuda and market it to the world. We do not have the physical numbers in Bermuda to substantiate many of the entrepreneur opportunities in just selling to Bermudians. It does not exist. Ask the taxi drivers. Ask the entrepreneurs who are out there in the retail business now. We need more numbers here and we need to start thinking globally in the opportunities that we have going forward.

The one thing I want to be clear about also, Mr. Speaker, is that this Bill is not going to help anyone that is on the stop list. But thank goodness we do have opportunity, and the Government has put in place where we will expunge many of these records. And I believe that this is the right thing to do. But it is not going to get anyone off that list. And so we cannot rewrite history, but what we can do is ensure that Bermuda becomes a lucrative place and we need to think big when it comes to this industry, and we need not think just locally because it is not happening. The importation of marijuana will continue to compete with the local growers. Anyone getting into the field of local growing will be at a disadvantage from the very beginning.

So with that in mind, Mr. Speaker, I think there is one other thing I wanted to say. Hang on, I just want to get my notes here—

**The Speaker:** You have got two minutes left on your time.

**Mr. L. Craig Cannonier:** Yes, thank you, Mr. Speaker.

I hope that the substantive Minister, will be even a bit clearer on how this Bill is transformed, and she mentioned the fact that *of How does this Bill help the fact that Black lives matter*. I want to hear more about that. And I do not think enough is being said about how we are going to steer this into ensuring that the affected communities by this industry will be helped out. This is where the Minister needs to be very clear in what she is attempting to do. Especially if she says that cannabis is kind of like a cultural thing

for Bermudians. I am not sure if that is an emphatic statement or whether or not that is, quite frankly, true or false, but it is being said. I do know that we need to move in the direction of legalising cannabis. That is where the answer really lies in solving the many challenges that we do have. But as for now—

**The Speaker:** One minute left on your time.

**Mr. L. Craig Cannonier:** —need to thrive.  
Thank you, Mr. Speaker.

**The Speaker:** Thank you, Honourable Member.  
Does any other Honourable Member wish to make a contribution at this time?

**Hon. Zane J. S. De Silva:** Yes, Mr. Speaker.

**The Speaker:** Yes, honourable Member. Honourable Member De Silva. You have your 30 minutes.

**Hon. Zane J. S. De Silva:** Good evening. Thank you, Mr. Speaker.

Mr. Speaker, I would like to start off by thanking the Attorney General for bringing this Bill today. A lot of people have congratulated her, but I would like to leave congratulations out and just thank her, because, Mr. Speaker, I just happened to have been in the room for the last several years, in both rooms, and I know how much work that this has involved and I know how much work she has done. I know the fights she has fought. It has been a tough road. So I would like to thank her for finally getting it to this place, and I look forward to getting it over the line before the day is done.

Mr. Speaker, I would like to emphasise the fact that one of the things that I liked about the Attorney General's speech today was when she talked about education and that there would be a robust education process. A robust education process, Mr. Speaker. And I think that is important, and I think that if we do that, as we do anything else that has significant national importance, I think if we do that I think we will be on the right road.

Now, Mr. Speaker, I would like to also mention the fact that there have been a lot of questions from the Opposition today. But I would like to remind them that in successive platforms, and in successive Throne Speeches over the past several years, Mr. Speaker, we have highlighted and consistently highlighted that we are looking to transform how we do things in this country.

And one of the things that the Progressive Labour Party continued to highlight and push as a Government of this country, Mr. Speaker, is how we want to support entrepreneurship and support new business owners in this country, in particular Black business owners in this country, Mr. Speaker.

Now, I would like to read if I can, Mr. Speaker, just a small section out of our 2020 platform.

**The Speaker:** You can go ahead, Member.

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

And it is titled, "Boosting Entrepreneurship in Small and Medium Sized Businesses."

"The PLP Government has boosted support for entrepreneurs by reducing red tape, eliminating taxes for new startups, and providing \$12 million of support for small and medium sized businesses to assist in surviving the financial challenges caused by the Pandemic."

Now, Mr. Speaker, let me repeat—\$12 million of support for small and medium-sized businesses! That is very important and we will come back to that in a moment. But this legislation, Mr. Speaker, is about, again, our consistent platforms, our consistent Throne Speech initiatives [and] about creating opportunities.

And when we say "creating opportunities" it is our hope that it will do just that. Because you will know, Mr. Speaker, that over the past 18 months or so, and in particular since last March, the OBA Members almost consistently . . . every couple of months they come out. And we have heard from the former leader of the OBA, and former Premier, Mr. Cannonier, we have heard from the Opposition Leader, the Honourable Cole Simons, and many of his other colleagues and they say time and time again, *What is the Progressive Labour Party's recovery plan?* You know, what have we done? What are we doing?

We are all familiar with the unemployment benefits that we have paid and continue to pay to assist our people who have fallen on hard time during this pandemic. And, Mr. Speaker, this legislation, my hope is that we can push it quickly so that we can create some further opportunities for our people.

Now, the Honourable Member who just took his seat, Mr. Cannonier, said he thinks there would only be one or two people who would be able to take advantage of this legislation and create business. And he said, and I quote, *How are the PLP going to make sure other people will get opportunities?* Well, I just read you a quote out of our platform, Mr. Speaker. And I would like to think that with the current Progressive Labour Party Cabinet and caucus that we will see that our people get the opportunity to go into this business if there is going to be any business to be created.

To hear the Member who just took his seat . . . all that seemed to spout from his lips was negativity. And that is disappointing. It is very disappointing. And then for him to say that we are going to mislead our people into thinking that there is some kind of business that might be there for them and for him to say that, no, it is only going to be one or two wealthy people who are going to get this opportunity . . . let me say this to the people of the country who may be lis-

tening. Our plan is to give our people hope. It is not our intention to mislead our people with this legislation. It is our intention to give people hope, Mr. Speaker. Hope.

And then the Honourable Member Cannonier went on to say that this is not going to be successful because we do not have the numbers. Ask the taxi drivers, he said. Well, Mr. Speaker, ask anyone who has ever been in business, ever started a business if they did not dream of being successful.

And I can speak first-hand, Mr. Speaker. I have heard many people say, *I will never make it. I will never make it!* Well, I am not about to tell the people of this country that this particular legislation and the creators of businesses that they are never going to make it. I would never say that. I say to our people that, *Look. This is going to give you hope. And don't let anybody ever tell you that you are not going to be successful.*

**Mr. L. Craig Cannonier:** Point of order, Mr. Speaker. The Honourable Member is misleading the House.

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

#### POINT OF ORDER

*[Misleading]*

**Mr. L. Craig Cannonier:** The Honourable Member is misleading the House.

I never said that there was going to be one or two people who would benefit from it. I asked that they explain how those who were marginalised by cannabis and the ills of it were going to be able to make it, and the fact that banks are not going to loan money or receive the proceeds of the sale of cannabis. Explain to us how it is going to happen. That is what I asked for. Explain it. And he has not explained anything.

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

Be mindful of his clarification, but continue on.

**Hon. Zane J. S. De Silva:** Mr. Speaker, you will know that I make notes when people talk. And I do not do shorthand, but I can write pretty quick, and I am going to quote, I will quote—

**Mr. L. Craig Cannonier:** Mr. Speaker. Point of order, Mr. Speaker.

**Hon. Zane J. S. De Silva:** I have not even started saying yet.

*[Laughter]*

**The Speaker:** I was waiting. Really, the Member had not stated anything. But make your point of order.

#### POINT OF ORDER

*[Misleading]*

**Mr. L. Craig Cannonier:** He is misleading the House. Just because he writes something down does not mean he interpreted it correctly.

**Ms. Lovitta F. Foggo:** The Member clearly said *only one or two people would benefit.*

**The Speaker:** Thank you. Thank you, Member. You were not rising on a point of order, so we do not need the support of echoes in the back.

Continue on, Member. Just be mindful that the Member has attempted to clarify what was stated. But, go ahead.

**Hon. Zane J. S. De Silva:** Mr. Speaker, I will read again what the Honourable Member said. And he said that he thinks there will only be one or two—one or two—people who will start this business and he went on to say—and I am going to quote him again, *How are the PLP going to make sure other people will get opportunities. I can only see those people already wealthy owning a cannabis business.* His words, Mr. Speaker. Hansard will show that.

So my answer to that is . . . he said he has not heard any answer to that. I answered it, Mr. Speaker. The PLP Government has boosted support for entrepreneurs by providing \$12 million of support for small and medium[-sized] businesses. And I would think that part of this \$12 million will be available for any entrepreneurs or new people willing to start any business, like anyone else is. Our record shows that we have consistently given more money toward entrepreneurs and small business owners in this country. This is just another, Mr. Speaker.

And he went on to say that locals will be at a disadvantage. And Mr. Speaker, let me say this . . . and he said it is not a big enough business. Well, Mr. Speaker, I do not know what the actual statistics are, but there are millions and millions of dollars being spent on drugs in this country every year. Everyone knows that.

**Mr. L. Craig Cannonier:** We are only talking about cannabis.

**Hon. Zane J. S. De Silva:** Everyone knows that there are millions and millions of dollars on cannabis too!

And let me say this, there are a lot of people who take vacations to Colorado now and we know why. There are more people taking vacations to California; we know why. And if we do this right, I think that our tourists, the tourists that love to travel and smoke, will look at Bermuda as one of the places they wish to go to.

Now, Mr. Speaker, let me say this. Because I had some challenges, like my cousin, Cousin Derrick.

I had some challenges with this too. And let me say this, Mr. Speaker. I am against any kind of smoke that one inhales, any kind of smoke that one inhales. And you will remember, Mr. Speaker, I was the Minister who brought the legislation that decriminalised 7 grams or less. I was the one who brought that legislation about. And that legislation was brought to help our young Black men, in particular. There are some white men and some white ladies and some Black ladies too, but we know why we did that. And I am not going to repeat what many Members have said today what that has done to . . . and still affects a lot of our people today.

But, Mr. Speaker, the Honourable Member Dunkley, when he spoke, ridiculed one of my colleagues or several of my colleagues, he sort of saying they do not know what they are talking about when we said, and I think the Attorney General mentioned it as well, that smoking cannabis is part of our culture. And they smirked at the idea that some of us have said that this is part of our culture. Well, I do not know where they are living, Mr. Speaker. I do not know if they have had a chance to talk to some of their relatives, friends, family members and colleagues. There are a lot of people who smoke weed in this country, Mr. Speaker, a lot. And I would say that it is part of our culture. I mean, the Honourable Member Dunkley went on to say that drinking is part of our culture. And I would say that this is correct too. But if you do not think smoking weed is part of our culture then you need to get your head out of the sand, because there are a lot of people who smoke weed in this country.

And then the Honourable Member Dunkley went on to say something that I do not know if everybody caught it. He said that he thinks that this legislation is being brought, and he talked about not getting the assent of the Governor. He said he thinks it is being brought for one specific reason, and that is another agenda. And I think everybody, the ones who caught it, knew what he was saying. But I will tell you what, during my time, and I think the only time that I can recall the Governor not giving assent to legislation that we passed in this country, as a Progressive Labour Party when we were in Opposition, if you recall, because I remember marching up to Government House that day, Mr. Speaker. But if this Governor or any other Governor does not give assent to legislation that we pass, and that has to happen in order for us to be able to control our country, then so be it. It is long overdue anyway.

And let me go back to Cousin Derrick, because that is important. And I think Minister Tinee Furbert has said this in the past. She may have mentioned it tonight. When it comes to our children and those who are vulnerable, I have five grandchildren, Mr. Speaker. Five. And I worry too. I worry about them smoking weed. I worry about them smoking cigarettes. And some of us, Mr. Speaker . . . I don't want to show too much of our age. I did not experience this,

but I certainly heard it from my parents and I am sure you did, if you did not experience it, that people used to smoke cedar bark. So, Mr. Speaker, I do worry too. I do worry too! But what gives me a little bit of comfort is when the Attorney General said she was going to have robust education with regard to cannabis use in the country.

Now, Mr. Speaker, I just cannot take my seat and finish without reflecting back on the Honourable Member Dunkley's comment, because we talk about this legislation creating jobs, creating businesses for our people and what we are trying to do. And the Honourable Member Dunkley in his words, and I quote, *He brought this country back from the brink*. The OBA brought this country back from the brink. And he made light of the fact that we call the America's Cup a *boat race*. And let me re-emphasise one more time, Mr. Speaker, because if they bring it up I think it is important that if they are going to bring up history we have to bring up history too. And let me state again, and I have been steadfast with this comment for years now, Mr. Speaker. We were not against the America's Cup. The Progressive Labour Party was against spending \$100 million of the taxpayer's dollar for a boat race.

And was it good for Bermuda? Sure. Sure it was good for Bermuda. Will it have some legacy? Sure it will. No doubt. No question. But the fact of the matter is we spent \$100 million on it. And just a couple of weeks before you had the then Finance Minister Bob Richards telling our seniors *Money don't grow on trees*, telling our people to take furlough days, saying we cannot give you an increase in wage. That is what we had a problem with, Mr. Speaker. And we will always have a problem with that.

And then he mentioned, *Oh, we are bringing SailGP to the Island. We are doing an America's Cup of our own*. But if my memory serves me correct, Mr. Speaker, it is only going to cost the Government \$250,000 to hold this race. And then he talked about some of the members who are on the Bermuda Tourism Authority [BTA] Board, being PLP. Well, yes, I think you might find that we have more inclusiveness with regard to how business is handed out and who actually gets a piece of that pie. We will see.

And Mr. Speaker, when the Honourable Member Dunkley said the OBA brought Bermuda back from the brink, we cannot forget the airport. You know, sometimes we forget that that airport generated \$12 [million] to \$14 million per year in surplus. So we lost \$12 [million] to \$14 million a year. And of course we have gotten an electricity bill that is through the roof now and forever more.

We have \$20 million so far that the taxpayers of this country have had to pay because of the agreement that should not have been an agreement at all. Twenty million dollars we have paid! And if things do not improve soon . . . we just heard this week that the Miami flight has been cancelled. [There

are] 16 passengers coming on that flight so they have had to change it around. What do you think is next, Mr. Speaker? Maybe it is another \$10, \$15, \$20, \$30 million for the taxpayers of this country to have to pay because we gave away that airport.

I tell you, it has got to be the best deal of the century for the Canadians. And, Mr. Speaker, let us not forget when the Honourable Member Dunkley says he brought Bermuda back from the brink they doubled our debt in five years. Let me repeat—

**Mr. Scott Pearman:** Point of order, Mr. Speaker.

**The Speaker:** Point of order?

#### POINT OF ORDER

*[Misleading]*

**Mr. Scott Pearman:** Point of order. The Honourable Member is misleading the House. He has been told about this before. He even admitted once that he was wrong, which is surprising. It did not double, the debt did not double. Thank you, Mr. Speaker.

**Hon. Zane J. S. De Silva:** Oh, no! Oh, no, Mr. Speaker. You have never heard me say I am wrong on that one. They doubled the debt. It went from \$1.2 to \$2.4.

**Mr. Scott Pearman:** No, it did not.

**Hon. Zane J. S. De Silva:** When I went to school, Mr. Speaker, one and one was two.

**Mr. Scott Pearman:** No.

**Hon. Zane J. S. De Silva:** And I can tell you now that they doubled the debt in those five years, Mr. Speaker, doubled it!

And let's not forget a couple of things. Maybe the Honourable Member could tell us a little bit about this, Mr. Speaker. Maybe he could tell us about the \$200 million and counting that we have spent on Morgan's Point—another great financial success story by the OBA. [It was] \$200 million and counting.

*[Inaudible interjections]*

**Hon. Michael H. Dunkley:** Point of order, Mr. Speaker.

**The Speaker:** Point of order. We will take your point of order.

#### POINT OF ORDER

**Hon. Michael H. Dunkley:** If he wants to go talking about money, perhaps he could tell us where the \$800,000 went to Savvy Entertainment.

**Hon. Zane J. S. De Silva:** Mr. Speaker, that is not a point of order.

*[Inaudible interjections]*

**Hon. Zane J. S. De Silva:** We could talk about that too, Mr. Speaker. But I will tell you what—

**The Speaker:** Try to keep your comments relevant to today's debate.

**Hon. Zane J. S. De Silva:** Yes, that's right.

*[Inaudible interjections]*

**Hon. Zane J. S. De Silva:** Let's do that, Mr. Speaker. Let's do that. But you see it is relevant to today's debate, Mr. Speaker, because if the OBA did not screw this country up so much financially during that four years maybe we would have had a lot more money to do things like create more businesses—

**Hon. Michael H. Dunkley:** Point of order.

**Hon. Zane J. S. De Silva:** —like this legislation that we have right here today.

**Hon. Michael H. Dunkley:** Point of order, Mr. Speaker. That language that he is using—

**The Speaker:** Point of order?

#### POINT OF ORDER

**Hon. Michael H. Dunkley:** —is not appropriate. It is not appropriate for Parliament to use that language, Mr. Speaker. "Screw" this country up.

**The Speaker:** I will remind both of you. If it is not appropriate for one, then it is not appropriate for the other. So, you made a point that he used improper language. I would not want you to continue using that language.

**Hon. Michael H. Dunkley:** Sorry, Mr. Speaker.

*[Crosstalk]*

**The Speaker:** Just be reflective of the type of language we expect.

**Hon. Zane J. S. De Silva:** Yes, Mr. Speaker. Of course, that Honourable Member maybe does not know the meaning of the word of "screw." Because a screw goes—

**The Speaker:** Well, . . . Member.—

**Hon. Zane J. S. De Silva:** —because a screw goes around—

**The Speaker:** Member. I have asked that we not go down that road. So just come to the point. I am sure you find another word you could use.

**Hon. Zane J. S. De Silva:** Thank you, Mr. Speaker.  
Well, I will not use that word. I will say how they twisted and turned this country upside down. How about that, Mr. Speaker?

**The Speaker:** It is acceptable.

**Hon. Zane J. S. De Silva:** Thank you.

*[Inaudible interjections]*

**Hon. Zane J. S. De Silva:** Mr. Speaker, I think it is important to remind the people of this country that prior to the pandemic we had reduced the deficit—now hear me—we reduced the deficit by 90 per cent prior to the pandemic. Ninety per cent! That is huge! And that is why the rating agencies in the world kept Bermuda on a very good level with regard to our ratings, Mr. Speaker, because we have a captain that is on the ship that is running it—

**Hon. Michael H. Dunkley:** Mr. Speaker, point of clarification.

**The Speaker:** Point of clarification.

#### POINT OF CLARIFICATION

**Hon. Michael H. Dunkley:** If the Honourable Member can actually give the exact numbers of reducing the deficit I would be most obliged.

**Hon. Zane J. S. De Silva:** Well, Mr. Speaker, when I went to school, 90 per cent was an easy number to figure out. If you had a deficit of \$100 and you take 90 per cent off, I think it is about \$90. So the Honourable Member is very aware of what the deficit was and I am sure he can take 10 per cent off that deficit to get 90.

**Hon. Michael H. Dunkley:** Mr. Speaker, I am asking for exact numbers. If he makes that allegation, he should be able to support the numbers. I do not think he can.

**The Speaker:** What I will ask the Member to do, because he probably will not have them right in front of him, is that he will have the courtesy of just providing Members the numbers at a later date. I am sure he probably doesn't have the exact numbers, because you are asking for exact numbers. I am sure he does not have the exact numbers in his head right now.

**Hon. Michael H. Dunkley:** Mr. Speaker, that is acceptable to me. And if somebody makes an allegation they should be able to support it with numbers.

**The Speaker:** No problem. I do not need your back-up.

**Hon. Michael H. Dunkley:** Well, I support you 100 per cent, Mr. Speaker.

**Hon. Zane J. S. De Silva:** Mr. Speaker.

**The Speaker:** Continue on, Member.

**Hon. Zane J. S. De Silva:** I am sure the Finance Minister can give you the actual number, but I have a document here in my hand, Mr. Speaker. It is our 2020 platform. And I will read it for the Honourable Member, Mr. Dunkley. "The Progressive Labour Party has ably managed the country's finances since the last General Election. The PLP reduced the deficit by 90% before the Pandemic . . ." Ninety per cent!

Now, I am sure that the Finance Minister and the Premier are not going to put that number in our platform if it is wrong. I do not recall Mr. Dunkley ever coming out publicly and questioning our platform. I know he read it. But if he wants actual numbers, Mr. Speaker, I will get those for him too.

Now, since the Honourable Member wants numbers, let me give him some other numbers, Mr. Speaker.

**The Speaker:** Continue on.

**Hon. Zane J. S. De Silva:** Yes, Mr. Speaker.

Morgan's Point is 182 acres. We have got 37 acres, Mr. Speaker. The taxpayers of this country paid \$200 million and counting to get 37 acres back. But you know what? Mr. Speaker, 145 acres still belong to the developers. I am not so sure if Mr. Taxpayer of Bermuda realises that when we paid out that \$200 million it was not for all of Morgan's Point. It was only for that 37 acres. Another great deal by the fantastic OBA Government!

**Mr. Scott Pearman:** Point of order, Mr. Speaker.

**The Speaker:** Point of order.

#### POINT OF ORDER

*[Misleading]*

**Mr. Scott Pearman:** The Honourable Member is misleading the House. The decision to pay that money for the lesser amount of land was the decision of the PLP Government.

**Hon. Zane J. S. De Silva:** Ha! Wow! Can you believe that, Mr. Speaker? I cannot believe that that Honourable

ble Member just made that [comment.] It was a decision by the PLP Government?

Really?

Okay. What about traces, Mr. Speaker? Don't pay it. Okay, let's not pay it. Then we have a Government that reneged on a Sovereign Guarantee. What does that Honourable Member think that would do to our ratings, Mr. Speaker?

Really? We did not have to pay it? I guess . . . I guess, I will tell you what. Maybe we did not have to pay the airport \$20 million—

**Hon. N. H. Cole Simons:** Point of order, Mr. Speaker.

**Hon. Zane J. S. De Silva:** —for the minimum revenue guarantee either.

**The Speaker:** Another point of order. Point of order.

### POINT OF ORDER *[Relevance]*

**Hon. N. H. Cole Simons:** This line of reasoning has no relevance to the legislation ahead of us today, Mr. Speaker.

**The Speaker:** Member, I asked you earlier and indicated that you just try and keep everything relevant to what is being discussed today.

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

**The Speaker:** I am sure you are skilful enough to do that, Honourable Member.

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

Well, Mr. Speaker, you see I did not hear the Honourable Member Cole Simons talk or do a point of order on Mr. Dunkley when he spoke about bringing the Island back from the brink and talking about America's Cup and this and that, and the hotels they did. I did not hear him say anything about that. So I am just rebutting. That is all, Mr. Speaker. But I will move—

**The Speaker:** Member, be mindful that your time is getting short. You started at 6:24; it is about 6:53 now. So you are very close to that time running out on you.

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

I will wrap up now, Mr. Speaker. You know it is interesting when the Opposition wants to try to pour negativity on initiatives that this Government brings to the House, but we will press on. And I would like to thank the people of the country for the vote of confidence that they gave the Progressive Labour Party in that last election because that says everything.

**The Speaker:** Thank you, Honourable Member, for your contribution.

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

Any other Member?

**Mr. Christopher Famous:** Mr. Speaker.

**The Speaker:** Yes. Sounds like it is coming from Devonshire. Is that the Member from Devonshire?

**Mr. Christopher Famous:** Yes. Actually, I am from the western side of the House of Assembly today so you should be able to hear everything—

**The Speaker:** As long you are from the west, you know we will hear from you clearly.

**Mr. Christopher Famous:** Looks like you have a little—

**The Speaker:** Minister Famous, you have the floor.

**Mr. Christopher Famous:** — something looks different about your face, Mr. Speaker.

**The Speaker:** It does, does it, eh?

*[Crosstalk and laughter]*

**The Speaker:** All right. Go ahead, Honourable Member.

**Mr. Christopher Famous:** Good day, Mr. Speaker, and good day to the listening public of Bermuda.

I think of all the Bills that we passed, or are about to pass, this is one of the Bills that has the most attention of the people of Bermuda. Let me start by thanking the Attorney General and her team and all of those who have worked from behind the scenes, because it was not just her. There have been countless persons who are not even elected who have worked on this legislation. I will get to that point in a minute, because the OBA would love to portray that this is simply just PLP legislation. But many people who are not even elected, people who are not even government officers have contributed to this legislation.

I also want to take my hat off to a certain Honourable Member from constituency 28 who gave a sterling presentation. I believe he has researched this topic his entire life and has waited for this very moment, for his 30 minutes. And he educated all of us.

Mr. Speaker, let me get to the Bill. There has never been a Bill, to my knowledge, that has pleased everyone. In 1834 when the rules changed somewhat, were modified to “emancipate” (I say that with quotations for the listening public.), the Negroes around us, the British Empire, many people were upset. A few years ago when it came to change the name of the

second day of Cup Match from George Somers, many people were upset. There is never a Bill that everyone is going to be happy about.

Mr. Speaker, as elected officials we have to know the pulse of the community whether it is something in MarketPlace, seeing them at the gas station, going to funerals, or setting out a WhatsApp blast to get a feel for what people say. So this week I took it upon myself to ask my constituents and others what their take was on the future of cannabis in this Island. And many replied. Many who normally do not reply, replied. Some were totally against this because of long-held religious feelings, which is ironic because some of them go to churches where they drink wine in church. So I just find that humorous. Some were mental healthcare workers and, you know, they spoke of young people who get psychosis from excess use of cannabis. So everyone has their concerns. Some people were totally for this Bill. Others said, *Hey, this Bill doesn't go far enough. You all are stalling. You have got your foot on the brakes.*

No matter which way it was presented only 10 per cent of the people were totally happy with this Bill, as with all other Bills. So no matter what we present, there are going to be people who say we are bringing the Devil into Bermuda. And then there are the other people who are saying we are still too conservative. But here is the thing, Mr. Speaker, as I spoke about earlier. The Attorney General and her team, had massive public consultation from people who are not even PLP supporters, people who are non-political. Social Justice Bermuda gave recommendations, rightful recommendations, because they drew a map showing that, if according to initial proposals, there will be only one place in this Island you could grow marijuana, and on a personal level. So, yes, we listened to others.

You see, Mr. Speaker, I applaud the Attorney General. But I have to point out that she made one error, one error. In her brief she wrote that she expected to get bipartisan support from the OBA. That was a critical error that some of us always make thinking, *Hey, maybe just this time the OBA is going to actually be on board with something that is positive for this country.* But lo and behold, starting off with their Whip, the MP from constituency 23, put something in the paper. *The OBA will not support the Bill.* And then the MP from constituency [22], must be a Paget thing, read off a verbatim dissertation. *This Bill is not for you! If you are this . . . this Bill is not for you.* I see like every angle you could portray to people that this Bill is not for them. But as the Member from constituency 28 said, *Well, what are you proposing for people? Where is your counter-offer?* Nothing. They are offering zero to the people of Bermuda besides the status quo.

You see, Mr. Speaker, the OBA has one *modus operandi*. It is the only way they could ever win public support. It is divide and conquer. They know that this Bill is important to the Black community for

multiple reasons. So, what do they do? What do their consultants tell them to do? Put together a thing that MP Scott Pearman is going to read and tell people that this Bill is not for you. *This Bill is not for you!* There is a reason he repeated those words over and over and over. It is to put in people's minds that what is being presented is not for them. And he knew—or they thought, let me put it that way—that if they got that messaging through, that they would convince the voting public of Bermuda that what the PLP is bringing, a document, legislation that was put together, not just by the PLP, but by all these elements of the public, and he is going to say, *It is not for you. It is not for you.* Divide and conquer. That is their only *modus operandi*.

Mr. Speaker, it failed in 2017. It failed even more in 2020 and it is going to fail right here, today, in 2021. You see, Mr. Speaker, the Honourable Member Scott Pearman creates the bogeyman that everyone else, this whole narrative from the OBA, *Oh, this is corporate cannabis.* Then the Honourable Member from constituency 12 says, *Oh, this is only going to serve one particular set of people—over and over and over.* It is almost like they are trying to reinvent history here.

You see, Mr. Speaker, if you look at the details of the Bill, we have put in place provisions for Bermudians who wish to grow their own cannabis at home. We have put in place so that if they grow it at home that means they do not have to buy it from anybody. They do not have to go to corporate cannabis. We have put in place provisions for people who want to import edibles. We have put in place provisions for people who want to have retail outlets in licensed areas. We have put in place protection for churches. We have put in place protection for schools. We have put in place protection for those who are under 21.

Now, if people choose to break the law, like they break the law with all other things, then you cannot blame the Government for people who want to break the law. But the law has been put in place. We have put in place provisions for those who want to cultivate on a commercial scale. If I wanted to own a house, I have to have a certain amount of money. That is just how any business goes. You have to have certain amounts of money. There is no business that somebody says, *You can start from zero and have something.* You work your way up to what you want. But you have got to have the legislation in place first and this is what we are doing. If someone wants to get into commercial cultivation, then they save their money towards owning their own business. This is called free market economy. The OBA is the champion of free market. But not today; they want be the champion of some sort of OBA socialism.

Mr. Speaker, let me close out with the OBA with this. No, this is not corporate cannabis, because if it was corporate cannabis the last people that would be complaining would be MP Scott Pearman. He

would be too busy incorporating businesses that are going to make money off of it. No.

Let me move on.

Mr. Speaker, we have bigger fish to fry than the OBA. I do not need to go back into all the medicinal and all the social things. Everyone else has covered that. I am going to touch on something that the Deputy Speaker and others have brought about. Mr. Speaker, today this Bill will pass in the Lower House. That much I am guaranteed. Even though we have Members in our caucus who may not support it, which is fine, because the Premier has said that this is a conscience vote. Some people within themselves cannot support the Bill. And that is the beauty of the PLP. We are a broad church. We are not just one set of people that, *You had better do this or you are going to get kicked out*. No! You are free to vote your conscience. You are free to speak your conscience. That is what this party is booked on. In a few weeks it is going to pass in the Senate. That much I am sure about.

But then where is the problem going to be, Mr. Speaker? It takes three steps for a law to pass—the Lower House, the Upper House and then that big house on Langton Hill. And that is where the problem is going to start, Mr. Speaker.

Mr. Speaker, may I quote something from the *Royal Gazette* today?

**The Speaker:** Continue on, Member.

**Mr. Christopher Famous:** The *Royal Gazette* today had an interview with our latest Governor, our first Black Governor and our first female Governor. Let me quote, Mr. Speaker: “One corridor at Government House serves as a ‘powerful’ reminder that her background appeared different to the people who served there before her.”

And I quote, Mr. Speaker, this is from the Governor herself. “I’m reminded of it daily. There’s a corridor upstairs, which is lined with photos of all of the previous governors.” Let me repeat: “I’m reminded of it daily. There’s a corridor upstairs, which is lined with photos of all of the previous governors.” This the *Royal Gazette*, Friday, February 19, 2021.

Different Governors, different racial backgrounds? Yes. Different sexual gender? Yes. Yet it is the same colonial agenda no matter who is the Governor of this Island. So there were some people, as the Deputy Speaker said, some people [were] all excited. *Oh, we are finally getting a Black Governor. Oh, she is a woman. Oh, this is great!* And now what is happening? She is just the messenger for those people in London.

Mr. Speaker, the difference between London and Bermuda is 3,446 miles. No one can swim from here to London, it is far. But for 400 years those people in London have been dictating to us over here. For 400 years, 400-plus years. Mr. Speaker, I want the

listening public, those who are anti-cannabis, those who are pro-cannabis and those who are on the fence to understand, that no matter what your stance is on marijuana, no Bermudian, Black, white, St. David’s Islander, Portuguese, mixed, whatever you are, Somerset, St. Georgian, no Bermudian should ever agree with people who are 3,446 miles away from us, dictating to us.

How is it that a lady who has only been in this country for less three months has more power than the elected Government of this Island of born Bermudians? That is the situation we are facing. We do not worry about the OBA. We have got to worry about the fact that people 3,446 miles from us are going to tell us [what] we cannot do for our people with this Bill.

Mr. Speaker, the problem is that we are not even alone in this colonial situation, because there are 14 islands around this as well that are called Overseas Territories—which is a nice name for a colony. Mr. Speaker, 1,000 miles south of Devonshire Bay our brothers and sisters in the British Virgin Islands are currently going through this exact same situation. Mr. Speaker, may I quote something from a magazine called *Marijuana Times*?

**The Speaker:** Continue, Member.

**Mr. Christopher Famous:** I quote, Mr. Speaker. “The United Kingdom will decline to approve a [9]-month-old bill to open commercial opportunities involving medical cannabis in the British Virgin Islands (BVI) . . . .” Let me read that again. “The United Kingdom will decline to approve a [9]-month-old bill to open commercial opportunities involving medical cannabis in the British Virgin Islands (BVI) until a deal is reached between the two nations . . . .”

“The other bill—the Drugs (Prevention of Misuse) Amendment Act 2020—would decriminalize possession of small amounts of cannabis and erase some previous convictions.”

But the UK Governor says he is not signing that Bill. Does anything sound familiar? This is why I want people to understand the global context of what we are dealing [with]. This Bill that is going to pass today in the Lower House and that same Bill is going to pass in the Upper House is going to be blocked, potentially, right? It has the potential to be blocked by Royal assent. It is the same Royal assent that is being blocked 1,000 miles south of us. Because why, Mr. Speaker? All the governments answer to the FCDO [Foreign, Commonwealth and Development Office]. The same people who have been dictating to us for 400 years.

So when people get riled up, *Hey, you promised that we would be able to do this, we will be able to do that*. I want them to understand, we want them to understand it is the Governor and the FCDO who is stopping this. It is not the OBA because they only got six votes and some of them may vote for us. But the

point is, it is not them. It is not us. It is those people in England, 3,446 miles away from us.

Mr. Speaker, I am going to close up here. No matter which island, no matter which Governor, no matter what skin tone, and no matter what gender we are all going to be dictated to by the FCDO. And you know what the coincidence is, Mr. Speaker? In 2015, the OBA, bar one of their MPs, did not support the Land Grab Inquiry. And lo and behold, the Governor did not support it then either. In 2021, the OBA have come right out and said, *Hey, we are not going to support the marijuana Cannabis Licensing Act 2021*. And lo and behold, potentially, the Governor is not going to support it either. Are we seeing a coincidence here, Mr. Speaker?

So, again, I want to thank the Attorney General. I want to thank those Bermudians who volunteered their time, Social Justice Bermuda and others. I won't call names but you know who you are. I want to thank my constituents who replied to me via WhatsApp. No matter which side of the fence you are on with this issue, I thank you for your replies. And most of all, Mr. Speaker, I want the people to understand this is not simply about marijuana. This is about colonialism. Thank you, Mr. Speaker.

*[Desk thumping]*

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

Does any other Honourable Member wish to make a contribution?

**Mr. Scott Simmons:** Yes, Mr. Speaker, I will speak.

**The Speaker:** Yes, Honourable Member.

**Mr. Scott Simmons:** Yes, Mr. Speaker. Can you hear me, sir?

**The Speaker:** It sounds like the Government Whip.

**Mr. Scott Simmons:** Yes, sir.

**The Speaker:** Honourable Member, you have your 30 minutes.

**Mr. Scott Simmons:** Yes, thank you, Mr. Speaker.

I will take it from where the Honourable Member, Mr. Famous, left off, and that is to thank the Attorney General, to thank the Cabinet—

**The Speaker:** We hear you very clearly, but I don't . . . actually I do see you. You are around that table.

**Mr. Scott Simmons:** Yes.

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

*[Crosstalk]*

**The Speaker:** I was looking for you elsewhere, but I see you are around the table. Continue on.

**Mr. Scott Simmons:** You are also used to seeing the red and blue; therefore, it is difficult to see me in blue and blue.

*[Crosstalk]*

**The Speaker:** See if you had on a red jacket you would have stood out more. See?

**Mr. Scott Simmons:** Yes, Mr. Speaker.

**The Speaker:** Okay.

**Mr. Scott Simmons:** Mr. Speaker, the interesting point is that I will start where the Honourable Member, Mr. Famous, left off. And that was in the fact that in thanking the Attorney General and thanking the Cabinet and also thanking my honourable colleagues as we took this issue, as it would appear in previous sittings of this House, other Members were not prepared to. We took the difficult issue, this matter that has had a great affect on our community, and we have addressed it.

Now, Mr. Speaker, I realise that sometimes when it comes to making big decisions it takes a big person. It takes a big government. Mr. Speaker, we as a Government learned our lesson from the last Government that if the people of Bermuda ask you to do certain things, then you have to consider those things, make the arrangement so that it is done properly and meet their requirements.

Mr. Speaker, like yourself and like so many of our colleagues in this Honourable House, we have constituents where this has been an issue. And it has been a big issue over a long time. This issue has come in the community and has been brought in the community from several different angles which we have heard in this Honourable House tonight. But, Mr. Speaker, this issue must be addressed. I thank the Attorney General for bringing this today. This Government addressed the matter, as the Honourable Member Famous and others have said tonight, in our platform.

That platform outlines and is a specific contract with those who voted for us, to say that this is what we intend to do on your behalf. Once you achieve that, in doing it for their behalf, then once they vote you in, you move forward with that platform. That is why you will find the Bermuda Progressive Labour Party is governed by its platform, by its constitution. And as a result of that you see this in the House along with other Bills that come before this House. The people ask us and we tell them we believe these are the issues. We discuss it. They say yes. We put it in the platform and they vote for it.

Mr. Speaker, as a Black male Bermudian in this country I confess that I have never smoked marijuana. There may be those who say that this answers a whole lot of questions. But I believe, Mr. Speaker, and I will make this clear, that although I have not smoked marijuana, I have had an opportunity like most Bermudians to experience the effects of marijuana in one way or the other.

I am a former police constable and as a result of that I saw the effects of the use of marijuana or the sale of marijuana or the rest within that particular law enforcement environment. I also sat on the Treatment of Offenders Board. There were those who were put into our correctional facility as a result. And I saw the effect of that, on them being inside our correctional facility.

Mr. Speaker, this issue has affected everyone in this country. If it has not affected you, you do not think it has affected you in this country, then you only need to look as far as your taxes, because you have had to pay for the Police Service. You have had to pay in some way, shape or form. So everyone in this community has been affected and this Bermuda Progressive Labour Party Government has decided to do something about it.

Throughout my constituency . . . I will put it to you. My constituency is somewhat divided. There are those who are absolutely against it, and have said so. I have a segment of my constituency that has made it in the very opposite. They are absolutely clear that this must be done away with. We absolutely have to give an opportunity for it to be decriminalised. Yes, we have to do all of those things. You have to do what you need to do because it is affecting us. So to find this medium that another Government refused to meet it, we have decided to do something.

My greatest concern on this matter, because I do not have any difficulty with the legislative part of it. I do not have any difficulty with the actual enacting of the legislation. I have no problem with that. What I do have . . . and I would like to see, and it is in there. The Honourable Minister Tinee Furbert made it crystal clear that there are elements in there as it relates to . . . I believe she said as it relates to addiction and it relates to rehab, or it relates to how we are going to handle this as a community. And I will say this as a footnote: We have existed in Bermuda with alcohol, which is what started the debate with the Honourable Member Lister. He made it crystal clear during his comments that we have had alcohol in this country. We have managed it. It has cost us. The argument is said automatically that, okay, if it going to be . . . we can manage that. But if there are parts of this Bill that create an impediment to any member of our society, an unnecessary burden on them, this prohibition must be dismissed. It has to be!

Cannot allow it! It is the same thing. If we allow alcohol to be an accepted practice . . . I have not heard anybody in the country say (I have heard it, but

I have not heard anybody in the country in any great volumes come and say), *Let's get alcohol out of our society*. Maybe if they came to this Government and said, *Let's get alcohol out of society*, maybe this Government would consider it, in the volumes that would denote that. But I do not hear those who have benefited from it over the years calling for that. They have not said a single word about that. It is irresponsible not to have made that statement, to take that position. Why are we not being marched on? Why is the Premier not hiding behind Sally Bassett's statue because they are down there telling him, *We want alcohol taken off the streets*.

Mr. Speaker, there will be those who say, *Why add to the problems?* I will put it to you like this. There are individuals in this country who have been affected by the way we have handled the matter. We have heard all of the good things about marijuana and we have heard the bad things. It does not dissuade or hurt. It does not dissuade or hurt, but the two issues of rehabilitation and the issue of the effect on our children, we can manage that. We have managed the way that alcohol has been handled in this country. We have done it in a way . . . and it has a horrible effect on our society. But it is a part of our society.

And marijuana has been a part of this society and we have been managing it all this time. The Honourable Member Mr. De Silva insomuch has said, it is already here; we must now manage it. Mr. Speaker, 350 million, I believe was the estimate that I heard coming from the facts according to the Honourable Member Mr. Lister. The Bermudian public recognised that marijuana is here. It is here to stay. With the laws that we have in place there is still a proliferation of marijuana in this country. It needs to be effectively managed since it is here, so that it no longer creates an impediment to our young people and to Bermudians in general. So we must do something about it.

Mr. Speaker, I realise that there are those throughout our community who feel for religious reasons that this is . . . I certainly in my early beginnings began in the Christian community. And I certainly have a great respect for religion and a respect for the Master. But I want to make this clear. We have a responsibility to address the issues within our country. And as far as the religious community is concerned, this should not obtain. It should not be allowed. But there are a lot of things in our society that exist and must be managed. Leaving this law alone, as others have done, has not changed a thing. It still exists. The police still enforce it. We still enforce our borders and we still lock people up and we do all those things. But how do we advance Bermuda going forward? And it is the view of this Government that we can manage it properly. That as long as it has all of the other things that are involved in it that assist us going forward, those who do fall into it, those who do because they need rehabilitation now, with or without the Bill.

Whether we do nothing or do something. That is the responsibility of responsible governments.

And Mr. Speaker, as far as . . . and I will say this and I will make this clear. We have to do the difficult stuff. We have to look at the difficult issues. We cannot ignore it. We cannot sit quietly. We have got to do something. That is what this is all about. And in doing something we enable the country to put something else to bed, whether you are for it with all of the benefits, the taxation, the earning of money, the job creation, all of those things. And then you put on the side of it that there will be some detrimental effects. Mr. Speaker, for a long time we allowed laws to be on our books and at the time the majority were right, and they were put there specifically. And they deterred us from doing a lot of things. They marginalised a lot of our community, and it is the responsibility of this Bermuda Progressive Labour Party to go Act by Act, Bill by Bill, to go by all of these statutes, go everything, and begin to create some balance. But there will be those who say, *Do no harm*.

We have a responsibility to act, Mr. Speaker. And I think that this Bill does that. I am pleased with the way we have handled it. I am pleased with the way we have responded to our community. And we are not always going to get it right. We may have to return back to this Bill later and do some things to it in the future. And our Honourable Members who are present now may not even be present. But as the country progresses, we must put to bed certain items, and this is one of them.

We should never be afraid to address the difficult issues. I believe in this House tonight that the Bill that is before us has been thought out. It has been considered, irrespective of all those theories of what could possibly happen if it goes into place and who is benefitting and who is not benefitting. At the end of the day this is right. And let's get on with it and let's get this passed and let's get on with the business of moving this Government along.

And I would caution, with all due respect, as House Leader I believe there is a responsibility on my part to make this clear. Every single Member of this House has a responsibility to the people of Bermuda, if you are for or against, and we have heard that tonight. But the "yeas" will no doubt have it. But at the end of the day this is good legislation. This is good law that we are addressing and moving forward with tonight. Thank you, Mr. Speaker.

*[Desk thumping]*

**The Speaker:** Honourable Member, thank you for your contribution.

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

No other Member?

Opposition Whip, I see you waving your hand. Opposition Whip, your video is clear, your audio is not . . . see if you can unmute yourself.

**Mr. Jarion Richardson:** How is that? Can you hear me?

**The Speaker:** I hear you loud and clear.

**Mr. Jarion Richardson:** Oh, fantastic. Thank you, thank you, Mr. Speaker.

**The Speaker:** You have 30 minutes, Opposition Whip.

**Mr. Jarion Richardson:** Okay, thank you, Mr. Speaker. And thank you to everyone who has already spoken.

Mr. Speaker, I would actually like to talk tonight about the intent of this legislation, because we have heard quite a lot. And the legislation was put on the table as being about something other than marijuana, or cannabis, as has been brought out. I believe the earlier statements said this legislation will deal with unjust colonial legacy, systemic racialised disparities, and just now the Honourable Member from constituency 11 said that this is not about marijuana but about colonialism. And you can definitely tell that we are all coming from a different place on this piece of legislation which is very complex. In one swoop it is going to do several different things. And so for us to all come at this with an open mind, I am mindful it might be a bit difficult. But I will at least attempt to speak to the intent of the legislation rather than about some sort of macro motivation.

Mr. Speaker, I would like to add though that scrutiny is only negative to a closed mind. And a lot of what we have been hearing tonight is how the OBA is a horrible and a nefarious organisation. And again, I suppose we are all coming from our own point of views on this one. But let's have a look at what we have in front of us tonight, which is the licensing regime for a commodity, for cannabis. And for all of the debate that has been about the benefits or negative impacts of cannabis, what we are in fact talking about tonight is the licensing regime for a commodity into the Bermuda market.

The reason why I am sort of honing in on that part of the conversation is because if it were about unjust colonial legacy, or I should say if it was just about that, or if it was just about systemic racialised disparities, then I do not think that the bones of this go far enough to rectify those historical injustices. A good example is that we are already looking at decriminalised possession. We have persons who are able to access medicinal cannabis in Bermuda. And there is legislation that they are actually working on to expunge criminal records. So, all of that has already been done. That is something that has happened in

the past. So this particular licensing regime being able to correct unjust colonial legacies is quite a step for a regulatory framework. And I hope my points go some way to informing our thoughts on this.

The Minister spoke for about 45 minutes on this legislation, and had quite a lot to say. And again, was quite derogatory about the One Bermuda Alliance. The legislation has about 20,000 words in it and 64 pages, so it is a big piece. One of the curious parts that I was trying to wrap my head around, how it goes about these huge issues of rectifying colonialism, was really breaking down the legislation. And what struck me was [clause] 54, or rather . . . and I understand that a colleague already got in trouble for citing this specification. But one of the sections which has about 200 words in it removes the criminal offence found in the Misuse of Drugs Act. That struck me as a very, very good move, considering the intent from the Ministerial Statement and from other speakers. But what was odd about it was that those 200 words constitute about 1 per cent of all of the words in the legislation. So it raised the question, What is the other 99 per cent of the legislation dealing with? The other 99 per cent is dealing with primarily economic questions.

My honourable colleague spoke to economic impacts for the size of the market in Bermuda and another colleague spoke to health issues. But what was very interesting was that so much time had been committed to being derogatory to political opposites or opposing viewpoints that we have not had the opportunity to hear from Minister of National Security. So, when we deal with the criminal aspect or criminal impact of the market into Bermuda, or the Health Minister . . . I am aware that the Finance Minister is not present. But I was hoping someone would be able to speak to what we are forecasting.

Earlier, another Member spoke to hypothetical situations. And I take the point that we cannot read the future. But certainly in the corporate world, in the police world, and in the military we are used to forecasting and planning. So, undoubtedly the very thorough process of consultation has generated forecasts, has generated, *Okay, here is what we think will happen*. And if it has not generated that, then I am not entirely sure of the thoroughness of the consultation, or perhaps of the generation process.

So with that being said, I have not seen any forecasts about what we are anticipating as impacts into Bermuda other than we are going to set up a licensing regime and we are going to turn it on and it is going to glow bright. That seems to be our strategy going forward.

We do have to touch on the cost of doing business, though, because anyone who has set up a business in Bermuda is very well aware that this is no easy task. Just the incorporating of a company part is unpleasant on a good day, and quite expensive. Then you go for registration for your payroll tax and anyone who has ever made a payroll tax return will tell you

that that is like, I mean, that is like doing calculus. You can only add this on, right? You wander around at social insurance and you get your registration and then you got to hop on down to one of the corporates. You go to your life insurers to get your pension sorted out and your life insurance sorted out. And heaven forbid you try to draft an employment contract yourself. You know, you are going to have to wander off and go see another attorney about that. And bookkeeping is not an easy thing. So all of that is . . . and of course we have not even spoken about service providers such as the electricity, rents, it just adds up so fast.

So just setting up a business . . . and I want to throw that out there because saying “small” business and saying “entrepreneurship” is far easier than the doing of it. As any person who has successfully launched a small business or an entrepreneur can attest to, there are more than a few corporate bodies left in the wake of failed business enterprises for many, many reasons. Most of which . . . or I wouldn't say most of which, but undoubtedly we can attribute significant red tape and cost to those failures. So we already have to contend with that [before] going into this very hopeful licensing regime and regulatory regime.

I just want to touch on regulatory regimes in general because typically at this level we have a conversation that says there is a regulatory regime. And then we say, *Okay, yeah!* tick, and everyone goes back to what they were doing. But my honourable colleague earlier touched on compliance and cost of compliance. This is very, very difficult. The Devil is in the details. And all of a sudden the generation of things that tell you what to do from applications to guidance notes to fee schedules, to people inspecting, the inspections processes, variants between inspections . . . so someone shows up and makes an opinion about one business arrangement. And unless that opinion is properly recorded and documented (knowledge management we call it) then it quickly becomes just . . . you forget about it and someone else comes along later and has a different interpretation of the exact same regulation.

Now, this is all sort of someone else's problem. But I can assure you that for the small business person or the entrepreneur, these variances are not little and they are not cheap, and they cause a tremendous amount of stress and uncertainty. You can imagine that having . . . I have just described some of costs of a business setting up in Bermuda. What happens is you then turn around and think, *Well, I have got this much in liability. This is how much I owe for setting up my business. This is how much I am getting from the business*. And one always hopes it is profitable. But I can assure you that is not always the story. And then you have a Government body coming in and telling you, *I don't like the way you are doing 1, 2, 3, and 4. Alter, or I will take you licence*. And then you

are stuck with all this liability. So for the small business person, the entrepreneur, I would add that regulatory regimes are . . . as much as they can be assuring to us as legislators, it can be deeply troubling to someone who is going to work in that space, especially if there is unfair competitive advantages.

Now one of the parts that we were talking about much earlier was providing a level playing field and having some degree of favouritism to offset against historical injustices in the past. And that is quite a sophisticated algorithm. It is a sophisticated way of thinking about something. I would be interested to see what criteria is being developed to ensure that those historical injustices against the Black population of Bermuda are . . . how that is being dealt with, because I am curious. Does our interest in ensuring these . . . in remediating and remedying these historical injustices basically mean that if your last name is "Blah" and you are of a certain colour then don't bother making a licence? Because that strikes me as being problematic in the extreme.

So with all that being said, Mr. Speaker, I am thankful for having this conversation. I am mindful the cannabis conversation is one that has been had in Bermuda and I echo my honourable colleagues who brought this up from the opposing party. It has been a conversation we have been having for some time, and it is one that has been managed for some time and not particularly well. Having also been a police officer, there is a regular . . . you really have to, on a regular basis, interact with the community, some of whom have very differing opinions about the use of cannabis. And that is not the easiest thing to do so it is a conversation that has to be had. There is no question about it. But I do think that the conversation about the acceptability of cannabis is a different one than the regulatory regime to enable someone to buy, sell, manufacture, et cetera, cannabis.

So with that much being said, we do have some issues that we would like to raise as we move into the later stages of this legislation. And we look forward to expressing our ideas, again, mindful that scrutiny is only negative to a closed mind. So we will see how we proceed here.

Thank you, Mr. Speaker.

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

Does any other Honourable Member wish to speak?

Any other Member?

No other Member?

If no other Member wishes to speak—

**Hon. N. H. Cole Simons:** I will speak, Mr. Speaker.

**The Speaker:** —the Minister can do her wrap-up.

Opposition Leader, you would like to speak now?

**Hon. N. H. Cole Simons:** Yes, please.

**The Speaker:** Opposition Leader, you have your 30 minutes.

**Hon. N. H. Cole Simons:** Thank you, Mr. Speaker.

Mr. Speaker, this has been a very interesting debate.

**The Speaker:** We hear you loud and clear. I just remind you if you can get your video on it would be great.

**Hon. N. H. Cole Simons:** Okay. Hang on.

**The Speaker:** If it working and it is feasible for you to get it going. Yes, there we go.

**Hon. N. H. Cole Simons:** Yes, as I said, this has been an interesting debate. What is more interesting, Mr. Speaker, is if you read the preamble. The preamble reads, "WHEREAS it is expedient to establish the Cannabis Licensing Authority to advise and assist the Minister responsible for drug prevention" (*drug prevention*, Mr. Speaker) "in the regulation of the sale or supply of cannabis, the import, the cultivation of cannabis . . . ."

I just think, Mr. Speaker, that is a complete oxymoron. We are advising the Minister of Drug Prevention on how to build an infrastructure for the sale of drugs. And you wonder why some people have concerns about this legislation. I just thought I would bring that to your attention because that was the first thing, Mr. Speaker, that struck me when I read the legislation.

Mr. Speaker, as was said earlier by many colleagues, this is a licensing framework. We in the Opposition have already supported medicinal marijuana for its health benefits. We have already supported the decriminalisation of marijuana with the seven-gram limit. And now as the Government said, it is going one step further, basically through an operational framework for cannabis sale in this country.

Mr. Speaker, in preparing for this legislation I spoke to a number of addiction counsellors. The first thing they said to me was, *Mr. Simons, remember that you are not making legislation for today. You are not making legislation for tomorrow. You are making legislation for the children. You are making legislation for your grandchildren. And how will this legislation benefit the next generation? How is this going to enhance the next generation?*

The closest thing that I have heard to that is when Minister Tinee Furbert spoke about supporting our population, supporting our young people from a spiritual point of view, a mental health point of view, a physical being point of view. Mr. Speaker, I go on record as saying that I support her 100 per cent. I also say that if we had committed so much to the commer-

cialisation of marijuana, or cannabis, we need to have support for the industry, support for those who find themselves in challenging positions.

I agree with what was said earlier, Mr. Speaker, in that the use of cannabis in this country is prevalent. It is almost a way of life, and it has been here since time immemorial. But, Mr. Speaker, we have also seen the devastating impact that cannabis has had on our community.

You heard the [Government Whip] talk about his personal experience. You have heard some of the addiction counsellors and what they have said to me and others, they are concerned because the more we relax cannabis use in this country, or any country, you will find drug rehabilitation increasing, you will find hospitalisation increasing, you will find psychosis in young people increasing, and you will find brain damage for young people.

One doctor said that he was vehemently opposed to it because the brain, as was said earlier, develops to its maturity, when a young person is 25 years old. So we are still providing a green card for the use of marijuana to 21-year-olds whose minds are still developing. And that was a concern presented by many in the health fraternity, and I believe the Attorney General has also indicated a concern in that space.

What we need to do is basically look at the medical impact. And so my comment here is if we are going to expand the industry, if we are going to commercialise the industry, then we need to commit more resources to supporting those who have been negatively impacted by the industry, Mr. Speaker. To me those things are crucial. We cannot make half steps. We have to look at the industry from a macro point of view to make sure that all stakeholders are protected, valued, and can move forward with a positive lifestyle and can make positive contributions.

As the young Mr. Dennis Lister III said, we all see ads where people's brains are fried from the use of marijuana. You see marijuana use as a gateway drug. You all know the story, just as well as I do. And so it is crucial that we spend just as much energy and resources in supporting those who have fallen at a compromised lifestyle because of the use of marijuana. I know that you have said that we are supporting responsible use. But what do we mean by "responsible use" of marijuana? What do we mean? It can be addictive if you have an addictive personality. And so, again, we must ensure that the social network is in place to support our young people if they fall off the rails because of medicinal marijuana.

Mr. Speaker, the other issue that I would like to speak to (and I hate to talk about it because I talk about it all the time) is banking. We have put in place an infrastructure for this industry. And it was asked by my colleagues, *Do we want to have a cash industry like any other business?* Bills have to be paid,

cheques have to be written, and banks have to be involved.

**Hon. Zane J. S. De Silva:** Point of order, Mr. Speaker.

**Hon. N. H. Cole Simons:** What is the point of order?

**The Speaker:** Point of order.

#### POINT OF ORDER

**Hon. Zane J. S. De Silva:** Yes, I think the Honourable Member has to declare his interest.

**Hon. N. H. Cole Simons:** I have no problem with declaring my interest. I work for a local bank, Mr. Speaker.

*[Crosstalk]*

**The Speaker:** All right. Continue. Go ahead.

**Hon. N. H. Cole Simons:** Mr. Speaker, from a banking perspective I have learned that we still have a ways to go. I have also been advised that the international correspondent banks that we use in this country, especially the US international correspondent banks, have no interest in dealing with the cannabis industry until the US Federal Government gives the cannabis industry its blessings. I know that we have marijuana industry in various states in the US: California, Colorado. In that industry you cannot traverse borders. And you cannot traverse international borders. So that is an issue that needs to be addressed if it is the intention of Government to use a bank that transacts business in the US.

I have been told, as I said, that once the US Federal Government gives its blessing on the national cannabis industry these US international banks will transact the business. And until then, it is a non-starter.

Mr. Speaker, similarly—

**Mr. Christopher Famous:** Point of order, Mr. Speaker.

**Hon. N. H. Cole Simons:** Point of order? Shall I continue, Mr. Speaker? I heard a point of order.

**The Speaker:** Is there a point of order?

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

**Hon. N. H. Cole Simons:** I heard it.

**The Speaker:** Is there a point of order?

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

**The Speaker:** What is your point of order, please?

#### POINT OF ORDER

**Mr. Christopher Famous:** Yes, there is a thing being called “reactive” and a thing called “proactive.” We are being proactive because we know it is only a matter of time before the US Federal Government does do this. Thank you, Mr. Speaker.

**The Speaker:** Okay.  
Honourable Member.

**Hon. N. H. Cole Simons:** Thank you, Mr. Speaker.  
So while on the same leg and in the same lane in talking about the US Federal Government it also should be noted, Mr. Speaker, that as we are opening a new industry which has not been approved by the US Federal Government, should one of our cannabis business people decide to go on a shopping spree in Colorado or [in the] US and try to bring the funds back to Bermuda, they risk the wrath of the US Government in that they may not even be able to enter the US.

**Mr. Dennis Lister III:** Point of order, Mr. Speaker.

**Hon. N. H. Cole Simons:** So I just say that as a warning.

**The Speaker:** Point of order?

**An Hon. Member:** Yes, Mr. Speaker.

**The Speaker:** Point of order.

#### POINT OF ORDER

**Mr. Dennis Lister III:** To the Member’s point, Mr. Speaker, those people [INAUDIBLE] cannot export [INAUDIBLE]. Canada is actually [INAUDIBLE] business and they export, so if those people do the research, they will be directed to Canada and will not have to worry about the US authorities, Mr. Speaker.

**Hon. N. H. Cole Simons:** Mr. Speaker, I can respond to that.

**The Speaker:** Go ahead.

**Hon. N. H. Cole Simons:** As long as you have a US dollar, whether you live in Canada, or whether you live in Bermuda, or whether you live in London, those US dollars for each bank are held in a US correspondent bank. And the US correspondent bank must adhere to US banking laws and the laws as prescribed by the US Federal Government.

Mr. Speaker, I will continue. The other issue that I would like to speak to is the issue of quality as-

urance. I read the legislation with interest. And I also was listening to the Attorney General when she was making her presentation. I would like for her to speak to the issue of: How are we going to address quality assurance? And do we have a mechanism in place to assess quality assurance to, basically, provide consumer protection? How are we going to ensure that the cannabis that we see in Bermuda through this new framework is not laced, is not contaminated? Where will that be done? Will we be using the Plant [Protection] Lab at all? Because as we all know we are dealing primarily with a plant or plant derivatives and we have a department within Conservation Services and our Natural Resources Department which deals with plant protection of our flora in this country.

So I wonder if the Minister could also tell us how that department is involved, in particular, on the export permit side and the import permit side. I know that when it comes to regular plants, if you are to go overseas or to ship plants overseas, there are various phytosanitary certificates that you need. And they must be signed off by the Government and our plant lab. What infrastructure do we have for that when it comes to exportation, as well as when we import? Will the import of plants or plant materials or plant extracts be inspected by our plant lab, and will they do the approval process? Because I think they are probably the most qualified people to address the importation and exporting of the plant products that are produced or received in Bermuda.

Mr. Speaker, as I said earlier, I would like to see more support for the health and welfare of this country. And it was interesting when the Minister read her brief and basically said that the objective is to progress the social justice reform project in this country. Mr. Speaker, I asked the Minister to provide more information on Government’s plans to address the community health reform in this country and what are they doing in regard to drug prevention as it pertains to community health reform projects in this country.

As I opened, Mr. Speaker, we have an industry that is being produced and overseen by a Minister who is responsible for drug prevention. I think, Mr. Speaker, the other interesting comment that I heard was that this can also be a Black entrepreneur opportunity. Mr. Speaker, if you have been observant since March of 2020, you will see that entrepreneurs in Bermuda have grown expeditiously. Many, many young people have started their businesses. Many, many young people have been creative in providing services to fill gaps within our community. And Mr. Speaker, many, many young people are doing really well in this space.

Mr. Speaker, I say in this instance, yes, Black empowerment is good. But let’s be honest. Would you want your children to be involved in the cannabis production industry when there are probably so many more lucrative opportunities out there? If your son came home to you today and said, *Dad, I want to en-*

*ter the cannabis industry . . . I will ask the rhetorical question. What would your response be? What would my response be if my grandchild came to me in 20 years' time and said, Babu (That is what he calls me, which is Swahili for grandfather.), what do you think about me entering the cannabis industry? What would my reaction be? My reaction would be: There are other industries which are probably more lucrative than that which will provide you with probably more rewards and opportunities. But if you want to do it, you must be aware of the positives and the negatives in the industry and how it can possibly impact you.*

And so, I think we need to be honest. Is this an industry that we would want our children and grandchildren to be involved in? I cannot answer that question; but I know what I would say if it were my child asking me for advice to go into that industry.

Mr. Speaker, my colleague, the former Premier Craig Cannonier was right. Our colleagues in this House of Assembly today basically indicated that it was Black entrepreneurship. In fact, they went as far as to protect it in the Human Rights Act. Mr. Speaker, given that we have a Black population, it saddens me that we have Black entrepreneurs that are going to provide cannabis to other Black people in this country, Black on Black. And, Mr. Speaker, other than for medicinal marijuana, which as I said is legal now, no one can tell me that this legalisation of marijuana will not negatively impact the young people or Black people in this country, as we are the majority of this country.

So, Mr. Speaker, I understand Black empowerment and Black entrepreneurship. But my question to this Government, and my question to the people of this country is, At what cost?

At what cost?

And I will leave this question here for the Government, because as the councils have said, when we relax the use of cannabis in any country, even though we use cannabis now as a way of life in Bermuda, as a way of life in other countries, you will find that health challenges and addiction challenges will rise accordingly. You will find psychoses of our young people rising accordingly. Mr. Speaker, I can go on and on and on in regard to the negative health effects. We have all heard it.

But, Mr. Speaker, I will close as I began. It is interesting that this legislation is here today. What will this legislation do for your children, and my grandchildren, and my children? What will our grandchildren say tomorrow when they have reached 20 years old? *Pops (or Babu), why did you put through this legislation and how did it help me?*

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Opposition Leader. Does any other Member wish to speak at this time?

Any other Member?

No other Member?

**Hon. E. David Burt:** Mr. Speaker, you can hear me, I hope.

*[Crosstalk]*

**The Speaker:** Oh! Premier. Mr. Premier.

**Hon. E. David Burt:** Can you see me, Mr. Speaker?

**The Speaker:** Yes. You have your 30 minutes, sir.

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

**The Speaker:** MP Simons, your microphone is still on.

*[Crosstalk]*

**Hon. E. David Burt:** Oh, we can hear all the stuff you have talked about, Cole.

*[Crosstalk]*

**Hon. E. David Burt:** I can hear you too, Scott Pearman.

**The Speaker:** I think it is still on, Opposition Leader.

**Hon. N. H. Cole Simons:** Sorry.

**Hon. E. David Burt:** We can hear you.

**An Hon. Member:** Microphone is on Babu!

*[Laughter]*

**The Speaker:** Mr. Premier, you have the floor.

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

Mr. Speaker, let me start at the very beginning by congratulating the Attorney General and her team for the work which they have done on this particular piece of legislation. It has been a very, very, very long road. But we have arrived at a place where the Attorney General in her skilful fashion with her team has been able to balance all of the various competing interests to arrive at a place where we have a Bill which sets out the licensing regime for a multitude of issues that surround cannabis, Mr. Speaker.

And in her very comprehensive brief, the Attorney General laid out the history of what it is that we are doing here today, and certainly very usefully touched on the nature of drug policy, and its racial undertones, and its racial impacts, and its racial effects of which it is having, not only in Bermuda but around the world, Mr. Speaker. And I think that it is very important that we consider that when we begin this debate.

Before I start, Mr. Speaker, I also want to recognise the excellent contributions from the Progressive Labour Party team this evening, who I think has made a case that this is a very difficult issue, but, on balance, we must keep faith with the people who elected us and we must push forward on the issues of which we were elected, and we must not be deterred. We must make sure that we fashion legislation and policy which is right and serves this country, not just for today, not just for 2021 and 2022, but well into the future, Mr. Speaker.

Just walking back and looking at what it is that we have been through on this trip, Mr. Speaker. The first thing is the decriminalisation of cannabis. If we wanted to go back through the history of where we have come with cannabis reform in this country, the decriminalisation of cannabis, it was . . . I want to say a time in May 2017, when the Progressive Labour Party (who were in Opposition at the time) passed an Opposition Bill to amend the Misuse of Drugs Act to decriminalise cannabis. That vote, which passed in the House of Assembly precipitated later on that evening to a tabling of a Motion of No Confidence as the Government opposed that Bill. And if the Government could not win legislation, that Government could not continue to sit.

We know that this precipitated an election, though the former Premier vowed that night to face down a vote of No Confidence, and we went to the polls, Mr. Speaker. And in the 2017 election manifesto of the Progressive Labour Party we said that we would follow through with that Bill to decriminalise cannabis, while also opening up a domestic market for cannabis production for medicinal cannabis, Mr. Speaker.

In 2019 we certainly began that complicated exercise. And the consultation that took place around that regime was important, and the Attorney General spoke about the consultation that was around that particular regime, Mr. Speaker. And in her speaking about that, she noted that the feedback was that the country wanted us to go further. Now, Mr. Speaker, in the party which I lead, when you deviate from what is inside of your election manifesto (which this was a deviation), you must get permission from the people who support you. So, the Attorney General went to our caucus retreat, and in our caucus retreat the move to go from a medicinal regime to a broader, regulated regime was supported by our caucus colleagues. And that is why we pushed forward and made the announcement that we were going on a different tack, Mr. Speaker.

That is the history of where we are, and the Attorney General put together Bills, went out for consultation, multiple rounds of consultation, [and received] a lot of feedback to get us where we are right now, Mr. Speaker. That is how you make good policy, that is how you make good law and that is how you ensure that the people whom you serve understand

what it is that you are doing and follow along with what it is that you are doing, Mr. Speaker.

This Bill will create a new regulatory regime, licensing *all* activities that are direct or auxiliary to cannabis, whether it is the cultivation, whether it is the import, whether it is the export, the production, the sale, the supply, use, transport and very important, research, Mr. Speaker, of cannabis for medicinal cannabis products, here in Bermuda. It is, as the Attorney General said in her brief, the *foundation* of a regulatory regime that will transform the country's attitudes toward cannabis, Mr. Speaker.

And I will take it from the former Premier of the country, the former Opposition Leader as well, where he said it correctly when he gave his contributions a few hours ago. He said that this is progressive. And guess what, Mr. Speaker? Yes, it is! This Bill is not legalisation, nor was it meant to be. And I will get to that later, Mr. Speaker. But it is important to note that Canada, from where our legislation was modelled, does not have legislation either. They have a regulated market. And that is what we are doing here, making sure we set out boundaries, making sure we set out rules, include protections for young people, include protections for persons in society to ensure that we can have a regime that works for us, Mr. Speaker.

Now, I have a long history, and everyone knows where I stand on this issue. But, Mr. Speaker, if you will allow me I am going to quote something that I said to this honourable body in [February] 2014 during the Progressive Labour Party's Budget Reply. And I quote, Mr. Speaker:

<sup>1</sup>Mr. Speaker, any discussion of options for additional revenue should include the regulation of cannabis. The State of Colorado is expected to earn \$134 million in direct taxation from its newly regulated cannabis industry. They are spending that money on school construction, law enforcement, public health and substance abuse prevention. Though we are much smaller than Colorado, there is no doubt that any additional tax revenue from a local regulated cannabis industry would be welcome.

"Mr. Speaker, I am not promoting the consumption or abuse of cannabis; however, I think that we can all agree that a responsible cannabis consumer is no worse than a responsible citizen who enjoys a glass of wine or a cocktail at home. What I am promoting is a sensible and pragmatic approach, which has been successfully implemented in other jurisdictions that can assist us in generating revenue.

"When our Island is faced with cuts to education, health care, and social programmes, I think that the better choice is to regulate and tax cannabis to ensure that the budget and the economy can benefit. A regulated industry would remove this activity from the shadows, reduce associated law enforcement ex-

<sup>1</sup> [Official Hansard Report 28 February 2014](#), page 750

penses, contain adequate safeguards for children and restrictions on public use, generate revenue for the country, and would have the additional benefit of having more persons contribute to social insurance, health insurance, payroll tax and pensions, Mr. Speaker.”

This Bill, Mr. Speaker, delivers on what was said then. It delivers on the promise of our 2020 election manifesto, and as we like to say, Mr. Speaker, on this side, *Promise made and promise kept*. But, Mr. Speaker, it is unsurprising that the Opposition is doing what it does best: oppose and harkening back and looking back to the past. I think, Mr. Speaker, that it is rather funny that in their introductory thing they came out and said that we are going to *call names*, when it does not appear, Mr. Speaker, that their team is all on the same page. You have the Honourable Member for constituency 12 saying that this is progressive and inviting people over to his house to [INAUDIBLE], and now there is this whole issue of whether or not this Bill as was said in the introduction from the Shadow Minister, whether or not it is actually going to accomplish anything, Mr. Speaker.

Here is what the fact is, Mr. Speaker: This Bill will pass. And I *urge* the Opposition to go ahead and call names when we are in Committee, Mr. Speaker. Because despite the silly attempts at bashing from the party opposite we will move forward, Mr. Speaker. But I do have some rhetorical questions for the Opposition. Why is it that you want Bermuda to be last? When will you ever be comfortable with change? Why are you afraid for Bermuda to lead? Rhetorical questions, Mr. Speaker, because if you listen to the comments that are coming from the Opposition, the country of Bermuda . . . we are its Government, but the country of Bermuda cannot do something and get it right, Mr. Speaker. Look at how we have managed to lead in the pandemic. We charted our own course, used Bermudian ingenuity and did it better than most countries in the world, Mr. Speaker. If the Opposition does not have the confidence in the people of Bermuda, then that is why they are where they are, Mr. Speaker.

But we have confidence in the people of this country. That is why we consult with them, and that is why we fashioned what we have today, Mr. Speaker. So, this Government will not be afraid to lead and we will continue to press on, keeping our promises—a concept which may be foreign to the Opposition, Mr. Speaker—and executing on what we laid out in our election manifesto. The country elected us to move forward, and we will not move back.

But I want to touch on an issue that clearly members of the Opposition are trying to fixate themselves on. The Attorney General in her brief stated and I quote: “To be clear, the Governor has indicated that she will be unable to assent to any legislation that contravenes our international obligations.” Mr. Speaker, this legislation will pass in this House this evening.

This legislation will go to the other place, and if this legislation passes the other place, it will go to Her Majesty’s representative in Bermuda. If Her Majesty’s representative in Bermuda does not give assent to something that has been passed lawfully and legally under this local Government, this will destroy the relationship that we have with the United Kingdom, Mr. Speaker.

And I say that because it cannot be, it *cannot be* that locally elected governments lay out their election manifestos, go to the polls, have broad public support, wholly supported by a majority of the populace supporting the direction of the country, and it be for someone who represents people three thousand miles away to tell the country, *No, you cannot*, Mr. Speaker. If our regime is modelled after Canada, another country where Her Majesty serves as the Head of State, and they can be in noncompliance with an antiquated international policy, I ask, Mr. Speaker, why can the same not apply to Her Majesty’s oldest colony of Bermuda? I ask the question why? What is the difference, Mr. Speaker?

And I want to quote from the Attorney General’s brief one more time, Mr. Speaker, in which she said and I quote: “The Government of Bermuda is pursuing all diplomatic and legal options to deliver on its promise to our people, fully cognisant of the UK’s role to ensure compliance with International Narcotics Conventions extended to Bermuda. However, Bermuda, as a small overseas territory of the UK, democratically desires for social, cultural and public health reasons to chart its own distinct course in the difficult area of cannabis reform, while adhering to international law to the greatest extent possible.”

I go on to say as Bermuda is a non-state party to the Narcotics Conventions. The conventions are extended to us by the United Kingdom Government. International law requires that territorial application of treaty obligations of signatory state parties require the consent of the territory Government, Mr. Speaker. If we pass this today, which we will, Mr. Speaker, there is no doubt that this Government and this country is democratically asking for that consent and telling the United Kingdom the direction of which we wish to travel, Mr. Speaker.

So, as the Attorney General said in her speech, I am confident that we can move forward. We have fashioned legislation to ensure that we do not have broad legalisation, as that would be outside of the boundaries of what would be acceptable. But we have crafted a regulated regime which can fit inside of what is the spirit of the law internationally, so that we can move forward such as other countries in Her Majesty’s Commonwealth, such as Canada, have done.

And after these debates, Mr. Speaker, and after the resounding success of the passage of this Bill in this place, I strongly expect that the UK Government will listen to the democratic voice of the people of this country. And I would urge, *urge* those who are

listening, whether they be in Government House or whether they be in Whitehall to understand that this Government takes democracy seriously. Seriously. And if the people of this country elect us here to do a job, we are going to advance their wishes, Mr. Speaker.

Now, I want to move on to another topic which has gotten a lot of attention this evening, Mr. Speaker, and that is the matter of economic equity in any type of business going forward. In the beginning of this debate where we had a wonderful, detailed brief by the country's Attorney General and Minister of Legal Affairs and Constitutional Reform was followed by the expected scaremongering and trashing from the Honourable Member from constituency 22. But, Mr. Speaker, it is true to the Opposition's playbook that a scion of, I would say, the oligarchy of Bermuda would come with threats trying to say who is this legislation really for. We know the coded language that he was going at, Mr. Speaker. We understand the coded language of where he was going and—

**Hon. N. H. Cole Simons:** Point of order, Mr. Speaker. Point of order.

**The Speaker:** Point of order. We will take your point of order.

#### POINT OF ORDER

*[Misleading]*

**Hon. N. H. Cole Simons:** On behalf of my colleague, the Honourable Scott Pearman, I do not recall him making any threats to the House or to the people of this country. Thank you.

The Member is misleading the House.

**The Speaker:** Noted.

Premier, I know you are skilful enough to be able to continue without saying that.

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

Mr. Speaker, the Honourable Member from constituency 22 was saying, *Who is this for? This isn't for the people on the streets.* We know what he was trying to get at, Mr. Speaker. But the audacity of someone who is a scion of the oligarchy—whose name is at the place where he works on the building—and wants to talk about *who is this for?*, Mr. Speaker?

So, here is the thing. When we went out to consultation there were real fears, Mr. Speaker, and in 2014 in May for the Cannabis Reform Collaborative the lip service that the former Government paid to this issue, and after they were elected in that debate that they brought to the House, Mr. Speaker, in that contribution in May, I said the following. And I quoted from Michelle Alexander, the author of *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. And what she said in an interview on *The Huffington Post* I

quote here: “When I see images of people using [cannabis] and images of people who are now trying to run legitimate [cannabis] businesses, they're almost all white,” she said, noting she supports legalising [cannabis].”

“After 40 years of impoverished black men getting prison time for selling weed, white men are planning to get rich doing the same things,” she added. “So, that's why I think we have to start talking about reparations for the war on drugs. How do we repair the harms caused.”

At that time, I declared that if this country ever moved to a place where we had a regulatory regime or were issuing licences, that those licences should first go and the opportunities go to the people who have been negatively impacted due to cannabis policy, Mr. Speaker. That is the only way that you have fairness and justice. And to make sure that this policy aim, Mr. Speaker, was reflected in what it is that we did, the Attorney General enshrined the Human Rights Act section 6A inside of this legislation, Mr. Speaker.

Mr. Speaker, the Human Rights Act 6A specifically allows positive discrimination designed for hardship or economic disadvantage or to assist disadvantaged persons or groups to achieve equal opportunity, Mr. Speaker. That is what it is that we are doing, Mr. Speaker.

So, while the idle threats and scaremongering that the Member for constituency 22 wants to talk about, Mr. Speaker, we know what it is that we are doing. This party has always stood for justice and we are enshrining it in law, Mr. Speaker.

So, I do not want the people of this country who gave that feedback on the fears of which they have on this matter to be deterred because the Government has listened, and we have made sure that we have enshrined it in legislation, that we are not going to have what the United States has or other places where Black people are locked up and white people are making money, Mr. Speaker.

But let us go on because the Honourable Opposition Leader, who declared his interest, I guess because he works at a bank, had a lot of conversation about banking, Mr. Speaker. And here is what I am going to say: It would be difficult, Mr. Speaker, for traditional banks to bank the proceeds of cannabis activity at this time. And you know why, Mr. Speaker? It is because it is a crime, and it would be a predicate offence under the Proceeds of Crime legislation. But if you amend and create a regulated regime where these actions are no longer illegal, but they are lawful, then it is no longer proceeds of crime.

But here is the thing, Mr. Speaker, just like we are the future and the party opposite the past, we are not afraid in this party to build the future, Mr. Speaker. And just like everyone knows and understands my views on digital assets and the future of the digital economy and knows the work of which the Government of Bermuda has done in the space of the digital

economy, the work that the FinTech team is doing to attract stable coin operators to Bermuda's markets, the work the Economic Development Department is doing to attract additional banking options to Bermuda and the declared start-up of a national digital bank, Mr. Speaker, spelled out in our election manifesto, speaks about the difficulty of which we have had in advancing things.

And here is the audacity, Mr. Speaker, of the One Bermuda Alliance. The audacity is that here we are as a Government, eight years after they passed the Casino Gaming Act, after they left office without being able to solve the banking problems of casino gaming. They are now talking about *Oh, woe is us; woe is us* on the banking issues, Mr. Speaker. The thing is we have a different approach. Two things, Mr. Speaker: Number one, a country cannot have true freedom unless it has economic freedom. And the people of this country should not be dictated to by banks who will decide who gets to succeed and who does not get to succeed, Mr. Speaker. And that is a paradigm that we must change, Mr. Speaker.

So, while we wait for rule changes at the federal level in the United States, which are very likely, and while we understand that there are other countries that do have banking options for us in this space, Mr. Speaker, that will not deter us from advancing this regime. And that, Mr. Speaker, is the difference between us and the Opposition. They see a roadblock and they say *stop, go no more*, Mr. Speaker. We say, look at the problem and figure out how we are going to fix it.

So, I say, Mr. Speaker, that we will succeed where they fail and, unlike their efforts previously, we are not going to pay lip service to the people because we have the confidence that our people can innovate, solve the problems that are necessary to advance the regime of which we have laid out, Mr. Speaker.

So, as I close, this is a very difficult subject, Mr. Speaker. And I remember the conversations of which I had with my mother about this topic. And I thought it was interesting the attempts of Members of the Opposition to pull on heart strings and to talk about families that are afflicted with addiction. Here is the thing, Mr. Speaker. I think just about every single one of us can tell a story about difficulties of families being afflicted with addiction. Some of us have it closer than others, but all of us have stories and can understand. But here is the thing, Mr. Speaker, those things happened under our existing laws. We have had 60 years of approaches to drug policy that have not worked.

Nobody wants their 18-year-old or 19-year-old son or daughter, ever smoking weed. But also, nobody wants their 18-year-old or 19-year-old or 20-year-old having a criminal record. Nobody wants that to happen. So, we have to explain and understand how we do this in a way that works, Mr. Speaker. We have to change the paradigm of our approach. We

have to look at the research that is there. We have to look at the opportunities that are there for Bermuda to lead in the areas of international cannabis research and to make sure that as we have innovated in other places, we serve as a space for innovation, Mr. Speaker. That is what is necessary and that is what is important.

This Bill in front of us today, Mr. Speaker, strikes the right balance. Does it mean that you can go to a beach or sit on a park bench and smoke weed? No, it does not. And it was never meant to do so. Does it mean that you will be able to, in the future, open up cannabis retail shops and to have manufacturing domestically and research facilities here on the Island? Yes, it does, Mr. Speaker. It allows Bermuda to be a place of cannabis research. It opens up the medicinal cannabis market. It allows us to grow and manufacture our own cannabis, Mr. Speaker, and it allows us to support the lawful development of this industry on our shores while reducing the criminalisation of Black men, Mr. Speaker.

We promised to transform this country, Mr. Speaker, and transform this country we will. And we will not do it as the Opposition did, Mr. Speaker, by not consulting with the people. We will go to the people. We will discuss the issues. We will have the hard conversations. We will develop the policy and we will get it right, Mr. Speaker.

I submit in the closing of this statement today, Mr. Speaker, that the Government has gotten this right and I fully support this Bill, Mr. Speaker, and I look forward to the passage of this Bill this evening. I want to congratulate the Honourable Attorney General again for a very good piece of legislation.

Thank you, Mr. Speaker.

*[Desk thumping]*

**The Speaker:** Thank you.

*[General uproar]*

**The Speaker:** Does any other Member wish to speak?

No other Member wishes to speak?

Minister, would you like to wrap up and take us to Committee?

**Hon. Kathy Lynn Simmons:** Yes, Mr. Speaker, I most certainly would.

Let me just start by thanking Members on both sides of the aisle for their comments tonight. This is obviously a subject that will continue to evoke emotional responses, breed wilful ignorance in some cases, but one that brings the diversity and richness of a multitude of views. But one of the beauties of service in this construct is that we are charged with the responsibility for listening to the people.

And as the people's Government, we actually allow them to inform our policy. You cannot make this stuff up. So, when the people said along my journey of developing a medicinal cannabis policy that that is not enough, when I looked at the outcomes of that policy and saw that it was such a specialised exercise that our people would not benefit, you actually have luxury in governance to pivot. And pivot we did.

But let me clarify something before we go any further. Please do not talk about legalisation of cannabis. Legalisation is a process of removing all legal prohibitions against it. That is not what we are doing here. We are creating a regulated cannabis regime. And as the Premier just pointed out to Honourable Members, it is about striking the correct balance. And I think we have gotten there. I think we have gotten there somewhat.

One of the things that was extremely disappointing to me tonight was the shroud of negativity that was hanging over the discourse which did not reflect the public sentiment. So it leads me to believe that somehow, somehow some people are not listening because this is a subject that generates interest among all segments of our population. And if you do not understand or appreciate that people are looking for an opportunity then you are not listening to the right people.

There have been lots of, I would not say questions but comments, some of which have already been addressed and I am not going to go down into the weeds at this juncture because we need to get on with the Committee stage. But let me just say this: The balance is here; the opportunities are here. No, I do not have a crystal ball to see what the endgame will be in terms of outcomes for persons who are seeking to enter this enterprise for commercial gain. But our job as a Government is to create an environment of opportunity for our people and that is what we have done.

Many a fool would discount the public health issues. Many a fool would disregard the protections that are necessary for our vulnerable, especially our young people. And, Mr. Speaker, I may be a lot of things, but I am not a fool. So, in the process of developing this Bill today, we ensured that the protections are there. We ensured that we had a tiered construct of licensing opportunities so that people can enter the market at various stages. And it is not for the 1 per cent. We listened to the feedback from the consultation which made it clear that there were fears that the 1 per cent only would benefit—and that was a damning view about the economic construct in Bermuda because people only associate that type of success with a certain demographic. And it normally does not include as a majority Black people.

So, in fulfilling our mandate as a Progressive Labour Party, we have decided to do less talking and more doing—and I have said that before—because it is easy to have a huge, long narrative about what is

wrong, what needs to be changed. But it actually takes some effort to actually do something about it. And I am proud to say that I am a part of a Government that is actually focused on the doing. And you cannot sit here and bemoan all of the social dysfunction and psychological and public health issues and pretend that they have not existed for time immemorial. The question that we need to be asking ourselves when we leave here, again to our various party caucus is, *What have we done?*

**Hon. E. David Burt:** Mm-hmm. Talk about it.

**Hon. Kathy Lynn Simmons:** What have we done? And the answer, unfortunately, is not enough.

So, out of the criticism came very few, if any, recommendations, and that is unfortunate. But that is okay because I have gotten all the feedback I need from our people across the spectrum, across the spectrum. And I am proud to say that we have looked realistically at the conditions in Bermuda. You cannot make this stuff up. So, for Members who were saying this does not exist, or that it is not a part of our culture, take your head out of the sand! Because if you do not, you will never have the capacity to deal with the underlying issues of social dysfunction and economic disparity in this country. You were put here to govern. You were put here to listen to the people and that is what we have done. That is what we have done.

To the helping agencies that are very vocal around this subject, raise your game. Raise your game. Maybe you need to change your models to be more responsive to the reality of the situation that we are dealing with. We cannot do this alone and your services form an integral part of the equation that will get success. We cannot do it alone. This is not an "us" and "them." This is an us. So, get on board or be quiet.

To go back to the very beginning, and a lot of this is going to be dealt with when we go in Committee. I will just end with this. If you want to maintain the status quo in this country, this Bill is not for you. If you want to promote further enrichment of the 1 per cent, this Bill is not for you. If you support the continued criminalisation of young Black men, this Bill is not for you. If you do not want enhanced protections for our children and other vulnerable people in this country, this Bill is not for you. If you do not want to provide economic opportunity for Bermudians, this Bill is definitely not for you. If you want legalisation of cannabis without any regulations, let us be clear, this Bill is not for you. If you support the unchecked proliferation of illicit cannabis enterprise in Bermuda, this Bill is not for you. But Members, if you have confidence in our people to seize the opportunity to advance themselves provided by this Government, this Bill is for you.

So, Mr. Speaker, with those remarks I thank Honourable Members, and I move that the Bill be committed.

*[Desk thumping]*

**The Speaker:** Thank you, Minister.  
Deputy Speaker, take us into Committee.

**Hon. Derrick V. Burgess, Sr.:** Yes, thank you, Mr. Speaker.

**House in Committee at 8:46 pm**

*[Hon. Derrick V. Burgess, Sr., Chairman]*

## COMMITTEE ON BILL

### CANNABIS LICENSING ACT 2021

**The Chairman:** Honourable Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled the [Cannabis Licensing Act 2021](#).

Attorney General, Minister Simmons, you have the floor.

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

Mr. Chairman, this Bill seeks to establish the Cannabis Licensing Authority to advise and assist the Minister responsible for drug prevention in the regulation of the sale or supply of cannabis, the import, the cultivation of cannabis for personal use or cannabis or medicinal cannabis for commercial purposes, the research, manufacture, transport and export of cannabis or medicinal cannabis; to establish a licensing system for various activities relating to cannabis or medicinal cannabis; to provide for the monitoring, inspection and enforcement powers to inspectors; to give the Minister the power to give directions to the Cannabis Licensing Authority, to amend the Misuse of Drugs Act 1972 to remove cannabis from the list of controlled drugs, and related matters.

Mr. Chairman, I would like to move clauses 1 through 6 of the Bill.

**The Chairman:** Continue, Minister.

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

Clause 1 provides the title of the Bill.

Clause 2 provides for the interpretation of terms used in the Bill.

And at this juncture, Mr. Chairman, I would like to move an amendment to this clause. This is clause 2.

**The Chairman:** Mm-hmm.

**Hon. Kathy Lynn Simmons:** If I may?

**The Chairman:** Yes, you may.

### FIRST AMENDMENT TO CLAUSE 2

**Hon. Kathy Lynn Simmons:** I move that clause 2 be amended by inserting the following to the definition of edible cannabis product: “‘hemp’ means the plant cannabis sativa, or any part thereof, the THC content of not more than 1% or such other concentration as may be specified by the Minister by Order published in the Gazette.”

Mr. Chairman, inserting the definition of “hemp” due to the removal of the definition from the Misuse of Drugs Act 1972, that is what we are recommending, and to support its exclusion from the Act in clause 3 of the Bill.

Mr. Chairman, I also move an amendment in the definition of “premises” by inserting “land or” before the word “building” and by inserting “aircraft” before the word “vessel.”

**The Chairman:** What particular . . . that amendment is for what particular . . .

**Hon. Kathy Lynn Simmons:** This is for clause 2.

**The Chairman:** Clause 2. Okay, so you have two amendments to clause 2.

**Hon. Kathy Lynn Simmons:** Yes, and that is the interpretation terms, Mr. Chairman.

**The Chairman:** Okay, let us deal with the first amendment first.

**Hon. Kathy Lynn Simmons:** Okay.

**The Chairman:** Any speakers to the amendment to clause 2?

**Hon. N. H. Cole Simons:** Mr. Deputy Speaker, do we have a written copy of those amendments?

**The Chairman:** It was circulated, I am sure. Attorney General, can you help here?

**Hon. Kathy Lynn Simmons:** Yes, it was circulated, Mr. Chairman.

**The Chairman:** Yes, it was circulated earlier today.

**Hon. N. H. Cole Simons:** Okay, thank you.

**The Chairman:** Okay. Are there any speakers to the amendment to clause 2, the first amendment?

There appear to be none.

Any objections to this amendment?

There appear to be none.  
That clause is approved.

*[Motion carried: First amendment to clause 2 passed.]*

**Hon. Kathy Lynn Simmons:** Clause 3, Mr. Chairman, provides that, unless expressed, the Act does not apply to hemp, the regulation of which will be provided in other legislation.

Clause 4, if I may continue—

**The Chairman:** Mm-hmm.

**Hon. Kathy Lynn Simmons:** —provides that the cannabis industry provided in the Act will be regarded as a special programme for the purposes of section 6A of the Human Rights Act 1981. It additionally provides that a special programme is one that assists a person or group of persons to achieve equal economic opportunity in the cannabis industry.

Clause 5, Mr. Chairman, provides for the protection from criminal liability under the Act for a person who is authorised to conduct an activity under the Act only if that activity is conducted in strict accordance with the Act or any regulations.

And finally, Mr. Chairman, clause 6 provides that the Minister may, by order subject to the negative resolution procedure, restrict certain strains of cannabis or medicinal cannabis from being sold, supplied, cultivated, imported or manufactured. Before making an order to restrict the strain or strains, Mr. Chairman, the Minister must consult with the Authority and the Department of National Drug Control. Strains may be restricted in the interest of public health, the public education measures placed to raise awareness on any potential health risk of the restricted strain.

Those are the clauses 1 through 6.

**The Chairman:** You had another amendment . . . you had two amendments for clause 2, right?

**Hon. Kathy Lynn Simmons:** Yes, I did. One including—

**The Chairman:** Yes.

**Hon. Kathy Lynn Simmons:** Yes, definition of—

**The Chairman:** Let us do the second one first.

## SECOND AMENDMENT TO CLAUSE 2

**Hon. Kathy Lynn Simmons:** Okay. The second amendment is to clause 2 in the definition of “premises.” Where we are inserting “land or” before the word “building” and inserting “aircraft” before the word “ves- sel.”

Mr. Chairman, that amendment, inserting land and aircraft into the definition of “premises”, is to cap-

ture all places that can be used in the cannabis industry in Bermuda.

**The Chairman:** Any speakers—

**Hon. Kathy Lynn Simmons:** And if I may—

**The Chairman:** I am sorry. I am sorry, Attorney General.

**Hon. Kathy Lynn Simmons:** That’s okay.

Yes, and if I may, thank you, Mr. Chairman, just point out that the National Anti-Money Laundering Committee highlighted that an aircraft used for the import of cannabis may also in some instances be required to store cannabis and would not be captured by the definition.

So, that is why we have this amendment.

**The Chairman:** Thank you, Attorney General.

Any speakers to the second amendment?

There appear to be none.

Any objections to the second amendment in clause 2?

There appear to be none.

Approved.

*[Motion carried: Second amendment to clause 2 passed.]*

**The Chairman:** Any speakers regarding clauses 1 through 6?

There appear to be none. Minister, you want to move the other clauses?

**Hon. Kathy Lynn Simmons:** Yes—

**The Chairman:** From [clauses] 1 through 6 excluding [clause] 2 because 2 is already approved.

**Hon. Kathy Lynn Simmons:** Okay, thank you, Mr. Chairman.

I move clauses 1 through 6.

**The Chairman:** Are there any objections to that?

There appear to be none.

Clauses 1 through 6 approved.

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman—

**The Chairman:** With the amendments.

**Hon. Kathy Lynn Simmons:** With the amendments, thank you.

*[Motion carried: Clauses 1 through 6 passed, as amended in clause 2.]*

**Hon. Kathy Lynn Simmons:** I would like to now move clauses 7 through 18 of the Bill.

**The Chairman:** Continue.

**Hon. Kathy Lynn Simmons:** Mr. Chairman, clause 7 provides the establishment of the Cannabis Licensing Authority with the primary function of regulating Bermuda's cannabis industry as well as advising the Minister on any matter relating to cannabis and the cannabis industry.

Clause 8, Mr. Chairman, provides for the functions of the Authority including receiving applications, granting and refusing licences and the distribution of education materials and organising training programmes. In addition, the Authority is able to perform any other function the Minister assigns which can include the establishing and monitoring of AML safeguards in the cannabis industry.

Clause 9, Mr. Chairman, provides that the Minister may, after consultation with the Chairman of the Authority, give the Authority directions on the policy that is to be followed by the Authority in its functions.

Clause 10 provides for the appointment of the Executive Director of the Authority who will be responsible for the day-to-day management of the Authority.

Clause 11 provides for the functions of the Executive Director including assigning personnel and implementing operational policies and procedures in relation to the functions of the Authority and the delegation of those functions.

Clause 12, Mr. Chairman, provides that the Executive Director, on consultation with the Minister, will establish the qualifications of staff for the offices of the Authority and shall advise the Minister on appointments made to fill those offices.

Clause 13 provides, Mr. Chairman, that every person having an official duty or employed in the administration of the Act must treat all information as confidential.

Clause 14 protects a member or employee or agent of the Authority from liability for an act done under the Act in respect of any act done in good faith.

Clause 15 provides for the sums of funds and resources of the Authority with the expenses of the Authority, including the remuneration of members, employees and agents being paid out of the funds of the Authority.

Clause 16 provides the Authority must submit expenditure budget estimates annually to the Minister for approval.

Clause 17, Mr. Chairman, provides that the Authority will cause statements of its financial affairs to be maintained and prepare a statement of accounts each financial year.

And lastly, clause 18 provides for the tabling of annual reports and accounts of the Authority.

**The Chairman:** Thank you, Attorney General.

Are there any speakers to clauses 7 through 18?

**Mr. Scott Pearman:** Thank you, Mr. Chairman, MP Pearman.

**The Chairman:** Honourable Member, continue.

**Mr. Scott Pearman:** Thank you.

Learned and Honourable Minister, my question concerns clause 15 of the Bill, and specifically clause 15(4) of the Bill.

A number of your Members spoke during debate and indicated in your understanding that there would be funding provided to support people who faced issues from drug use and addiction. I see that [clause] 15(4) has a discretionary power to the Minister, who I believe in this instance is the Minister of National Security, to direct a percentage of sums received from licensing fees to the applied following purposes—and one of them is the strengthening of social programmes at [clause] 15(4)(a).

Can the Learned and Honourable Attorney General give us some clarity as to what percentage of sums received from licensing fees will be directed? Is there any discussion around that given the impression that many of your Members seem to have that money would be allocated?

Thank you.

**Hon. Kathy Lynn Simmons:** Thank you, Member. If I may, Mr. Chairman?

**The Chairman:** Yes, you may.

**Hon. Kathy Lynn Simmons:** This is a discretionary power and the Minister will determine what percentage of sums received from licence fees shall be applied for the purposes that are listed in the paragraphs therein.

I will just point out to the Member also that the Minister is the Minister responsible for drug prevention, not the Minister responsible for national security.

The Minister responsible for legal affairs and constitutional reform is actually that Minister, myself.

**Mr. Scott Pearman:** Thank you, Mr. Chairman.

**Hon. N. H. Cole Simons:** Mr. Chairman, I have a question.

**The Chairman:** One second, Opposition Leader. Mr. Pearman, are you finished?

**Mr. Scott Pearman:** I will defer to the Opposition Leader.

[Crosstalk]

**Hon. N. H. Cole Simons:** My question is on [clause] 15 as well.

**Hon. Kathy Lynn Simmons:** Mm-hmm.

**Hon. N. H. Cole Simons:** And it is [clause] 15(2) and it is a two-part question.

Like other Authorities, I expect for the Consolidated Fund to provide seed funding for the Authority. Is it the Attorney General's intention to ensure that the Authority becomes self-funding going forward? And if that is the case, if it is ultimately to be self-funding with less support from the Consolidated Fund, why are we going to transfer the excess revenues to the Consolidated Fund when we can use it to build up the capital and get the Authority closer to a self-funding position economically?

**Hon. Kathy Lynn Simmons:** Thank you, Member.  
*[Crosstalk; Feedback]*

**Hon. Kathy Lynn Simmons:** Just to confirm that at this juncture, the Consolidated Fund will have a budget line . . . I am getting interference from somewhere, Mr. Chairman—

*[Crosstalk; Feedback]*

**Hon. Kathy Lynn Simmons:** It is intended for a budget allocation approved the legislature to be used for funding for the Authority. In terms of it being self-funding, again, the licensing regime and its success will determine whether it will be self-funding in the future. So, this is not a cookie-cutter Authority. I know that there are certain protocols, conventions and rules surrounding Authorities. I mean, to us it was to make sure that this was as independent in its functions as it could be.

I hope that was helpful.

**The Chairman:** Any further speakers?

**Mr. Scott Pearman:** Thank you, Mr. Chairman, MP Pearman.

**The Chairman:** Yes, continue.

**Mr. Scott Pearman:** Mr. Chairman, I am still at [clause] 15(4) of the Bill and the Honourable and Learned Attorney General had just clarified that she was in fact the Minister who has the discretionary power to allocate a percentage of funds to social programmes. I have two questions flowing from that: 1) does the Honourable and Learned Attorney General intend to exercise that discretion; and 2) does she have a view on the percentage of sums she will allocate to social programs?

**Hon. Kathy Lynn Simmons:** Thank you for that.

First and foremost, the expectation is that our community partners as well as the government agencies who are responsible for social programmes (rehab addiction, et cetera) will have enhanced direction to support this regime and, as I said earlier, I cannot say at this juncture what percentage of sums will be allocated for the purposes. But you can rest assured as these are support priorities for the Government they will be properly funded.

**Mr. Scott Pearman:** Thank you, Mr. Chairman.

**The Chairman:** Thank you. Any further speakers?

**Mr. Scott Pearman:** Yes, Mr. Chairman.

**The Chairman:** Yes, continue.

**Mr. Scott Pearman:** A further question to the Honourable and Learned Minister.

Did I understand the answer there to be, yes, you would be exercising discretion; you just have not decided the percentage yet?

**Hon. Kathy Lynn Simmons:** As appropriately, yes, I will exercise that discretion. And you are correct, I have not decided yet. Obviously, it will depend on the uptick in terms of licence applications and the fees received. So, I would be happy to report back as this regime rolls out, but yes to your question.

**Mr. Scott Pearman:** Thank you, Mr. Chairman.

**The Chairman:** Any further speakers?

There appear to be none.

Minister, do you want to move clauses 7 through 18?

**Hon. Kathy Lynn Simmons:** Yes, Mr. Chairman, I would be happy to move clauses 7 through 18 for approval.

**The Chairman:** Clauses 7 through 18 have been moved to approve.

Any objections to the approval of clauses 7 through 18?

There appear to be none.

Clauses 7 through 18 are approved.

*[Motion carried: Clauses 7 through 18 passed.]*

**The Chairman:** Continue, Minister.

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman. I would like to now move clauses 19 through 27.

**The Chairman:** Continue.

**Hon. Kathy Lynn Simmons:** Thank you.

Clause 19, Mr. Chairman, provides that a person must be licenced to carry on an activity in the cannabis industry as provided in the Act.

Clause 20 provides that, to be eligible for a licence, the applicant must (a) be over 21 years of age and possess Bermudian status, if an individual, or (b) be incorporated under the laws of Bermuda, if a body corporate.

Clause 21 provides the types of licences obtainable under the Act including . . . and that those licences are not transferable. These licences include—

- (a) a tier 1 cultivation licence;
- (b) a tier 2 cultivation licence;
- (c) a cannabis retail shop licence;
- (d) an import licence;
- (e) a tier 1 manufacturing licence;
- (f) a tier 2 manufacturing licence;
- (g) export licence;
- (h) a research licence; and
- (i) a transport licence.

Clause 22, Mr. Chairman, provides for a cannabis event licence and how a person is able to apply for that licence. It also provides that a cannabis event may be a public or private event that is infrequent or temporary, where there is either intent for profit or no intent for profit from the sale or supply of cannabis only to invited guests over 21 years of age.

Clause 23 provides for the inspection of a premises the subject of a licence application prior to the grant of a licence. An inspector would have the power to enter the premises to conduct inspections including taking photographs of the premises or walking around the premises to establish the boundaries.

Clause 24 provides for requirements, Mr. Chairman, of the application for a licence. The applicant must submit a \$250 non-refundable application fee along with the completed application form, valid identification as proof of age and a current criminal record check from the Bermuda Police Service.

Clause 25 gives the Authority the power to decide to grant or refuse a licence application.

Clause 26 provides that a person with a criminal conviction for a drug or other offence may apply for a licence provided that the conviction is disclosed during the application process. The application of a person with a criminal conviction may be granted if the Authority is satisfied the applicant will be compliant with the requirements of the Act and any regulations but does not require the Authority to grant the licence.

Clause 27, Mr. Chairman, provides that the Authority will notify an applicant, in writing, of his approval of an application.

**The Chairman:** Any further speakers to clauses 19 through 27?

**Mr. Scott Pearman:** Yes, Mr. Chairman.

**The Chairman:** Mr. Pearman, continue.

**Mr. Scott Pearman:** Thank you.

My first question is about clause 20, please, and that is the age eligibility.

My question to the Honourable and Learned Attorney General is, given that 21 years is the age being chosen by the Bill, given the age of majority of 18 and given what the addict practitioners are saying about the age of 25, what does the Honourable and Learned Attorney General think is in the best interests of Bermudian children in terms of age?

**Hon. Kathy Lynn Simmons:** Mr. Chairman—

**The Chairman:** Yes.

**Hon. Kathy Lynn Simmons:** Thank you, Honourable Member.

As I said in my earlier comments, the drafting of this Bill and the policy development was a balancing act. And what we did when we came up with the age of 21 was to take into consideration public health considerations. And we also did a comparative study with regard to alcohol, and 21 was the age that we came up with where young people would, number one, have been through at least the secondary education system and it was . . . I will tell you, it was a hard one, because there was a whole school of thought and movement that we should lower it to 18. But given the public health considerations and the development of the young person's brain, et cetera, et cetera, you have heard all the arguments, we decided that it was best to stay with 21 years of age for all the reasons articulated.

**The Chairman:** Any further speakers?

**Hon. N. H. Cole Simons:** Yes, Mr. Chairman.

**The Chairman:** Go ahead—

**Hon. N. H. Cole Simons:** [Clause] 20(b)—

**Hon. Kathy Lynn Simmons:** Sorry, 20—

**Hon. N. H. Cole Simons:** Clause 20(b)—

**Hon. Kathy Lynn Simmons:** Yes.

**Hon. N. H. Cole Simons:** It says, "A person who applies for a licence under section 24 shall—(b) be incorporated, registered or formed under the laws of Bermuda, if a body corporate."

Would the registered include permit companies which are registered here?

**Hon. Kathy Lynn Simmons:** Permit companies that are—

**Hon. N. H. Cole Simons:** Yes.

**Hon. Kathy Lynn Simmons:** Can you repeat that? I am sorry, there is just a bit of interference.

**Hon. N. H. Cole Simons:** We have permit companies on the register.

**Hon. Kathy Lynn Simmons:** Mm-hmm.

**Hon. N. H. Cole Simons:** In the corporate register for the country. So, you have companies that are incorporated here and companies that are doing business here that are registered here but incorporated in other jurisdictions. And so, part of the register will show permit companies.

So, my question is, are you sure you want to have a company that is incorporated in another jurisdiction enter this business? And I am asking because if you go on it says, "or formed under the laws of Bermuda."

**Hon. Kathy Lynn Simmons:** Thank you for the question.

We are not at this stage, particularly with regard to the scientific licence and medicinal licences trying to restrict a very specialised field. You will recall that—

*[Crosstalk; Feedback]*

**Hon. Kathy Lynn Simmons:** Is that feed coming from me, Mr. Chairman?

**The Chairman:** I don't know.

**Hon. N. H. Cole Simons:** I will turn off my microphone.

**Hon. Kathy Lynn Simmons:** Yes, thank you, thank you.

You will recall my earlier comments that one of the reasons why we did not proceed with just medicinal cannabis regime was because of the very specialised nature, and in a lot of respects the capital that was necessary to be employed to get that up and going. And so in doing that, we actually were approached by, I have had presentations from . . . it was these companies in terms of expressing their interests. And so, as a learning opportunity for myself and my team we sat in on different presentations just for our own edification. And it was quite clear that the capital needed in some respects to enter the medicinal component is quite substantial. So, at this juncture we did not feel it was necessary to close those categories and therefore the provision is drafted as you see.

**Hon. N. H. Cole Simons:** Supplementary.

**The Chairman:** Continue, Mr. Simons.

*[Pause]*

**The Chairman:** I cannot hear you, Mr. Simons, I think you muted yourself.

**Hon. Kathy Lynn Simmons:** Your microphone is off.

**Hon. N. H. Cole Simons:** Would that same trend of thought apply to individuals? Because if you have an individual that may be a PRC that is living in Bermuda that can provide guidance in this industry, and participate in this industry based on what you have just said for the permit companies, there may be opportunities and a source of knowledge there as well. So, I am just asking for consistency.

**Hon. Kathy Lynn Simmons:** The answer is yes. At this juncture we are not excluding any categories of persons for application purposes, but understand that any decision made pertaining to an application will be that of the Authority's.

**Hon. N. H. Cole Simons:** Having said that, having said that for individuals you say the person has to be 21 and have Bermuda status.

**Hon. Kathy Lynn Simmons:** Mm-hmm.

**Hon. N. H. Cole Simons:** So, a PRC is not a status Bermudian.

**Hon. Kathy Lynn Simmons:** Mm-hmm.

**Hon. N. H. Cole Simons:** So, do you think we should add the PRC in there?

**Hon. Kathy Lynn Simmons:** Not at this juncture.

**Hon. N. H. Cole Simons:** Okay, fine.

**The Chairman:** Any further speakers?

**Mr. Scott Pearman:** Thank you, Mr. Chairman. Oh . . . I am sorry. I see Ms. Jackson might have a question.

**Ms. Susan E. Jackson:** Thank you.  
Good evening, Mr. Chairman.

**The Chairman:** Good evening.

**Ms. Susan E. Jackson:** I have a question on clause 21.

**The Chairman:** Yes.

**Ms. Susan E. Jackson:** I am just wondering if the Minister might be so kind as to just explain how the licencing works.

*[Crosstalk; Feedback]*

**Ms. Susan E. Jackson:** So, if a person or a company has one of the more expensive \$10,000 licences, does that include a number—

*[Crosstalk; Feedback]*

**The Chairman:** Hold on please.

Mr. Simons, turn your microphone off.  
Thank you.

**Hon. N. H. Cole Simons:** Sorry.

**The Chairman:** Continue, Ms. Jackson.  
Can you start over?

**Ms. Susan E. Jackson:** Yes, sorry about.

So, my question is based on the licences, does a business have to buy multiple licences depending on various activities they may from time to time carry out or is it if you have one of the more, the higher tier licences at the sort of \$10,000 limit that some of these other licences are included in that higher tier?

**Hon. Kathy Lynn Simmons:** Thank you for that question. It is not a question of higher tiers. If you reference clause 21[(4)] you will see the various classes of licences actually include other licences, i.e., a tier one cultivation licence. And I am looking at [clause] 21(4)(a), a tier 1 cultivation licence, the licence is granted, the person shall also receive an import licence, yes, valid only for the import of between blah, blah, blah. And so, you will see the various categories that would apply to address your question.

**Ms. Susan E. Jackson:** Thank you very much.

**Hon. Kathy Lynn Simmons:** You are most welcome.

**The Chairman:** Any further speakers?

**Mr. Scott Pearman:** Yes, Mr. Chairman, MP Pearman.

**The Chairman:** Yes, continue, Mr. Pearman.

**Mr. Scott Pearman:** Yes, also with clause 21, I think it is on page 12 at the bottom, clause 21(6), "A person who is granted a licence pursuant to this Act shall not transfer or assign his licence to any other person . . ." Now, we know from clause 20 that a person can be an individual or can be incorporated, regis-

tered or formed under the laws of Bermuda, so it can be a corporate entity.

The transfer restriction on the assignment of licences to other persons, can the Honourable and Learned Minister assist us with whether or not that is a transfer restriction merely for an individual or whether that would also restrict the transfer of shares by a corporate person?

**Hon. Kathy Lynn Simmons:** It refers to any person including a corporate body.

**Mr. Scott Pearman:** So, if I were to apply for a licence with a company, and I am the Bermudian and presumably this is a 60/40, if I sought to transfer my shares I would have to go back and get further permission for that share transfer from the Authority, is that correct?

**Hon. Kathy Lynn Simmons:** You cannot transfer your licence. Let me just make that clear. This is transfer of a licence. What the company does internally—I hope I haven't confused anything—is up to the company. So, when the application is made the particulars of the company will actually be disclosed, but this is specific to transferring the licence itself.

I do not think that we would be expected to have oversight of how the shares are transferred. But, of course, if ownership which impacted the ownership of the licence generally changed, then it is something that the Authority would be interested in.

**Mr. Scott Pearman:** Well, if I can just pursue that question, the reason, presumably, that you have a restriction on transfer assignment is because you want to know who you are dealing with in terms of the licence holder.

**Hon. Kathy Lynn Simmons:** Mm-hmm.

**Mr. Scott Pearman:** Is that right?

**Hon. Kathy Lynn Simmons:** That is correct.

**Mr. Scott Pearman:** Right.

**Hon. Kathy Lynn Simmons:** Yes, that is correct.

**Mr. Scott Pearman:** So, it must be also right then that if Company A gets a licence and it is 100 per cent owned by Person A, and then Person A sells all of his shares to Person B, you still want to know, because of the transfer of those shares, whether or not Person B is suitable to have the licence.

**Hon. Kathy Lynn Simmons:** Yes, I—

**Mr. Scott Pearman:** So, it would presumably—

**Hon. Kathy Lynn Simmons:** I agree.

**Mr. Scott Pearman:** —apply to a share transfer as well.

**Hon. Kathy Lynn Simmons:** You absolutely are correct because in effect that would end up being almost a change of ownership. So, you are correct. Thanks for that.

**Mr. Scott Pearman:** I am grateful for the clarification.

**Hon. Kathy Lynn Simmons:** Mm-hmm.

**The Chairman:** Any further speakers?

**Hon. N. H. Cole Simons:** I have a question for section 24(1)(g)(iii) [*sic*], “any unused cannabis and how it will be destroyed.”

[*Crosstalk*]

**The Chairman:** Wait one second . . . what number again?

**Hon. N. H. Cole Simons:** Page 15—

**The Chairman:** Yes. 24(2)(g)(iii)? Okay.

**Hon. N. H. Cole Simons:** Any unused cannabis and how will it be destroyed. Can the Minister provide details on the controls that are in place in regard to this process? Who monitors it and who ensures that the controls are in place? Can you tell us what type of controls you have to support this process?

**Hon. Kathy Lynn Simmons:** Thank you, Member. The details of the specific controls would be enshrined in regulations, but you can be assured—

[*Crosstalk; Feedback*]

**Hon. Kathy Lynn Simmons:** Could you please turn off your microphone?

**The Chairman:** Cole, you got—

**Hon. Kathy Lynn Simmons:** Thank you.

The details of the . . . I am sorry, the details of the destruction, et cetera, will be further defined, fleshed out in regulations. The agencies that are now responsible for agriculture and analysis will be engaged in that process.

**Hon. N. H. Cole Simons:** Thank you.

**Hon. Kathy Lynn Simmons:** You are welcome.

**The Chairman:** Any further speakers?

**Ms. Susan E. Jackson:** Yes, Mr. Chairman, I have a further question.

**The Chairman:** Ms. Jackson, continue.

**Ms. Susan E. Jackson:** This is clause 23(3) and it pertains to inspection of premises. In 23(3) it mentions viewing . . . let us see . . . I do not want to . . . should I read the whole thing?

**The Chairman:** You can.

**Hon. Kathy Lynn Simmons:** No, I can read it.

**The Chairman:** Okay.

**Ms. Susan E. Jackson:** So, I am particularly interested in the inspection, “inspecting the working of surveillance systems at the proposed premises concerned.”

So, I am just wondering generally around privacy, would they be inspecting for mechanical reasons to make sure that the equipment works or would they be there because they actually want to view the content, whether that be for inspection or identification? So, I am just curious about the level of privacy around these inspections.

**Hon. Kathy Lynn Simmons:** Thank you for that, Member.

The purpose of the inspection is to ensure compliance. This is not a situation where we are going to grant a licence and walk away and there is no inspection or compliance surveillance to make sure that people are not abusing the terms of the licence.

**Ms. Susan E. Jackson:** This would not include sort of identity? Like it would not be there for people or for the Authority to inspect the content of surveillance, they are there to inspect how it works mechanically?

**Hon. Kathy Lynn Simmons:** Mm-hmm. So, the inspections would normally take place prior to the licence being issued and so all of the components necessary or all of the criteria necessary to be granted a licence will come under the category, the umbrella, of that inspection to be clear.

**Ms. Susan E. Jackson:** Would that be a one-time inspection or an annual inspection?

**Hon. Kathy Lynn Simmons:** It would be whatever inspections are necessary to be satisfied that the grant of the licence’s proper.

**The Chairman:** Any further speakers?

[*Crosstalk*]

**The Chairman:** There appear to be none.

**Hon. Kathy Lynn Simmons:** Mr. Chairman, if I may—

**The Chairman:** Yes.

**Hon. Kathy Lynn Simmons:** There is in fact separate provision made in the app for annual inspections.

**The Chairman:** Minister, you want to move the clauses 19 through 27?

**Hon. Kathy Lynn Simmons:** Yes, thank you, Mr. Chairman.

I move that clauses 19 through 27 be approved.

**The Chairman:** Any objections to approving clauses 19 through 27?

There appear to be none.

Clauses 19 through 27 are approved.

*[Motion carried: Clauses 19 through 27 passed.]*

**The Chairman:** Continue, Minister.

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

I now move clauses 28 through 36 of the Bill.

**The Chairman:** Yes, clauses 28 through 36.

**Hon. Kathy Lynn Simmons:** Mr. Chairman, clause 28 provides the terms and conditions applicable to each licence. The absolute terms and conditions of licences include that an applicant must not employ a person under 20 years of age, the display of a licence in a conspicuous place and inspector's ability to enter a licenced premise to inspect and monitor activity.

Clause 29, Mr. Chairman, provides the grounds on which the Authority may decide to refuse to grant a licence including not being satisfied on reasonable grounds of the suitability of the location, premises or proposed security measures or that the required application fee has not been paid.

Clause 30 provides that a licence may be varied, in writing, on the Authority's initiative or on application by the licensee.

Clause 31 provides the way in which a licensee is able to apply for the variation of a licence.

Clause 32, Mr. Chairman, provides for the duration of a licence which will be valid for a period of two years from the date of issue and may be renewed with the prescribed licence fee paid annually.

Clause 33 provides for the application for the renewal of a licence to be made in writing, to be in a form determined by the Authority and accompanied by the prescribed fee.

Clause 34, Mr. Chairman, gives the Authority the power to revoke, in writing, a licence in certain

circumstances such as the breach of a condition of a licence or the licensee has engaged in conduct that is an offence under the Misuse of Drugs Act [1972], the Pharmacy and Poisons Act [1979], the Criminal Justice (International Co-operation)(Bermuda) Act 1994 or the Proceeds of Crime Act 1997.

Clause 35 provides that a person aggrieved by a decision of the Authority may appeal to the Magistrate's Court within 21 days of the date on which any notice from the Authority takes effect.

Clause 36 provides, Mr. Chairman, that a licensee may surrender a licence by giving notice in writing of the intention to do so with the surrender of the licence taking effect on a date approved by the Authority.

**The Chairman:** Any speakers to clauses 28 through 36?

**Ms. Susan E. Jackson:** Mr. Chairman, I have one—

**The Chairman:** Yes, Ms. Jackson.

**Ms. Susan E. Jackson:** —for [clause] 28.

**The Chairman:** Continue, Ms. Jackson.

**Ms. Susan E. Jackson:** Yes, in clause 28(e), and this talks about the terms and conditions around employment that information relating to employees and that the Authority has to engage and approve the employee before they can be hired. I would like to know a little bit more about the criteria that is surrounding the idea that an employee has to be sort of vetted first.

**The Chairman:** Mm-hmm.

**Hon. Kathy Lynn Simmons:** Thank you. We can start with the requirement in clause 28(a) that the person has to be . . . the employee should be not under 21 years of age. And so, the idea is to ensure that there are no unnecessary breaches and that the . . . I am sorry, I am losing my voice. Excuse me one minute, Mr. Chairman.

**The Chairman:** Yes.

*[Pause]*

**Hon. Kathy Lynn Simmons:** If you go back to clause 24(1)(e)—

*[Pause]*

**Hon. Kathy Lynn Simmons:** You will see the requirements that are relevant to that employee check.

**Ms. Susan E. Jackson:** Okay, so this looks mostly administrative, then.

**Hon. Kathy Lynn Simmons:** Absolutely.

**Ms. Susan E. Jackson:** So, I have just one further question, Mr. Chairman, around this same item in clause 28(e), what would be the parameters around, sort of, the job description or expertise in the field, you know, the, sort of, biology of it all, is there . . . or would that be up to the independent each sort of business owner? Or would there be a sort of standardised job description at all?

**Hon. Kathy Lynn Simmons:** No, Member. It is not the intention of us to bind the businesses in terms of what their requirements are for the employees of the job. Yes, it is expected that whatever the terms and conditions are particularly the description of the responsibilities would be in alignment by what is provided by the Act and, as I may have said earlier, the regulations will set out further all the restrictions particularly around the retail licences but understand that we have other licences such as transport so each subject will have its own unique requirements and job descriptions.

**Ms. Susan E. Jackson:** Thank you. I have one more question, if you do not mind.

**The Chairman:** Yes, continue.

**Ms. Susan E. Jackson:** Thank you. And so, my other question would be around the sort of product knowledge. I am just trying to find sort of the organisational structure of these businesses as far as employees are concerned. So, I mean, somebody is going to have to have some sort of knowledge of cannabis. I guess there will be choices and strengths and origins and I am just curious whether, you know, that is a component of the development of these businesses or are these businesses meant to be, you know, the corner shop?

**Hon. Kathy Lynn Simmons:** I would say, Member, that the scope of the businesses are left to the individual licensee. My team is doing sign language over here—

*[Laughter and crosstalk]*

**Hon. Kathy Lynn Simmons:** If you go all the way back . . . we are navigating the legislation to make sure that you get your answer. If you go all the way back to page 6, clause 8(2), yes?

**Ms. Susan E. Jackson:** Yes.

**Hon. Kathy Lynn Simmons:** The Authority is empowered to formulate standards and guidance to be observed by the licensees. And so, these standards will somewhat guide the operations and how they are

built, but understand that there is a whole gamut of different enterprises that would be possible under the different licences that are granted. But we have a generic formula in [clause] 8(2) that would be able to set some standards that would make sure that the compliance is not an issue.

**Ms. Susan E. Jackson:** Thank you.

**Hon. Kathy Lynn Simmons:** You are most welcome.

**The Chairman:** Any further speakers?

There appear to be none.

Attorney General, do you want to move clauses 28 through 36?

**Hon. Kathy Lynn Simmons:** Yes, Mr. Chairman, I move that clauses 28 through 36 be approved.

**The Chairman:** It has been moved that clauses 28 through 36 be approved.

Are there any objections?

There appear to be none.

Clauses 28 through 36 are approved.

*[Motion carried: Clauses 28 through 36 passed.]*

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

I will now move clauses 37 through 44.

**The Chairman:** Continue.

**Hon. Kathy Lynn Simmons:** Clause 37, Mr. Chairman, provides that where there is a theft of cannabis in his possession, the licensee must provide a written report to the Authority and report the theft to an inspector.

Clause 38 provides for the authorisation of analysts to analyse any cannabis or medicinal cannabis substance, product or sample of any substance, product purporting to be a cannabis or medicinal cannabis.

Clause 39 provides that an inspector may submit for analysis any cannabis substance or product or medicinal cannabis substance or product taken by that inspector to an authorised analyst for analysis.

Clause 40 provides that a certificate of an authorised analyst may be used in any proceedings for an offence under the Act.

Clause 41 empowers the Authority to designate inspectors to obtain information as required in regulating and enforcing Bermuda's cannabis industry.

Clause 42 provides for inspectors to obtain a warrant from a magistrate for suspected withheld information the inspector wishes to obtain.

Clause 43 creates the offence and penalties for a person or body corporate conducting an activity under the Act without a licence.

Clause 44 provides for various offences under the Act including engaging in the use of cannabis in a public place except at a licensed cannabis retail shop or at a cannabis event, the sale or supply of cannabis to a person under 21 years of age, the possession of cannabis that is more than 7 grams in a public place unless authorised under a licence, and handling cannabis with intent to supply whether by him or another person without the relevant licence that permits supply.

And, Mr. Chairman, I would like to move an amendment to clause 44, if I may.

**The Chairman:** Yes, you may.

#### AMENDMENTS TO CLAUSE 44

**Hon. Kathy Lynn Simmons:** The amendment is in subsection (3) by deleting \$5,000 and substituting \$10,000.

Mr. Chairman, this clause is being amended to increase the penalty for the following offences, and they are:

- a) engaging in the use of cannabis in a public place except at a licensed cannabis retail shop or at a cannabis event;
- b) the sale or supply of cannabis to a person under 21 years of age.

These are basically already listed, so I am not going to repeat myself. This is done to reflect a significant enough penalty to deter any illegal activity involving cannabis as regulated under the Act.

And a further amendment, Mr. Chairman, is the deletion of subsection (7), which is being done to remove a penalty that was redundant to the penalty provided in clause 43.

**The Chairman:** Okay, let's do the first amendment first.

**Hon. Kathy Lynn Simmons:** Mm-hmm.

**The Chairman:** The amendment to clause 44(3).

**Hon. Kathy Lynn Simmons:** And that amendment, I move, Mr. Chairman, that we amend subsection (3) by deleting \$5,000 and substituting \$10,000.

**The Chairman:** Any speakers to that?

There appear to be none.

Attorney General, do you want to move that amendment?

**Hon. Kathy Lynn Simmons:** Yes, I move that the amendment to clause 44(3) be approved as stated.

**The Chairman:** Any objections?

There appear to be none.

*[Motion carried: Amendment to clause 44(3) passed.]*

**The Chairman:** Do the next one.

**Hon. Kathy Lynn Simmons:** And I move that clause 44 be also amended by deleting subsection (7).

**The Chairman:** Any comments or speakers to that?

There appear to be none.

Can you move that? Move clause 44 with the amendments.

**Hon. Kathy Lynn Simmons:** Mr. Chairman, I move that clause 44 be approved with the amendments as stated.

**The Chairman:** Any objections to clause 44 with the amendments as stated?

It has been approved.

*[Motion carried: Clause 44 passed as amended.]*

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

If there are no questions, I would like to move the approval of clauses 37 through 44.

**An Hon. Member:** There are questions.

**Ms. Susan E. Jackson:** May I ask a question on that?

**The Chairman:** We have questions. Okay, go ahead Ms. Jackson.

**Ms. Susan E. Jackson:** Thank you.

My question is on clause 41(2). These are inspectors that have the warrant of designation. What kind of powers, or what kind of authority do they carry?

**Hon. Kathy Lynn Simmons:** The inspectors are empowered as per subsection (3).

**Ms. Susan E. Jackson:** Yes. I am just wondering like at what level of enforcement can they go. Do they have the powers of arrest? How does that work?

**Hon. Kathy Lynn Simmons:** Subsection (4) makes it clear that they cannot enter a private dwelling without the consent of the occupier unless they have a warrant from a magistrate. So these are extremely serious powers. And you mentioned before the maintaining of people's privacy so this is a provision that strikes the right balance.

*[Inaudible interjection]*

**Hon. Kathy Lynn Simmons:** I'm sorry; my team is pointing out that the inspector can also be a police officer. And I think I mentioned that in my brief.

**Ms. Susan E. Jackson:** Thank you.

**The Chairman:** Any further questions?  
Mr. Simmons.

**Hon. N. H. Cole Simons:** Mr. Chairman, I would like to refer the Minister to [clause] 37, Report of theft.

**The Chairman:** [Clause] 37?

**Hon. N. H. Cole Simons:** As we in some cases are talking personal property and corporate property, can you confirm whether or not the inspector has the obligation to report a theft to the police at some point? Does he have an obligation to report it to the police as a theft of, in some cases personal property and in other cases corporate property?

**Hon. Kathy Lynn Simmons:** I'm sorry, you said the inspector?

**Hon. N. H. Cole Simons:** I am asking . . . because the legislation says—

**Hon. Kathy Lynn Simmons:** The licensee.

**Hon. N. H. Cole Simons:** Right, the licensee will immediately report the occurrence to an inspector, and (b) provide a written report to the Authority.

So I am questioning why is there not an obligation to report the theft to the police services either indirectly through the inspector, or directly from the licence holder to the police. Because it is theft of [INAUDIBLE] personal property and theft of corporate property.

**The Chairman:** They have to report it.

**Hon. Kathy Lynn Simmons:** Yes, thank you. It says report to an inspector, that could also could be a police officer.

**Hon. N. H. Cole Simons:** So what if the inspector is not a police officer, is he obliged to report it to the police?

**Hon. Kathy Lynn Simmons:** Absolutely.

**Hon. N. H. Cole Simons:** Okay.

**Hon. Kathy Lynn Simmons:** That's fine. This does not preclude a licensee making a report to the police.

**Hon. N. H. Cole Simons:** Okay. I just wanted that clarity, that's all.

**Hon. Kathy Lynn Simmons:** Thank you.

**Hon. N. H. Cole Simons:** My second question is on [clause] 39, Analysis. Can you confirm who the authorised analysts in Bermuda are?

**Hon. Kathy Lynn Simmons:** We have government analysts already who are responsible for analysing cannabis and other drugs and actually equipment that we have on Island at this time which you will see is suitable for that purpose.

**Hon. N. H. Cole Simons:** Is that the plant lab or is that somewhere else?

**Hon. Kathy Lynn Simmons:** Yes, it is the plant lab.

**Hon. N. H. Cole Simons:** Okay. Thank you.

**Hon. Kathy Lynn Simmons:** You're welcome.

**The Chairman:** Any further speakers?

**Mr. Scott Pearman:** Yes, my question is on the same section, Part 4.

*[Crosstalk; Feedback]*

**The Chairman:** Mr. Simons, could you turn microphone off, please?

**Mr. Scott Pearman:** Mr. Chairman, looking at Certificate of analyst. Clause 40 of the Bill suggests analyst allows for—

*[Audio feedback]*

**The Chairman:** Continue.

**Mr. Scott Pearman:** Clause 40 of the Bill provides for a certificate which could be produced for prosecution and then makes reference to the trial period. I am just wondering what the aim of this analysis section is. Thank you.

**Hon. Kathy Lynn Simmons:** Thank you.

If a person is going to be prosecuted for an offence under this Act that relates to cannabis there is some certainty that is necessary in terms of the evidence. So the analysis would be to confirm that it is, in fact, cannabis that we are dealing with.

**Mr. Scott Pearman:** Is it going to be determining the strength, or otherwise, or the legality, or otherwise, or the nature of the strain, or otherwise, of the cannabis?

**Hon. Kathy Lynn Simmons:** Analysis would be particular to the offence that the person is being charged with.

**Mr. Scott Pearman:** Would the analysis also have the aim of sort of health and safety monitoring of product being sold or not?

**Hon. Kathy Lynn Simmons:** Yes. And once again, those details will be fleshed out in the regulations.

**Mr. Scott Pearman:** Thank you.

Mr. Chairman, I don't know if anyone else has—

**Hon. N. H. Cole Simons:** Supplemental.

Will that certificate also be used for exportation?

**Hon. Kathy Lynn Simmons:** This is specific to criminal prosecutions.

**Hon. N. H. Cole Simons:** So when we export our product and they need certificates from an analyst or the foreign countries, when will that be done? And I suppose that the plant lab will do that as well.

**Hon. Kathy Lynn Simmons:** Again, Member, thank you for the question. Those details will be fleshed out in the regulations, but the same analysts will be used. That is correct.

**Hon. N. H. Cole Simons:** Thank you.

**Mr. Scott Pearman:** Mr. Chairman, with your leave.

**The Speaker:** Yes, Mr. Pearman.

**Mr. Scott Pearman:** My next question is about the section that was removed, [clause] 44(7). I am just trying to understand—

**The Chairman:** Clause 44? That's been approved.

**Mr. Scott Pearman:** I am not objecting to the amendment, Mr. Chairman, I am just wondering where the offence now arises.

**The Chairman:** Okay. Go ahead.

**Mr. Scott Pearman:** Why is it being eliminated? Is it being eliminated because the offence is duplicated?

**Hon. Kathy Lynn Simmons:** Thank you, Member.

The offence is now provided for in clause 43. So it is redundant.

**Mr. Scott Pearman:** You said [clause] 43(1) already provides for the offence and then thereafter. Is that right?

**Hon. Kathy Lynn Simmons:** That is correct.

**Mr. Scott Pearman:** Thank you very much.

My next question is in relation to [clause] 44(1)(e). I just want to understand what is going on here. The offence is that no person shall knowingly "sell or offer for free distribution cannabis, any products, derivatives or samples thereof at any public or private event unless he is the holder of a relevant licence to do so."

Does that mean that if someone has a licence for home consumption and growth and they give a free distribution to someone else at what would presumably be a private event, they are causing an offence? Or is the "private event" language specific to ensure that that is not the causing of offence?

**Hon. Kathy Lynn Simmons:** There is a specific cannabis event licence that applies to both public and private events and this provision is particular to that.

**Mr. Scott Pearman:** So, the definition of "private event" in the section that we looked at earlier on public and private events would be read into the offence at [clause] 44(1)(e). Is that correct?

**Hon. Kathy Lynn Simmons:** That is correct.

**Mr. Scott Pearman:** Thank you, I am grateful.  
Thank you, Mr. Chairman.

**The Chairman:** Any further?

**Ms. Susan E. Jackson:** Yes, I have a couple of questions, Mr. Chairman.

**The Chairman:** Yes.

**Ms. Susan E. Jackson:** Again, it is clause 44[(1)], Offences, subsection (e). So I am looking at this completely different. I am seeing this from a marketing perspective. So, my question is, if it is an offence to offer . . . basically within this definition I see the possibility of free samples or maybe mini samples. Then it begs the question what is going to be the marketing criteria for the sale of cannabis? Will there be certain . . . like with alcohol. They cannot advertise on television, they can only advertise in certain magazines, et cetera. They cannot ever promote their items at an event where there could be children under the age of 21. So are there going to be marketing regulations?

**Hon. Kathy Lynn Simmons:** The answer is yes, Member. And that will still be prescribed in regulations made under [clause] 52.

**Ms. Susan E. Jackson:** Thank you.

I have one other question about this same clause 44[(1)](e). It mentions derivatives. And I am just curious if you could define that for us, because I am just curious if there is scope within the licence or within this document, this Bill, to evolve marijuana, evolve cannabis in the future. So, just as they figured out medicinal cannabis, that in the future there may be some derivative that could be negative and it could be positive. But I am just curious if that is being considered when mentioning “derivative” in that clause.

**Hon. Kathy Lynn Simmons:** The simple answer, Member, is yes.

**The Chairman:** Any further speakers?

**Ms. Susan E. Jackson:** I just have one other question.

So, will there be . . . and this may be broader around the actual analysis piece, which I know we have passed, but will there be limits on potency?

**Hon. Kathy Lynn Simmons:** Limits on potency?

**Ms. Susan E. Jackson:** Yes. This is clause 44[(1)](e), and we are just talking about derivatives.

**Hon. Kathy Lynn Simmons:** I am just trying to correlate your question with [clause] 44[(1)](e), which is pertaining to sale or offer of free . . . are you trying to get specific information as to whether the strength or otherwise of the derivatives are going to be analysed if for sale? I am just trying to be clear, apologies.

**Ms. Susan E. Jackson:** Yes, I don't know, and I am sure we have passed the point around the analysis and determining strength, et cetera, but I am, again, just looking at this from a marketing perspective, and I am just seeing the word “derivatives” which sounds very broad to me. And I am just saying that if and when, and we all know already now cannabis evolves into ever more potent or maybe ever so more therapeutic in some way. As the product evolves, will Bermuda allow for these to happen based on the word “derivatives”?

**Hon. Kathy Lynn Simmons:** If you refer back to clause 6, we will be monitoring the different strains to ensure that no dangerous strains enter the market. And clause 6(1) gives the power to the Minister, after consultation with the Authority, and it is important to note that the Authority will be populated by experts in the field, and so we will have that monitored. But at this juncture it is not intended to contract the market before it even begins. But, yes, there is an oversight function that is provided in clause 6. I hope that answers your question.

**Ms. Susan E. Jackson:** It does. Thank you very much.

**Hon. Kathy Lynn Simmons:** You're welcome.

**The Chairman:** Any further speakers?

Any further speakers?

There appear to be none.

Minister, do you want to move clauses 37 through 43?

**Hon. Kathy Lynn Simmons:** Yes, thank you, Mr. Chairman. I move that clauses 37 through 44, actually—

**The Chairman:** Clause 43; clause 44 was approved already.

**Hon. Kathy Lynn Simmons:** Oh.

**The Chairman:** It has been moved that clauses 37 through 43 be approved. Are there any objections to that?

There appear to be no objections.

Approved.

*[Motion carried: Clauses 37 through 43 passed.]*

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

Mr. Chairman, I would like to now move—

**Mr. Scott Pearman:** Mr. Chairman, with your leave, we are content, should you wish, for the remaining clauses to be taken in full.

**The Chairman:** Okay. That's fine.

Continue, Minister.

**Hon. Kathy Lynn Simmons:** Yes. Thank you, Mr. Chairman. I move clauses 45 through 55.

**The Chairman:** Continue, Minister.

**Hon. Kathy Lynn Simmons:** Clause 45 provides that if an offence committed by a body corporate is proved to be committed with the consent of or attributable to neglect on the part of any director, manager or other officer, the officer and the body corporate will be liable to be proceeded against.

Clause 46 provides that where there is the failure of a convicted person to pay a fine imposed by the court, the court has the power to immediately revoke the person's licence.

Clause 47 gives a police officer of any rank the power to seize an amount of cannabis equal to or more than 7 grams from a person in possession of it in a public place without the relevant licence under the Act to do so.

Clause 48 provides that 20 grams is the statutory amount deemed for supply where a person is charged with an offence relating to cannabis and supply is an element of the offence.

Clause 49 provides for consecutive sentencing for offences involving cannabis and offences relating to violence or use of weapons.

Clause 50 provides for the defence of lack of knowledge for the offences provided in section 44(1) of the Act, including a) engaging in the use of cannabis in a public place except at a licensed cannabis retail shop or cannabis event; b) the sale or supply of cannabis to a person under 21 years of age; c) possession of cannabis that is more than 7 grams in a public place unless authorised under a licence; and d) handling cannabis with intent to supply whether by him or another person without the relevant licence that permits supply.

Clause 51 provides that the Minister will carry out a review of the Act within two years of the Act coming into operation and submit a report to the Legislature within 12 months after submitting the review.

Clause 52 empowers the Minister to make regulations and includes a general regulation-making power which enables regulations to be made as required in the cannabis industry including any required [INAUDIBLE] measures and regulations for the safe custody, storage and security of all locally cultivated cannabis or medicinal cannabis.

Clause 53 provides that the Authority may, with the approval of the Minister, issue guidance on the regulation of cannabis and medical cannabis.

Clause 54 provides amendments to the Misuse of Drugs Act 1972 to remove cannabis as a controlled drug and amends that Act to remove the definitions for “cannabis,” and “cannabis resin”; by removing the statutory amount of cannabis deemed to be for supply; and by removing the statutory thresholds in Schedule 8 with reference to . . . all to be referred to in the Act.

Clause 55 provides consequential amendments to the Government Authorities (Fees) Act 1971 and the Pharmacy and Poisons Act 1979.

Clause 56 . . . and I don't think I asked to move clause 56, if I may, Mr. Chairman.

**The Chairman:** Yes.

**Hon. Kathy Lynn Simmons:** Clause 56 provides for the commencement of the Act, that it will be on a date appointed by the Minister by notice in the *Gazette*.

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

Any further speakers?

Mr. Pearman, go ahead.

**Mr. Scott Pearman:** Thank you, Mr. Chairman.

My first question is on clause 52(5) “Regulations made under this section may be made subject to

the negative resolution procedure.” It is correct, is it not, Honourable and Learned Minister, that the regulations made by the Minister, yourself in this instance, will, therefore, be able to come back to the House should the negative resolution procedure be adopted.

**Hon. Kathy Lynn Simmons:** That is correct. They come back for resolution after they have been made.

**Mr. Scott Pearman:** Thank you.

My next and last question is on clause 56. Does the Honourable and Learned Minister anticipate when the Act will be brought into force?

**Hon. Kathy Lynn Simmons:** Not at this juncture.

**The Chairman:** Any further speakers?

**Ms. Susan E. Jackson:** Mr. Chairman.

**The Chairman:** Ms. Jackson, continue.

**Ms. Susan E. Jackson:** Yes, I have just one clarifying question. In clause 52(3) it is (c) and (d). I was just wondering if the Honourable and Learned Minister would not mind just giving a little context around that.

**The Chairman:** Clause 52(3)(c) and (d)?

**Ms. Susan E. Jackson:** Yes. I would even go so far as (e). It all probably would be in the same context.

**The Chairman:** All right.

Do you have that, Minister?

**Hon. Kathy Lynn Simmons:** Thank you, Member.

These are the general regulation-making powers that allow the fluidity necessary to cover any subject. Some are more specific, but they are just general powers.

**The Chairman:** Any further speakers?

**Mr. Jarion Richardson:** Yes, Mr. Chairman, MP Richardson.

**The Chairman:** Mr. Richardson, continue.

**Mr. Jarion Richardson:** Thank you.

What is the criterion or how will you reach the decision as it relates to clause 56 for when you will bring the Act into operation? The only reason I ask is because we have been at this for about eight hours or so and it is clear that this is quite a significant piece of your legislative programme for the year. So for us to say that we have absolutely no idea when it will come into force strikes me as unusual. Is there some basis for reaching that determination, or are we just going to

like wait three years or we wait three months from Royal assent?

**Hon. Kathy Lynn Simmons:** The easy answer is to wait until the Minister responsible for the legislation is satisfied that all is in order to bring it into operation.

**Mr. Jarion Richardson:** Thank you, Mr. Chairman and Madam Attorney General.

**Hon. Kathy Lynn Simmons:** You're most welcome.

**The Chairman:** Any further speakers?  
Any further speakers?

There appear to be none. Minister, do you want to move clauses 45 through 56?

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

I move that clauses 45 through 56 be now approved.

**The Chairman:** It has been moved that clauses 45 through 56 be approved.

Are there any objections to that?

There appear to be none.

Approved.

*[Motion carried: Clause 45 through 45 passed.]*

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

I would now like to move Schedules 1 through 4.

**The Chairman:** Continue.

**Hon. Kathy Lynn Simmons:** Schedule 1 provides for the constitution of the Cannabis Licensing Authority and the procedures the Authority is to follow.

Schedule 2 provides the application fee and the fees available to licences under the Act.

Schedule 3 provides additional licensing requirements for cultivation licences, manufacturing licences, import licences, export licences, research licences and transport licences, as well as additional terms and conditions for each licence.

Schedule 4 provides additional licensing and operational requirements for cannabis retail shops, including permitted hours, conduct in retail shops and police powers. It also provides offences for allowing the sale of cannabis and entry into a cannabis retail shop to a person under 21 years of age. Procuring cannabis for a person under 21 years of age is also an offence.

And, Mr. Chairman, I would like to move an amendment to Schedule 4, which is entitled Cannabis Retail Shop, if I may.

**The Chairman:** Yes, you may.

#### AMENDMENTS TO SCHEDULE 4

**Hon. Kathy Lynn Simmons:** And the amendment is in paragraph 36(1) by deleting \$2,000 and substituting \$10,000; and in paragraph 37 by deleting \$2,500 and substituting \$8,000.

**The Chairman:** Any speakers to that?

**Mr. Scott Pearman:** Is paragraph 37, with reference to the second amendment, Mr. Chairman?

**Hon. Kathy Lynn Simmons:** The second—

**The Chairman:** Yes. Go ahead.

**Hon. Kathy Lynn Simmons:** Yes, the second amendment is in paragraph 37 by deleting the sum of \$2,500 and substituting for \$8,000.

**Mr. Scott Pearman:** Thank you, Mr. Chairman.

**The Chairman:** Any speakers to the first amendment?

No speakers?

Minister, do you want to move that first amendment for approval?

**Hon. Kathy Lynn Simmons:** Yes, Mr. Chairman. I actually have another one, but I will move that one first.

**The Chairman:** Okay.

**Hon. Kathy Lynn Simmons:** So the first amendment is to Schedule 4, as stated, in paragraph 36(1), by deleting "\$2,000" and substituting "\$10,000."

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

No objection.

Approved.

*[Motion carried: Amendment to Schedule 4, paragraph 36 passed.]*

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

And I will now move the amendment [to Schedule 4] in paragraph 37 by deleting "\$2,500" and substituting "\$8,000."

**The Chairman:** Any comments? Any objections?

There appear to be no objections to the second amendment. Can you move that they be approved?

**Hon. Kathy Lynn Simmons:** Yes, sir. I have a further amendment. I would like to move them all together if I may. It is to the same Schedule 4.

**The Chairman:** Let us approve this paragraph 37 one.

**Hon. Kathy Lynn Simmons:** This one?

**The Chairman:** Yes.

**Hon. Kathy Lynn Simmons:** Okay.

**The Chairman:** Just move that it be approved.

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman. Yes.

I will move the amendment to [Schedule 4] paragraph 37 to be approved.

**The Chairman:** Any objections?  
There appear to be none. Approved.

*[Motion carried: Amendment to Schedule 4, paragraph 37 passed.]*

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

And with your indulgence, I move the amendment in paragraph 38.

**The Chairman:** Continue.

**Hon. Kathy Lynn Simmons:** In paragraph 38(1), Mr. Chairman, by deleting "\$2,500" and substituting "\$10,000"; and in paragraph 38(5) by deleting "(1)(b)"; and deleting "\$5,000" and substituting "\$8,000."

And these amendments generally, Mr. Chairman, are being made to increase the penalties, creating more adequate deterrents to ensure the protection of persons under 21 years of age.

**The Chairman:** Any speakers to this amendment?

**Ms. Susan E. Jackson:** Would the Minister mind just telling me what the price change was from (b), \$1,000?

**Hon. Kathy Lynn Simmons:** I do not have a (b).

**Ms. Susan E. Jackson:** The one before the \$8,000.

**Hon. Kathy Lynn Simmons:** So are you saying paragraph 38(5) by deleting "(1)(b)" and by deleting \$5,000 and substituting \$8,000? Is that the one you are referring to?

**Ms. Susan E. Jackson:** That is it. Yes. Thank you. I got it.

**Hon. Kathy Lynn Simmons:** You are welcome. Okay.

**The Chairman:** Any further speakers on this amendment?

Minister, do you want to move that amendment?

**Hon. Kathy Lynn Simmons:** Yes, thank you, Mr. Chairman.

I move that the amendment in paragraph 38(1) be approved.

**The Chairman:** Are there any objections to that?  
There appear to be none.  
Approved.

*[Motion carried: Amendment to Schedule 4, paragraph 38(1) passed.]*

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

And I now move that the amendment in paragraph 38(5) be approved.

**The Chairman:** Are there any objections to that amendment?  
There appear to be none.  
Approved.

*[Motion carried: Amendment to Schedule 4, paragraph 38(5) passed.]*

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

I move that the Schedules be approved if there are no questions.

**The Chairman:** It has been moved that the Schedules be approved with the amendments.

*[Inaudible interjections]*

**Ms. Susan E. Jackson:** I have a question.

**Hon. N. H. Cole Simons:** I have question.

**Ms. Susan E. Jackson:** You go first, Leader of the Opposition.

**Hon. N. H. Cole Simons:** Under Schedule 2, Licence Fees, can the Minister provide some context around why the research licence is so expensive? I am not saying it is wrong; I just want to understand her reasoning why it is \$10,000 for a research licence.

**Hon. Kathy Lynn Simmons:** Thank you, Member.  
It is anticipated that in this very specialised area it may actually be populated by corporates of

people who have the science experience and therefore should be able to pay that increased fee. From our research, and based on the uptake that we expect in this category, it will not be the average person. But we look forward to the fluidity afforded by legislation if in fact we are incorrect.

**Hon. N. H. Cole Simons:** Thank you.

**Hon. Kathy Lynn Simmons:** You are most welcome.

**The Chairman:** Any further speakers?

**Ms. Susan E. Jackson:** Yes. I have a question, Mr. Chairman. It is on Schedule 3.

**The Chairman:** Yes.

**Ms. Susan E. Jackson:** Paragraph 4(2)(a). It discusses the security surveillance. And it says that “the premises where the cannabis is to be cultivated, whether by electronic means or otherwise.” Does that mean that we would open up to security dogs, canine security?

**Hon. Kathy Lynn Simmons:** The answer is yes.

**Ms. Susan E. Jackson:** Just a supplementary to that. Will there be criteria in place as far as how far from the property boundary a canine would be kept and any regulations and such if someone were attacked or bitten by one of the security dogs?

**Hon. Kathy Lynn Simmons:** Thank you, Member.

The provisions that pertain to that circumstance would be prescribed under the Dogs Act, not under this legislation.

**Ms. Susan E. Jackson:** Okay. Thank you.

**The Chairman:** Any further speakers?

**Mr. Scott Pearman:** Yes, Mr. Chairman.

**The Chairman:** Yes, Mr. Pearman.

**Mr. Scott Pearman:** Schedule 3, paragraph 4(3)(b), page 36—this is the much-talked-about place. It is “100 feet from any school or place of worship.” I am not sure if there is such a place on our Island that is 100 feet from any school or place of worship.

But my serious question is this: It provides for that restriction in respect of the cultivation of cannabis. And cultivation is a defined term earlier in the Bill. I am just curious, Minister, why we would restrict people from cultivating cannabis within 100 feet of any school or any place or worship, but not apply the same restriction to the *sale* of cannabis? Or have I missed it?

**Hon. Kathy Lynn Simmons:** We actually have the retail shops in a close environment that is much easier to (what is the right word?) ensure compliance. When you have an open space, it is necessary that there is some distance between members of the public and your actual cultivation place. I mean, to go further . . . well, you have an answer about why 100 feet, so I will leave it at that.

**Mr. Scott Pearman:** Yes. I mean, so if you had a vertical farm building, field, and cultivated it in the sense of growing it, that cannot be anywhere near a school or place of worship. But the shop can. It just seems slightly odd.

**The Chairman:** Any further speakers?

**Ms. Susan E. Jackson:** Yes, I have a question, Mr. Chairman.

**The Chairman:** Continue.

**Ms. Susan E. Jackson:** It is the same. At Schedule 3, paragraph 3, I am interested in 3(e). It says here that in order to be granted the licence . . . okay, and it is just there for . . . are these for additional licences? I am just curious why it is a *draft* security contract versus just having a security contract or a signed security contract.

**Hon. Kathy Lynn Simmons:** Mr. Chairman, if I may go back to correct my response to the previous Member’s question?

**The Chairman:** Yes.

**Hon. Kathy Lynn Simmons:** If he can refer to page 47, [Part 3] paragraph 6(b), and there *is* a requirement of 100 feet with regard to retail shops.

**Mr. Scott Pearman:** That makes much more sense. Thank you. Thank you, Learned Attorney General. Thank you, Mr. Chairman.

**Hon. Kathy Lynn Simmons:** You are welcome.  
And if the Member would repeat her question?

**Ms. Susan E. Jackson:** Yes. This is Schedule 3 for Additional Licensing Requirements. In Schedule 3, paragraph 4(3)(e), it says that the additional licence, I guess, could be granted if this is added to the application, which is a *draft* security contract. And I am just curious why a draft instead of being a signed contract or a confirmed?

**Hon. Kathy Lynn Simmons:** Well, I would not imagine that they would enter into a security contract before they have the licence.

**Ms. Susan E. Jackson:** Even if it is additional?

**Hon. Kathy Lynn Simmons:** Yes. That is correct.

**Ms. Susan E. Jackson:** All right.

**The Chairman:** Any further speakers?  
There appear to be none.  
Minister, do you want to move the Schedules?

**Hon. Kathy Lynn Simmons:** Yes. Thank you, Mr. Chairman.

I move that Schedules 1 through 4 be approved.

**The Chairman:** With the amendments?

**Hon. Kathy Lynn Simmons:** With the amendments. Yes, sir.

**The Chairman:** It has been moved that Schedules 1 through 4 be approved with the amendments.

Any objections to that?  
There appear to be none.  
Approved.

*[Motion carried: Schedules 1 to 4 passed as amended.]*

**The Chairman:** Will you move the preamble?

**Hon. Kathy Lynn Simmons:** Thank you, Mr. 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 appear to be none.  
Approved.

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

I move that the Bill be reported to the House as amended.

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

Any objections to that?  
There appear to be none. The Bill will be reported to the House as printed and amended.

*[Motion carried: The Cannabis Licensing Act 2021 was considered by a committee of the whole House and passed with amendments.]*

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Chairman.

**The Chairman:** Thank you, Attorney General.

**House resumed at 10:15 pm**

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

## **REPORT OF COMMITTEE**

### **CANNABIS LICENSING ACT 2021**

**The Speaker:** Members, are there any objections to the second reading of the Cannabis Licensing Act 2021 being reported to the House as [amended]?

There are none. The matter has been reported and received as [amended].

Members, that now brings us to the close of items that are on the Order Paper today.

So, Minister, would you like to do your third reading?

### **SUSPENSION OF STANDING ORDER 21**

**Hon. Kathy Lynn Simmons:** Yes, Mr. Speaker. I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Cannabis Licensing Act 2021 be now read a third time by its title only.

**The Speaker:** Are there any objections to the Bill being read the third time by its title only?

There are none.  
Minister, continue.

*[Motion carried: Standing Order 21 suspended.]*

## **BILL**

### **THIRD READING**

#### **CANNABIS LICENSING ACT 2021**

**Hon. Kathy Lynn Simmons:** Thank you, Mr. Speaker.

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 its title only.

Any objections?  
No objections.  
It has now passed.

*[Motion carried: The Cannabis Licensing Act 2021 was read a third time and passed.]*

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

## ADJOURNMENT

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

Mr. Speaker, I move that this Honourable House do now adjourn until Budget Day, Friday, February 26, at 10:00 am. And I know, Mr. Speaker, one of my Members would like to speak on the motion to adjourn.

**The Speaker:** You say we are about to go home now? Did I catch that?

*[Laughter and inaudible interjection]*

**Hon. E. David Burt:** No, Mr. Speaker. I know one of my Members would like to speak on the motion to adjourn.

*[Laughter]*

**The Speaker:** Members, the Premier has indicated there is a possibility that a Member would like to speak on the motion to adjourn. Is that so, Members? Is there someone who would like to speak?

**Hon. Derrick V. Burgess, Sr.:** Yes, Mr. Speaker.

**The Speaker:** Deputy Speaker, you will start us off.

**Hon. Derrick V. Burgess, Sr.:** Yes, Mr. Speaker.

**The Speaker:** You have the floor, Deputy.

### MP QUESTIONS GOVERNOR LALGIE'S STATEMENT THAT THERE IS NO ROOM FOR RACISM AND DISCRIMINATION IN BERMUDA

**Hon. Derrick V. Burgess, Sr.:** Mr. Speaker, I am a bit annoyed that the chief occupant of Government House has indicated that she will not sign the Bill. Mr. Speaker, this is the second time that I can recall that a Bill that had our name on it, the PLP, even though the first one was approved under the OBA Government, that the Governor has refused to sign the Bill.

Mr. Speaker, if you look at the history, the chief occupant of the largest house on Langton Hill has never, *never* not approved a Bill that was oppressive to Blacks. You know, I could imagine these folks who live in that house not signing a Bill under the OBA Government, particularly with a leader like Sir Henry Tucker. That would never happen. Because it is us now, the Governor does not want to sign the Bill.

Mr. Speaker, you know, in the Christmas messages the chief occupant of Government House said that she wanted to make it clear that racism and discrimination of any kind have no place in Bermuda. Mr. Speaker, I think those words are false, because if it seems that in that glorified house on Langton Hill, when it comes to certain people there is no investiga-

tion. Mr. Speaker, some of these things I am going to say are from [19]74. Law firms in Bermuda undervalued assets, and it is guesstimated that the Government lost a minimum of \$16 million. And this particular report by the Auditor—that was in the 1998 audit report—they did not come under the Governor. No investigation was initiated.

Mr. Speaker, there was a civil servant who refused to cooperate with government lawyers. And that worker was not even disciplined. Mr. Speaker, I know in one government department recently (what I call *recently* maybe in 2017 or 2018), they discovered some cheques that dated back to 2010 to the tune of over \$300,000 that were not banked. There was no investigation on that. That came under the Auditor. The Auditor should have been investigated for not doing a proper audit of that department.

Mr. Speaker, I know of projects that went over budget, and it was okay for the chief occupant of Government House. You had a former Attorney General in the previous Government obtain information illegally! Government House said nothing about it. Then we had a young fellow who was to appear in court. And I do not wish this person any harm, but evidence went missing from police custody. There was no investigation, Mr. Speaker.

Then on December the 2<sup>nd</sup>, 20[16], the problems we had on Parliament. There was a joint select committee to look into what happened to give a report to the Parliament. And you had the Police Commissioner who will not allow police officers to appear before the joint select committee. Mr. Speaker, the Police Commissioner comes under the Governor. And nothing was done about that.

Mr. Speaker, we had police break into a local clinic belonging to a local doctor, a former Premier. And when they got in there, Mr. Speaker, they covered the cameras! Why would the police break into a clinic and cover the cameras?

You know, we cannot have these two types of standards.

Then you had the Governor approve the arrest of Zane De Silva, MP Zane De Silva, and his daughter. For what? For what, Mr. Speaker?

And then you had, Mr. Speaker, based on a statement from a convicted felon, the Governor initiate an investigation crossing this country, so far almost \$10 million, almost over 10 years investigation, the longest in the history of the Commonwealth in investigating somebody, Mr. Speaker.

Mr. Speaker, I find this here . . . for the new Governor to say that racism and discrimination of any kind have no place in Bermuda, I agree with them. I certainly agree with her, Mr. Speaker. Mr. Speaker, do you not know that the Concerned [Citizens of] Bermudians (this is part of the white supremacist group in Bermuda) wrote to the FCO [UK Foreign and Commonwealth Office] about a former First Lady of this country, questioning this lady having a property in

Martha's Vineyard? And they investigated that! Because this lady was Black, she was not supposed to own a property at Martha's Vineyard, Mr. Speaker?

And then what I see just recently, we had three fellows go up to the courts for whatever charges, Mr. Speaker, some serious charges. And they were given \$5,000 bail. And then I know one fellow where something . . . someone went up for murder and it was a \$25,000 bail. But when it comes to a former Premier of this country, the bail has to go up to \$250,000, Mr. Speaker. Outrageous!

Not only that. He had to put his house and one of his businesses up as a surety. Mr. Speaker, this is discrimination at the highest level. Why is the FCO making a concerted effort to go into Overseas Territories, those that are run by Blacks, and investigate these folks? And I believe they will fabricate stuff to investigate, Mr. Speaker. And the reason why I say that, Mr. Speaker, you have a Lord Ashcroft, who is a large donor to the political scenery in the UK. He lands a contract of \$350 million. And it is okay, Mr. Speaker.

And I am not saying that because he donated. I am not saying that he is wrong. Because if he has done it and there is no investigation, it has got to be lawful. Because I do know in Bermuda there is no law . . . there is only one law in Bermuda that prohibits an organisation from donating to a political party. It is the trade union law which prohibits unions from donating to political parties, Mr. Speaker. That is the only law in Bermuda. You know, the Bank of Bermuda used to bankroll the UBP, Mr. Speaker. And nothing was wrong with that; that is not a criticism. It was within the law. And they did it. But when Blacks are given a donation, like the Progressive Party was, it is considered corrupt. It is wrong. It is illegal.

Why are certain things illegal for Blacks and not for whites, Mr. Speaker? This is really starting to get on my nerves, Mr. Speaker. I know that they do not have much for Dr. Brown, and I am pretty sure it was because of the Uighurs. And their intent is to make him poor and make his life miserable. That is what they are trying to do, Mr. Speaker. That is no secret what they are doing, Mr. Speaker.

When others in this country . . . you know, Mr. Speaker, when you look at the history of Government House, they are the ones who perpetuated racism in this country. Look at the history!

**Hon. Michael H. Dunkley:** Point of order, Mr. Speaker.

**The Speaker:** Point of order.

**POINT OF ORDER**  
[*Standing Order 19(11)(h)*]

**Hon. Michael H. Dunkley:** Mr. Speaker, point of order, as the Member is contravening [Standing Order] 19(11)(h), Mr. Speaker. And I just want to raise that.

**The Speaker:** Thank you.

Honourable Member, I know you know how to continue to speak without having to contravene the rules.

**Hon. Derrick V. Burgess, Sr.:** Yes. Yes, Mr. Speaker.

**The Speaker:** Thank you.

**Hon. Derrick V. Burgess, Sr.:** There was the occupant of the largest house on Langton Hill. When he came here, when that chief occupant came here, most of the police constables in Bermuda were Black. And he says, *Oh, we cannot tolerate this. White folks don't feel good about this.* And he went about eradicating Blacks out of the police force and went to England, got permission . . . went to England and started bringing in white officers, gave them more money.

Mr. Speaker, all of these same occupants of Langton Hill, the largest house on Langton Hill, signed laws even after 1834, signed laws that prohibited Blacks from all the benefits that whites had. They signed these laws. Now we have the first person of colour to come out here in 186 years—the first! And I think that was the result because of Black Lives Matter, because a lot of things are changing in the UK, throughout the world from Black Lives Matter, Mr. Speaker.

And it is sad that some Blacks had to be murdered in the streets to get the movement in eradicating some of the discrimination that occurs in this country. I really believe the chief occupant of Langton Hill, the largest house on Langton Hill, is here because of that, Mr. Speaker.

Mr. Speaker, when you look at all of those laws that they put in place, all were signed because that person sent in the legislation. So even though 1834 was called Emancipation, emancipation is not liberation. There is a difference between both of them.

They signed laws to keep us in bondage, Mr. Speaker. Because if they were doing what the new person had said, that racism and discrimination have no place in Bermuda, well, if that were the case, then that occupant would be at the forefront in bringing parity to incomes, because each year the disparity widens, gets greater between Blacks and whites. That is where a lot of social discord comes in this country because of people having to work hard, maybe two jobs and three jobs, in order to really have a decent standard of life in this country, Mr. Speaker.

Mr. Speaker, that same occupant of that big house on Langton Hill in 1921 signed a law to take homes from people in Tucker's Town. Oh, yes! Signed the law behind that. So the performance of these folks

who came out here representing the FCO has been shameful to Buckingham Palace. Shameful! It has been an embarrassment to Buckingham Palace the way they have carried on out here, like this is their own little playground. And all they are doing is trying to keep Blacks in bondage in a nice, discreet way. And they will invite a few of us up, Mr. Speaker. They will not invite me, but they will invite a few of us up to Langton Hill for tea and cookies and to make it look like it is good. But when they have the *real* discussion, those same Blacks are not invited. So I know of this. I understand that. That is what they do, Mr. Speaker.

And when you can have concerned citizens writing the FCO about Mrs. Wanda Brown, and then they can go do an investigation on, *How did she get a property at Martha's Vineyard?* Shameful! They would not do that to somebody else of a different colour. They would not do that to whites! Because they think whites are entitled to have their property, and we as Blacks are not entitled to have it because, you know, as I said earlier about Brownlow Gray, Samuel Brownlow Gray in 1852, what he said about Blacks. It is untruthful, mischievous and promiscuous, Mr. Speaker.

And that is what they thought about us. And by their actions today the history continues, that is why I always bring up the history. Because nothing has changed! Maybe a little label has changed, but nothing has really changed. And, Mr. Speaker, I am reminded every day of the discrimination that continues in this country by certain people. Now, Mr. Speaker, let me be clear. There are some whites who fight hard to get parity for *everybody*. And some of them are labelled or ostracised, like Zane De Silva, Dr. [Barbara] Ball, Lynne Winfield, Dorothy Thompson. The list goes on.

There are some whites who got killed on the front lines! In fact, Mr. Speaker, I think it was 1964 on the bus boycott there was a bus of Blacks and whites going to Selma, Alabama, in the protest. And they were met by the angry mob of white folks. And a white guy got out of the bus. He got out of the bus first so the others could escape. And they almost beat him to death. That was an honourable white man.

And we have some honourable whites in Bermuda. And we have far too many of them who know that it is wrong—*wrong*, Mr. Speaker—but who are afraid to speak up. See? Even we have got some Blacks afraid to speak up. And that is why I love my friend, LaVerne Furbert. She was unafraid to speak up. A woman of integrity from top to bottom, who was not afraid of anyone, because, you see, she was guarded and guided by God, Mr. Speaker.

And, Mr. Speaker, the largest house on Langton Hill, the occupant must lead this country out of this racism and discrimination, because they are the ones who have kept us in it. They are the ones, Mr. Speaker. But, Mr. Speaker, I could tell you about in Bermuda there was . . . and I said this before, too. Things like this have to be repeated. We have a wholesaler sell-

ing to a white business and a Black business. And they are selling the same product, but selling the items to the Black businessman for a different price; the price is higher than what they are selling to the white business, Mr. Speaker. This occurred in Bermuda! And when the Black approached them about it, they said, *Well, this white friend has been with us for "X" amount of years.*

And the Black guy says, *Yes, I've been with you for over 50 years.* But it made no difference, because throughout history through colonialism and white supremacy, this has ensured one narrative—that whites are dominant in this country. And they have some Blacks sometimes to help them out, Mr. Speaker.

So, Mr. Speaker, I applaud what the new occupant of the largest house on Langton Hill has said. Racism and discrimination of any kind have no place in Bermuda. But I knew that they can say those things, but they are not in charge of this country. They are guided by the FCO. So again, I was not excited to see . . . I don't care who they send up there. If things do not change with the FCO, if the FCO starts looking at Blacks as equal to them—

**The Speaker:** Deputy, you have got about a minute left.

**Hon. Derrick V. Burgess, Sr.:** Yes. I am going to wrap it up.

**The Speaker:** Yes.

**Hon. Derrick V. Burgess, Sr.:** If the FCO starts seeing Blacks as equal to all . . . all men are created equal. Until they start seeing us as equals, nothing will change.

Thank you, Mr. Speaker.

**The Speaker:** All right. Thank you, Deputy.  
Does any other Member wish to speak?

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

**The Speaker:** That sounds like Member Famous.

**Mr. Christopher Famous:** Yes, Mr. Speaker. I am going to be very brief.

**The Speaker:** Right, right.

**Mr. Christopher Famous:** Because certain people want to go home.

[Laughter]

## BIPARTISANSHIP

**Mr. Christopher Famous:** I will speak on two quick topics, Mr. Speaker. The first topic is bipartisanship.

By definition, bipartisanship, means *agreement or cooperation between two political parties*. That is the theoretical thing. Following their massive defeat in the October 1<sup>st</sup> election, the OBA says, *Oh, we're going to be very bipartisan. We aren't going to disagree, or we aren't going to oppose just to oppose*. But as seen over recent events, they oppose everything we do.

The olive branch that we give them out of this hand, they try to take it and take it and try to turn it into a beating stick. So I just want to bring to the attention of the people of Bermuda that the OBA has no intention of bipartisanship.

Moving on, Mr. Speaker—

**Mr. Scott Pearman:** Point of order, Mr. Speaker.

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

*[Inaudible interjections]*

**Mr. Scott Pearman:** The Honourable Members is misleading the House.

**Mr. Christopher Famous:** I cannot see who is giving me a point of order.

**The Speaker:** Continue, Member.

## POINT OF ORDER

*[Misleading]*

**Mr. Scott Pearman:** The Honourable Member is misleading the House. We actually supported him on the Bill earlier today before the other Bill. So he is misleading the House. We do not object just for the sake of it. Sometimes we agree; sometimes we disagree. It depends on policy and principles.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Continue on, Member.

**Mr. Christopher Famous:** We will see about that one.

## IN MEMORY OF LAVERNE FURBERT

**Mr. Christopher Famous:** Mr. Speaker, I am going to be very brief because tomorrow is a very special day for the people of Bermuda. We are going to be paying tribute to our warrior queen, Sister LaVerne Furbert.

Mr. Speaker, in 2011, ten years ago, I walked into a CC [Central Committee] meeting at Alaska Hall. At that time the Premier was the Honourable Paula

Cox. Yet it was clear to all to see who was in control of that room—none other than Madam Sister LaVerne Furbert. She had an ongoing debate with one . . . Well, let me not call their name, but clearly they lost the debate. And in every debate that came up in CC subsequent to that, she always found a way to win.

Subsequent to that, Mr. Speaker, she took me under her wings and she had me working along with others on a grass-roots campaign for the 2012 election as her saying was, and always will be, *Elections are won on the doorsteps, not on social media*. Despite all of that and for circumstances beyond all of our control, we lost on December the 17<sup>th</sup>, 2012. Let me repeat that: We lost; the OBA did not win. We lost.

On December the 18<sup>th</sup> she called me to her office and said, *Now the hard work begins*. She started strategising how we were going to take back our government. She taught myself and others the proper way to protest—raise the issue on social media, then raise the issue in traditional media, raise the issue in churches, raise the issue in union meetings. Educate the people to the issues. Whether it be the Lamb Foggo issue, the term limits issue, Pathways to Status issue or the airport issue, we employed that methodology. We educated the people and the people were on our side. The people were never, ever on the OBA's side.

At the same time, Mr. Speaker, simultaneously she implored us to continue knocking on doors. As she said, *Elections are won on the doorstep*. Now, do not get me wrong, Mr. Speaker. Even after we won in 2017, she held us all to account. Whether it be via emails, direct emails, sometimes it was (what are they called?) group emails, or direct WhatsApp, *You need to come see me. I'm not happy at what I heard*, or a Facebook message, she levelled at . . . for all those who thought she gave the OBA or the UBP a hard time, everybody who has been in the PLP could attest she held them to account to make sure that they represented the people.

You see, Mr. Speaker, she was the ultimate teacher on all levels whether it be how to protest, how to canvass, how to hold your own party to account. On October the 1<sup>st</sup>, 2020, she, Sister Ronnie and others from the union [BIU] put on their green shirts and drove around to every polling station in this Island to check on us, to make sure we were greeting the voters the way we should greet them to make sure we were standing strong.

Mr. Speaker, anyone elected in 2012, 2017 and 2020 is the recipient of the foundation of which Sister LaVerne Furbert put in place. She did a lot of work in the background that most people would never, ever know about. I see her spirit in some of the ladies sitting in the room here—all of the ladies sitting in the room here: Minister Renee Ming, Minister Tinee Furbert, MP Lovitta Foggo. As a matter of fact, every woman who has ever represented the PLP has the spirit of Sister LaVerne in her. We are the sons and

daughters of Sister LaVerne Furbert. We know that she has two biological sons and grandchildren. But we are her political children.

Tomorrow we will honour her the way she must be honoured. So I say to everyone who loves Sister LaVerne Furbert, who loves freedom, who loves workers' rights, raise your fists and say *PLP all the way!*

**Some Hon. Members:** PLP all the way!

**Mr. Christopher Famous:** PLP! United we stand!

**Some Hon. Members:** United we fall!

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

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

Does any other Honourable Member wish to make a contribution?

**Hon. E. David Burt:** Mr. Speaker, I do know that a few others of my colleagues want to speak, but I know that it takes a while. So I just want to make sure that I leave it open for them.

**The Speaker:** I thought you were closing us out, Premier. I was gladly going to accept your contribution at this time.

*[Crosstalk and laughter]*

**Hon. E. David Burt:** I know you would, Mr. Speaker.

**The Speaker:** But you just disappointed me, Mr. Premier, you come down smiling at us all.

**Hon. E. David Burt:** I was. For some reason, I do not see you. But I was not trying to disappoint you. But I know some of my other Members wish to speak, Mr. Speaker.

**The Speaker:** You took the smile off of my face.

Would any other Member like to speak?

I may have to call on you, nobody else is moving.

**Hon. E. David Burt:** If no one else is moving, I will happily close out this debate, Mr. Speaker.

**The Speaker:** Go right ahead, Mr. Premier.

#### **APPRECIATION FOR UNSUNG COVID-19 HEROES**

**Hon. E. David Burt:** Mr. Speaker, it has been a significantly, significantly, I would say, long few months. And the unfortunate circumstances the last time, of course, when we were all together in the House of

Assembly, where . . . let me turn on my camera, Mr. Speaker. Sorry for breaking your rules.

The last time that we were in the House of Assembly, Mr. Speaker, we were certainly talking about the fact that there was, you know, an outbreak which had gripped us. And I want to, Mr. Speaker, as I close out this debate today, pay tribute to all of the Bermudians who have worked tirelessly to ensure that we are in a better place from a public health perspective, Mr. Speaker.

First, I want us to start without question with the team that is led by the Minister of Health, the Honourable Kim Wilson. But I also want to talk about the unsung heroes, Mr. Speaker, and those would be for all of the public sector workers, all of those persons who are the nurses in the Ministry of Health, who work double time, who have gone straight through pandemic management all year, right over now to outbreak management, over to vaccination management, et cetera.

It has been a significant body of work, Mr. Speaker. And the challenge is that we have been going at this for so, so long that it seems as though people could be starting to believe that this is going to be our natural state for a while.

But one thing that is most important, Mr. Speaker, as the Leader of the country, is that we give people hope—hope for a better and brighter future. The Government is working, delivering on a signature piece of legislation today that gives people hope for the future. But also, when we were talking about the earlier debate with the public health emergency, which I will not reflect on, Mr. Speaker, but I want to state that the Government has no intention of Bermuda living in a perpetual state of a public health emergency.

Our vaccination programme is picking up. Our testing programme still exists. We are advancing with COVID-19 tech, but we some of the best COVID-19 technology in the world with the WeHealth app, which is able to assist our teams with exposure notification. So there is a pathway for us to return to normalcy, Mr. Speaker.

The only urging that I would give members of the public tonight who may be listening is the real and present need, Mr. Speaker, for us to ensure that we do not go too crazy, do not go too far. And even though the curfew is over, to remember that it is still vital and critically important that until we are at a place where we are no longer in a public health emergency that we have to take precautions. And it is urgent and essential that we all remember that, Mr. Speaker.

The unfortunate thing is I am hearing stories of multiple parties that have been planned for this weekend and other things. And the Government has no desire to go backwards. But if there was one lesson that was learned at the last outbreak, it is that you cannot wait too long, and if there are any hints that there may be a new outbreak, we will certainly act

very forcefully and very quickly to make sure we rein those things in.

### JUSTICE FOR ALL

**Hon. E. David Burt:** Mr. Speaker, as I move on to close, you would have heard the conversations, the discussion from the Honourable Deputy Speaker as he stated on our motion to adjourn the challenge of which this country faces. Mr. Speaker, I will not reflect on earlier debates, but you heard my comments while we were in the general debate on one of the pieces of legislation which we passed before.

It should be clear to all that the times in which we are living are certainly *interesting times*, is a Chinese proverb, Mr. Speaker. And what we have to make sure of, and the pledge I give to the people of this country, is that whatever fights for justice are necessary, the Progressive Labour Party will be sure and this Government will ensure that those items are pressed. There cannot be multiple different standards inside of a country for multiple different people. And that power structure cannot continue to be reinforced by persons who may be 3,000 miles away.

For an investigation that took 10 years, Mr. Speaker, that took \$10 million, that saw private medical records, including my father's medical records, taken from a private establishment, persons and names dragged through mud to end up to a place where we were with charges of which were filed which anyone would think are flimsy charges begs the question as to the priorities that exist in some places in some quarters, Mr. Speaker.

As a leader of this country, I want to make it clear that we believe that the rule of law is important. But you cannot have a rule of law if the rule of law does not apply to everyone, Mr. Speaker. And we know full well, Mr. Speaker, that there have been multiple donations to the One Bermuda Alliance from persons who, in their term in office, certainly benefited from contracts. So if there is one rule for one, then I look forward to the Governor announcing an investigation for donations to political parties such as the \$40 million Cross Island contract, which was untendered and unbid, or other things related to the airport, Mr. Speaker.

We must have justice in this country, and justice cannot apply only to those people who wear green.

With that, Mr. Speaker, I will see you next week.

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

Thank you, Members, for your contribution today. I trust that all will have a very restful weekend. And it has always been stated, time will be taken tomorrow to remember the life of one who served this country as a very committed person to bring about rights and justice.

Sister LaVerne, we will not forget you.

With that, the House now stands adjourned until next week Friday at 10:00 am.

Good night, Members.

[Gavel]

**Some Hon. Members:** Good night.

[At 10:47 pm, the House stood adjourned until 10:00 am, Friday, 26 February 2021.]

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**BERMUDA HOUSE OF ASSEMBLY****OFFICIAL HANSARD REPORT  
VIRTUAL SITTING  
26 FEBRUARY 2021  
10:00 AM***Sitting Number 7 of the 2020/2021 Session*

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

**The Speaker:** Members, it is ten o'clock. Good morning, Members.

Ms. Beale, would you like to lead us in prayer?

**PRAYERS**

*[Prayers read by Ms. Kara Beale, Assistant Clerk]*

**The Speaker:** Good morning. Thank you, Ms. Beale.

Members, the House is now in session for this morning. Just before we get into the business, let me just give a little briefing. Today is Budget Day. And indeed we are not in Chambers. The Minister is going to be reading from the Press Room, which means their feed has to be absolutely quiet when he is speaking. So once the Minister—once we turn the microphone over to the presentation for the Minister to read the Budget, all other microphones must be muted or we will have some serious feedback, which we do not want to happen.

The reason it is coming from there, CIT is covering it, which will mean they will be out on CITV's feed over the channel 2 on the TV stations or on Facebook as well for the public to see and hear the presentation. So let us just mute ourselves for him. And I will remind you again as we get to that point.

*[Crosstalk; Feedback]*

**The Speaker:** Just like just now we are hearing conversation coming back. We just want to make sure that those microphones are muted when we go through that process of the presentation.

Thank you, Members.

**CONFIRMATION OF MINUTES**

*[Minutes of 19 February 2021]*

**The Speaker:** To start our day, the Minutes of the meeting from the 19<sup>th</sup> of February have been circulated. I believe there was . . . well, are there any corrections or omissions that Members may have?

**Hon. Michael H. Dunkley:** Yes, Mr. Speaker.

**The Speaker:** Yes.

**Hon. Michael H. Dunkley:** I had sent you one by email, Mr. Speaker.

**The Speaker:** Is that MP Dunkley?

**Hon. Michael H. Dunkley:** Yes. Good morning.

**The Speaker:** Yes.

**The Speaker:** I had sent you one by email, Mr. Speaker.

**The Speaker:** Yes. That is what I am saying. I just needed to record it for the record that you had an amendment.

So we will have it duly noted.

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

**The Speaker:** Thank you.

Any other Member?

The Minutes will be confirmed with the appropriate amendment made to them.

*[Minutes of 19 February 2021 confirmed as amended.]*

**MESSAGES FROM THE GOVERNOR**

**The Speaker:** There are none.

**ANNOUNCEMENTS BY THE SPEAKER  
OR MEMBER PRESIDING**

**The Speaker:** There are none.

**MESSAGES FROM THE SENATE**

**The Speaker:** There are none.

**PAPERS AND OTHER  
COMMUNICATIONS TO THE HOUSE**

**The Speaker:** The only paper this morning is that from the Minister of Finance.

Minister of Finance, would you like to table the National Economic Report of Bermuda?

**Hon. Curtis L. Dickinson:** If it pleases you, Mr. Speaker.

**The Speaker:** Yes, it does.

### NATIONAL ECONOMIC REPORT 2020

**Hon. Curtis L. Dickinson:** I have the honour to attach and submit for the information of the Honourable House of Assembly the 2020 National Economic Report. Thank you, Mr. Speaker.

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

### PETITIONS

**The Speaker:** There are no petitions.

### STATEMENTS BY MINISTERS AND JUNIOR MINISTERS

**The Speaker:** The only Statement this morning is that of the Minister of Finance giving his Budget Statement.

And, Members, just to reiterate what I indicated just now, we need to make sure all microphones are muted at this time so that the audio going out to the airwaves, the audio that is going out to CITV, the audio going out to Facebook will be clear of any feedback. So please, Members, keep all microphones muted other than that of the Minister of Finance. And if you would like to follow, you can also see him on screen on CITV while you are listening here as well.

For our public, CITV or Facebook, as well as the airways that we normally broadcast on, the radio station [are all presenting the Statement].

With that said, Minister of Finance, are you ready to present your Statement?

### HOUSE VISITORS

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

Mr. Speaker, before I begin delivery of the Statement, I would like to acknowledge this morning the presence of the family of the late Anthony Manders, Mrs. Teresa Manders; FS Manders's sons Jekon Edwards, Jaiden Manders and Jamori Manders who are here with me today in the Press Room.

**The Speaker:** Thank you.

And we acknowledge their presence.

## BUDGET STATEMENT IN SUPPORT OF THE ESTIMATES OF REVENUE AND EXPENDITURE FOR 2021/2022

### INTRODUCTION

**Hon. Curtis L. Dickinson:** Mr. Speaker, the International Monetary Fund [IMF] has described 2020 as "A Year Like No Other," and a truer statement has never been made.

On March 24 this Government passed regulations so that we could get immediate cash to our working population who had to sacrifice their own ability to earn a living for the greater good. With very little warning, one in three income-earning adults were unable to work for the good of the many—one in three.

Only 10 months ago, our Island home was for the first time in modern history shut down. No flights. No restaurants. No shops. No school. No sports. Curfews. Quarantines. Grocery shopping by last name. And for so many of us, no earnings. To all of those individuals and businesses who have lost so much, I say thank you. More importantly, your pain and sacrifice will not be forgotten. *You will work in our economy, and our economy will work for you.*

Mr. Speaker, once the decision was made to shut down our Island economy, we had less than one week to get money to our people who were sacrificing so much. It is no exaggeration to say that we had to break it to make it. Bureaucratic machinery is not made for quick pivots. However, we achieved our objective—to provide timely and much-needed help to our people in an unprecedented crisis. We did not execute perfectly, and for this I make no apology. As Voltaire said, "The perfect is the enemy of the good." Approximately 2,000 people received \$1.8 million by the end of that week. We learned, we built, we grew and we ultimately delivered \$56 million to over 10,000 workers. This Government extended the original 12-week benefits to 18 weeks and then added a further safety net of supplemental unemployment benefits that will continue until June 2021. Additionally, the Government extended benefits to employees of bars, members' clubs and nightclubs when their activities were restricted due to the uptick in COVID-19 cases in November.

Mr. Speaker, we know that the public health emergency meant that the steps we took to protect public health had a devastating impact on our economy. Our local and international businesses, our hospitality and tourism sector, our schools, and our people's lives and livelihoods have been put on hold or restricted in ways we could not have imagined 12 months ago.

I am enormously proud of our community which has, with humanity and discipline, risen to the occasion and responded with grace and fortitude to all of the public health measures requested. As challeng-

ing as the time has been, we have navigated this pandemic well and avoided some of the devastation and confusion that have plagued so many of our international neighbours large and small. Nonetheless, this has been an incredibly difficult year for this country and for our people.

In the past year we have worked with our union partners, the Chamber of Commerce, the BTA, banks and financial institutions, our international business community and others to respond to the significant challenges our businesses and our people have faced. We have reacted to the economic shock by creating infrastructure and capability, sometimes from scratch, to answer the urgent needs of our people and our business community while ensuring the stability of our public finances. Through all of this we have been looking forward strategically and thoughtfully planning for our economic recovery. We worked together to work for the people of Bermuda.

Mr. Speaker, we must continue to meet the moment, bringing that spirit of collaboration, developing the new skills to build better infrastructure and fanning that innovative spark to not only bring our economy back, but bring it back stronger and better than before.

Mr. Speaker, let us be clear. We are not looking backwards seeking to rebuild our economy to its pre-pandemic state. This is not close to good enough. We must do better than that—and we will. We must harness the intellectual capital, the spirit of collaboration, the backbone and grit of our resilient Island community who know how to work together and most importantly want to get back to work.

Mr. Speaker, the Estimates of Revenue and Expenditure for the Fiscal Year 2021/22 are designed to support Bermuda's economic recovery. Our shared success as a community in dealing with the pandemic uniquely positions the Island for a renewal that can build a strengthened foundation for existing businesses and launch the innovation and growth that will be the next wave of economic activity. We stand on the cusp of a clear path to recovery, and the Government will provide the leadership demanded in these times to set the right course for the country. *For all of you who invest in our economy, our economy will work for you.*

## THE GLOBAL CONTEXT

**Hon. Curtis L. Dickinson:** Mr. Speaker, I have already noted that the IMF describes 2020 as “A Year Like No Other.” The pandemic has had a severe and worldwide impact on health and global economic activity. The IMF expects the world economy to contract by approximately 4.5 per cent over 2020, an outcome worse than after the global financial crisis and unprecedented in modern peacetime. All countries have had to implement the same tools as best they can to protect the health of their populations. The economic

impact, like the virus, has not respected national boundaries, as shown by the following:

- Extensive lockdowns and social distancing measures have caused large contractions and unemployment in sectors such as hospitality, entertainment, travel and tourism; and
- Economic uncertainty has impacted consumer sentiment, with overall spending lower and focused on essential purchases, while rising cases and workplace closures have reduced labour productivity and disrupted supply chains.

Given the severity of the economic dislocation caused by the pandemic, governments around the world have unleashed a massive fiscal response. Interventions are estimated to total upwards of approximately \$14 trillion (approximately 14 per cent of global GDP), well above levels seen in peacetime economic crises.

The bulk of the support has been targeted at health care systems and vulnerable households and businesses through a mix of additional spending or foregone revenue (including temporary tax cuts), financing support (for example, loans and guarantees) and public sector equity injections. The fiscal response has largely been funded by increased government borrowing. Globally, fiscal deficits have reached approximately 12 per cent of GDP for 2020 (up from 3.8 per cent in 2019), and government debt has risen to 98 per cent of GDP (up from 83.5 per cent in 2019).

For 2021, the IMF currently forecasts a rebound in global economic growth of approximately 5.5 per cent as economies bounce back from the ravages of 2020. It acknowledges that this forecast is subject to considerable uncertainty linked to the pace and efficacy of vaccine rollout worldwide. With a view to debt affordability, it is expecting countries to reduce deficits from their current levels and to concentrate resources to fund policy actions that will stimulate economic recovery and employment.

The IMF calls for a particular focus on policies that raise potential output (for example, infrastructure investments), ensure participatory growth for all and accelerate the transition to lower carbon dependence. The IMF's forecasts for GDP and the evolution of government debt are shown in the [accompanying] charts.

As the world economy recovers, lenders and international institutional investors will increasingly compare Bermuda to countries that have a similar sovereign credit rating as us. Over the past year our peers have followed a comparable path to the global economy and increased their debt levels to fund fiscal stimulus. By the end of 2020 their gross debt-to-GDP will be approximately 58 per cent (approximately 46 per cent in 2019) and gross debt-to-government revenue will be approximately 180 per cent versus [approximately] 140 per cent experienced in 2019.

Mr. Speaker, as daunting as this sounds, many countries, including ours, are viewing the pandemic as a once-in-a-generation opportunity to address diversity and inclusion, improve access to and participation in the economy, enact fiscal reform and focus on climate change. We must focus and invest in key infrastructure projects intended to stimulate growth, enhance climate resilience and equip our economy for the future of working in an accelerated digital economy. History shows that following pandemics, human societies rebound with accelerated innovation and development. Out of past pandemics came the Renaissance, public sanitation and huge advances in health care, changing those societies permanently for the better.

Bermuda's economy, like that of all small countries, is vulnerable to external events. We have limited levers to address economic shocks and disruption. This requires us to be both realistic and strategic. Thoughtful and innovative. Disciplined and creative. Agile and adept.

Global pandemics aside, we are still contending with the familiar challenges to our international business sector and economic growth. There has never been a better time for us to face these challenges head-on, courageously and with an open mind, consciously using the tools and knowledge we have built over decades and honed during the crisis of the last several months.

Mr. Speaker, the most pressing threat to Bermuda's international business sector, and therefore Bermuda's economy, remains the Organisation for Economic Co-operation and Development's [OECD] focus on Base Erosion and Profit Shifting [BEPS], and the European Union's list of non-cooperative tax jurisdictions. Brexit too is creating challenges and uncertainty, particularly in our reinsurance industry where there is a new competitive landscape emerging for global reinsurance business—a market we must protect.

### THE LOCAL CONTEXT

**Hon. Curtis L. Dickinson:** Mr. Speaker, approximately 6,000 jobs left our shores following the global financial crisis of 2009. Bermuda had since been growing at a modest 0.8 per cent and diversifying its economy, but not with sufficient pace or time to fully recover before the pandemic. With the onset of the pandemic, Bermuda's economy suffered a huge shock which increased local unemployment. The Government responded by creating for the first time in its history an emergency unemployment benefit to make sure that people who had lost income due to public health measures could still function and survive.

The impact on our hospitality, restaurants and retail sectors may be easy to quantify in economic terms, but impossible to measure in its human cost. New start-ups using technology to enable restaurant

kitchens and retail to continue to deliver food and goods are the perfect example of innovation and community working together. Our community must continue to do all it can to support these sectors; there is nothing more essential to our economy than buying local.

The hospitality industry received a shock like no other. Despite the devastating impact of the pandemic to their bottom line, some of our hospitality partners turned their kitchens to producing food for seniors unable to get out, and others in need. They also collaborated with the Government to keep their employees working, notwithstanding the difficult operating environment, and extended a helping hand in other mutually beneficial ways.

Still other hoteliers found that their operating revenue had been so badly hit that they could not make timely redundancy payments to their staff. Mr. Speaker, it was not acceptable that our people should bear the burden of poor planning by one of the country's largest hospitality employers. We stepped in, ensuring that our people would not be left without in the midst of an economic and public health crisis. Mr. Speaker, it is now public record that these sums have been repaid to the Government, with costs. This was not a matter of good luck, but the result of a prudent and well-advised plan thoughtfully executed, meeting our people's needs while protecting the public purse.

Mr. Speaker, in terms that speak to the need to stimulate the economy and promote economic growth, I would invite Honourable Members to take note of some additional stark realities:

- GDP fell by an average of 8.1 per cent in real terms in the first three quarters of the calendar year 2020, a decline fuelled primarily by significantly reduced expenditures on goods and services in the tourism sector;
- Total visitor air and cruise arrivals fell by historical proportions in the calendar year 2020 (84.4 per cent and 98.3 per cent, respectively), and spending was only \$69.8 million (a decline of 86.6 per cent); and
- The total value of new construction projects started during the first three quarters of the calendar year 2020 fell by 45.4 per cent, from \$88.9 million to \$48.5 million, and the estimated value of construction work put in place fell by 42.2 per cent from \$182.3 million to \$105.9 million.

In contrast, the international business sector—in particular, the insurance sector—has remained resilient during 2020. In 2020, the international business sector provided 4,199 jobs in the economy, reflecting a growth of 4.5 per cent year over year, or an increase of 179 posts. During 2020, there were 733 new international companies and partnerships registered in Bermuda, representing a 7.6 per cent increase compared with 681 registrations in 2019. The total number of international companies and partner-

ships stood at 11,874 at the end of 2020, representing growth of 0.5 per cent. Over the first nine months of 2020, the foreign exchange earnings of the international companies increased by \$16.7 million to \$1.58 billion, representing growth of 1.1 per cent.

Mr. Speaker, we responded aggressively to counter the health care and economic crisis:

1. We implemented a phased and adaptive approach involving remote working, shelter in place, border closures and curfew. A robust programme of testing and contact tracing was also implemented. As highlighted previously, these measures have largely been successful in minimising the impact on human lives, but other measures were necessary to address the economic impact.

2. We built from scratch a 12-week unemployment benefit programme to assist individuals who lost their jobs and those whose income earnings were impacted significantly due to restrictions imposed as a result of the pandemic. This programme was extended by an additional six weeks and paid over 10,000 people [for total] payments of approximately \$56.8 million.

3. We provided payroll tax relief to the restaurant and bar sector, taxi drivers and the hotel sector, in addition to extending the deadline for all relevant entities for filing payroll and corporate services tax while waiving penalties and late fees.

4. We provided \$12 million of additional funding for the Bermuda Economic Development Corporation [BEDC] to provide support for small and medium-sized enterprises.

5. We introduced the Work from Bermuda Certificate to allow individuals to come to Bermuda to work or study remotely from the Island.

Mr. Speaker, in May of 2020 we formed an Economic Advisory Committee [EAC], who gave their time to provide insight and expert advice aimed at protecting and growing jobs, and stimulating economic activity during and after the pandemic. Since its formation, the committee has played an important role in providing the Government with their expertise, knowledge and advice to support our economic recovery.

Work to address our economic future is ongoing, but there are serious challenges. Today we have significant financial commitments, including approximately \$3 billion in net public debt, financial guarantees for the new airport and the Acute Care Wing, and the block grant which covers health services. There are also significant actuarial funding gaps in the Public Sector Superannuation Fund, the Government Employees Health Insurance Fund and Bermuda's Contributory Pension Fund.

As I will outline shortly, increased spending resulting from the pandemic and funding economic recovery is driving further near-term deficits and increased pressure on public finances.

Mr. Speaker, we were trending in the right direction, although at a slow pace, and the pandemic has forced us to urgently recalibrate. We must act now. Otherwise, as so powerfully put by the young poet laureate Amanda Gorman on the steps of the US Capitol just a month ago, "we know our inaction and inertia will be the inheritance of the next generation."

## RISKS ON THE HORIZON

**Hon. Curtis L. Dickinson:** Mr. Speaker, in addition to the financial fragility I have set out, Bermuda faces some broader risks over the coming years. The most imminent threats in the next 12 to 24 months include the following:

Economic fragility. Consistent with many other countries worldwide, our recovery will be negatively impacted if global growth rates do not recover and if countries find themselves in a continuing round of aggressive pandemic outbreak responses. The same is to be said regarding tourism, which is inextricably linked to the performance of other countries in the public health sphere and economically.

Geopolitical risks. In the name of achieving a level playing field between sectors in Bermuda and elsewhere, other countries, standard-setting bodies and/or trading blocs have insisted on commitments that actuate a competitive disadvantage to Bermuda's businesses. Nonetheless, our key trading partners together with relevant international organisations have demonstrated their willingness to engage on these matters. In this regard, we continue to actively engage with the UK Government, the OECD, the Financial Action Task Force [FATF] and the European Union, together with other countries, to make the case in support of Bermuda's commitments as a responsible global citizen.

The work of the future. More people may need to transition to a new job in the post-COVID-19 environment as companies review strategies to accelerate automation, increase their technology use and reduce their physical footprint. This Government has passed legislation to attract more businesses and workers to the Island, but we must also remain cognisant of the ability of companies to quickly move resources anywhere in the world as we have witnessed the widespread adoption of video conferencing technologies when normal business travel was interrupted.

Climate risk. The existential threat of climate change wrought by global warming is having an impact on countries around the world, and Bermuda is no exception. Because of our isolation, Bermuda cannot afford to ignore the threats to our delicate ecosystem. As a result, we continue to enforce a robust planning and environmental protection framework. In addition, we have formed a partnership with the Waitt Foundation and the Bermuda Institute of Ocean Sciences [BIOS], named the Bermuda Ocean Prosperity Programme, to introduce a sustainable, vibrant blue

economy while protecting 20 per cent of our exclusive economic zone [EEZ]. We are also working with the UK Government to highlight Bermuda's strategies for progressing its measures to mitigate and address the impact of climate change pursuant to the 2020 Joint Ministerial Conference.

### CAROLINE BAY

**Hon. Curtis L. Dickinson:** Mr. Speaker, in my last Budget Statement I provided an update on the Government's actions in response to demands made on guarantees by the lenders of the Caroline Bay development. At that time the Government had completed purchases of the loans to satisfy its obligations. Additionally, we had purchased claims from the main contractor dck Bermuda, Ltd. ("dck"), in order to facilitate payment to many Bermudian subcontractors who had remained unpaid for an extended period of time, in many cases for more than a year.

Mr. Speaker, the Government was supportive of the developers continuing to seek financing to repay the Government and restart the project. However, it became crystal clear that it was not feasible without the people of Bermuda bearing substantial increased financial risk, which I was not prepared to accept. Furthermore, after such a massive financial outlay of public funds, it was imperative that we both ascertain what happened with the financial management of the project and seek a return of as much value as possible.

Mr. Speaker, in March of 2020 the Government successfully petitioned the Supreme Court of Bermuda to appoint Joint Provisional Liquidators [JPLs] over the project companies. Over the course of the last year, the JPLs have ensured that emergency remediation work has been carried out at the site, which has employed several local contractors. Additionally, the JPLs have been engaged in the necessary work to prepare for transfer of these assets to a government-controlled entity. The Government expects this process to be completed in the coming months, at which time a decision will be made on the way forward.

To date, the financial impact of the Government's guarantee for this failed project has been severe. Close to \$200 million of public funds has been unnecessarily tied up and at risk. Not only is there an ongoing interest cost, but this has also significantly reduced the Government's capacity to fund productive investments that could be critical to Bermuda's economic recovery. However, the Government met its commitment under the guarantees as it must, and we are equally committed to using all means necessary to return as much value as we can to the people of Bermuda.

### THE WAY FORWARD

**Hon. Curtis L. Dickinson:** Mr. Speaker, the urgency of the economic situation demands action. But with the need to respond to the direct impact of the COVID-19 pandemic comes an opportunity to eliminate the obstacles that have blocked Bermuda's growth for years. We can address the fiscal challenges and reinvent our jobs economy. Bermuda can not only recover but also have a renaissance.

Mr. Speaker, the way forward is an ambitious but achievable plan for economic recovery. The plan combines fiscal responsibility with a clear path to growth, employment and greater economic equity. Derived from the Government's 2020 platform and November's Throne Speech, informed by leading practices from similar economies and the latest insights taken from successful COVID-19 recovery strategies internationally, our plan will deliver an economy that will work for all.

### The Economic Recovery Plan

**Hon. Curtis L. Dickinson:** The development of the Economic Recovery Plan [the Plan] has been a whole-of-government effort and has incorporated detailed input from across the various ministries. Over the past six months, key stakeholders have been consulted as part of the Plan's development, and there has been extensive input from around the Cabinet table. The EAC [Economic Advisory Committee] has also provided detailed and valuable advice throughout the process, and input from the Financial Policy Council and the Fiscal Responsibility Panel has also been sought. I want to thank all of these stakeholders for their constructive engagement and challenge during this process.

Our Economic Recovery Plan is underpinned by a set of guard rails, key financial metrics and ratios that are closely monitored by rating agencies and global creditors. The Plan creates a way forward that enables this Government to stay within these guard rails through a disciplined approach to spending on targeted initiatives with the highest expected economic impact, highest probability of successful execution and lowest relative cost.

The Plan will address the impact of the pandemic together with the structural and systemic issues that have been constraining growth. It is intended to expand the existing pillars of our economy while also diversifying into other potential growth sectors. Matters related to reform in the areas of immigration, health, pension and education are already underway, and there is appropriate phasing of the plans to allow for effective implementation.

Mr. Speaker, the development of the Plan has been guided by six key principles which echo the commitments this Government has made to the people and when executed will further demonstrate both

our determination and ability to deliver on our promises. These principles are as follows:

- 1) **Combatting COVID-19 as a priority.** A continued focus on public health is paramount, without which we jeopardise our ability to move our economy forward. Testing and vaccination, monitoring progress and mitigation efforts are integral components of our economic recovery.
- 2) **Reducing the cost of living.** Reform initiatives will be targeted at reducing the cost of living for all Bermudians.
- 3) **Fairness and equity.** Stimulus and economic policies will ensure that access to economic growth and opportunity is enjoyed across all segments of our society, including those most in need.
- 4) **Financial viability.** Funding to support our small and medium-sized businesses will be directed to those that show strong prospects for viable long-term success.
- 5) **Fiscal prudence.** Fiscal discipline will continue to be exercised in managing the government's finances, mindful of existing borrowing levels.
- 6) **Timeliness.** The time is now. Where possible, we will accelerate the implementation of the highest-priority initiatives to quickly improve Bermuda's economic situation.

We will execute this plan mindful of the two key commitments that we made to the country early this year: Firstly, that Bermuda will return to a balanced budget in three fiscal years once tourism has fully recovered from the pandemic; and secondly, that Bermuda will maintain the current ceiling on total government debt.

Mr. Speaker, as part of this Plan, we developed a long list of initiatives and policy changes to accelerate medium-term economic growth. In making tough decisions, we have prioritised those initiatives that focus investment and resources in areas that will have the most significant impact on Bermuda's medium-term economic growth and employment. With extensive input from across Government, we narrowed down almost 80 policy proposals to 30. Mr. Speaker, the priority initiatives cut across a number of themes including the following:

- 1) **Economic diversification.** The goal is to diversify Bermuda's economy by encouraging growth of new industries.
- 2) **Financial markets.** We will focus on increasing affordable access to capital for businesses and consumers, including through measures supporting greater competition within the banking sector. The BEDC will continue to provide support to small and medium-sized businesses that demonstrate strong business plans and long-term viability in the post-pandemic economy.
- 3) **Infrastructure investments.** Building critical new infrastructure and enhancing existing

systems—this provides direct and immediate stimulus for our economy, and we have identified projects including the construction of a shoreside fishing facility, necessary upgrades in the development of a new waste and water management facility and investing in the necessary recharging infrastructure for electronic vehicles.

- 4) **Expanding the resident population.** More people means more economic activity, more know-how, more diverse businesses, more for everyone. Every retail business, restaurant, landlord, contractor, landscaper, telecom provider and school wants more customers. More customers means more business, leading to more competition and lower prices.
- 5) **Labour market reforms and social development initiatives.** These will be achieved through the execution of Bermuda's national jobs strategy and youth employment strategy, education reform, re-establishing national unemployment insurance and implementing minimum wage legislation and a living wage framework. Simply put, we will ensure that our youth have a way forward to future employment, our people have a safety net for the unexpected, and everyone can expect to be paid at least a minimum wage.
- 6) **Health care.** The introduction of affordable universal health care and the Bermuda Health Plan will lead to the much-needed reform of health care delivery in Bermuda.
- 7) **Regulatory framework.** We will through legislation and regulation create an environment that encourages innovation, entrepreneurs, businesses and start-ups. Examples range from an energy regulatory sandbox that will allow Bermuda to benefit from innovative technology in the energy sector, a marine development zone and exploring options to encourage FinTech and digital players to innovate on the Island.

The importance of environmental sustainability and the economic opportunities afforded by green growth cut across many of these initiatives. Further work will be undertaken over the coming months to build on the Government's existing commitments in this area in a way that also leverages Bermuda's world-class expertise in insurance and international business to establish Bermuda as a world leader in climate risk management.

Mr. Speaker, the Government knows that a good plan poorly executed can be worse than no plan at all. We will have a dedicated project management team independent from the day-to-day operations of the government and staffed with people with the right experience, mind-set and knowledge so that we can progress these initiatives as quickly as possible to put the economy back on the path to growth. We will ap-

appropriately manage and mitigate the risks to ensure that our reputation and environment for quality business are not compromised.

Mr. Speaker, Honourable Members will recall that I recently renewed the remit of the Tax Reform Commission. Their conclusions will also form a critical part of the economic recovery and be integrated into these economic and social policies for the future. Mr. Speaker, we still have some consultation to conduct. There remain valued partners in other areas of society who must also be invited to share their views on what is recommended.

Mr. Speaker, it is important to note that the Economic Recovery Plan will complement and support the mainstays of our economy—tourism and international business. While the latter has weathered the storm of global conditions and now the impact of the pandemic, the former has been battered by these same storms.

Mr. Speaker, tourism will need every ounce of good fortune and skill to carve out its share of the inevitable pent-up demand that will be released when we finally get to the new normal. Leisure travel will return, and conferences will again be in person. I have every confidence that Bermuda will build on its reputation as a safe place to stay, and our visitors will again enjoy all that we have to offer.

This is a tall order, but with the welcome news of the opening of the St. Regis on 22 May and the commitment to redevelop the Fairmont Southampton—incorporating expanded event capabilities to minimise seasonality—tourism’s renewal can be accomplished.

Mr. Speaker, another example of target stimulus is the planned development of a branded tourism property ideally located on Bermuda’s South Shore at the site of the former Grand Atlantic. This economic activity will put Bermudians to work in construction and spark the hiring of Bermudians to run the hotel.

Having satisfied myself of the tourism need as well as the proposed plans for the remainder of the development, I am pleased to advise this Honourable House that I have executed a \$10 million guarantee to support funding necessary for the completion of the next phase of works. The scope of work has been the subject of an open tender, and pending the award of a contract, work will start early in March with a view to completion in late summer.

### THE PUBLIC SERVICE

**Hon. Curtis L. Dickinson:** Mr. Speaker, the machinery of the public service often operates invisibly in the background, quietly delivering services to the people of Bermuda day in and day out. These past 12 months have seen many of the men and women of our public service reinvent themselves, developing skills and services they had neither trained nor planned for. The public service has been front and centre this [past]

year. They have been the front line of our public health emergency, processing our friends and family safely through the airport, delivering COVID-19 tests and protecting public health. Those are a few examples, but there are many more. Without the hard work and selfless dedication of so many of our public officers, Bermuda would not have been able to effectively meet the challenges of COVID-19. Notably, in less than a year we have developed core competencies and expertise that simply did not exist before. We should have confidence that our public servants will continue to meet the challenges of this time for the benefit of all.

Mr. Speaker, I would like to take this opportunity to acknowledge the significant contribution of Mr. Anthony Manders, the former Financial Secretary [FS] in the Ministry of Finance whom we unexpectedly and tragically lost last month. The void he has left has been keenly felt as we have worked through this budget process for the first time without him. We have lost a colleague and a friend who possessed unparalleled knowledge about the workings of the government and who will be missed by all who knew him.

Everyone who has worked with FS Manders knows that he was dedicated, hard-working and selfless. Anthony was one of my most senior and trusted advisers. He played a key role in advising the Cabinet during the pandemic, helping us navigate the unprecedented economic crisis.

I will miss him. We continue to keep his wife, Teresa, and his sons Jekon, Jaiden and Jamori in our thoughts as they come to terms with such a profound loss in their lives and for the country.

### 2020/21 FISCAL PERFORMANCE

**Hon. Curtis L. Dickinson:** Mr. Speaker, before commenting further in detail on the estimates for the fiscal year 2021/22 Budget, it is important that I provide an update on the Government’s financial performance and the forecast for the current financial period, which has been dramatically impacted by the COVID-19 pandemic.

Mr. Speaker, the Government is forecast to earn \$960.6 million in revenue in 2020/21. This is \$161.6 million (14.4 per cent) less than the \$1.1 billion in the original estimate and is due mainly to the impact of the COVID-19 pandemic on just about all of our government’s revenue sources, the primary impacts being lower payroll tax, customs duty, and the loss of most tourism-related taxes and levies. However, this is an improvement of \$46.5 million over the original revision of \$914.1 million contained in the Pre-Budget Report.

Mr. Speaker, the projected 2020/21 normal operating expenses of the Government are \$880 million, or \$55.6 million (5.9 per cent) lower than the original budget of \$935.6 million. This was accomplished

by a number of government cost-saving initiatives, including the following:

- a freeze on the funding of vacant posts not required to address COVID-19 nor to protect Bermuda's national interests;
- a ban on non-essential government travel;
- reductions in discretionary spending, including grants, consultancy, training, materials and supplies, clothing and uniforms, et cetera; and
- temporary payroll or government employee overhead savings as a result of negotiations with the unions and including the decision to temporarily suspend matching contributions into the pension funds.

We thank those public service unions who participated in the cost-savings initiatives for fiscal 2020/21 and advise that at the conclusion of each individual agreement there is no intention to extend these initiatives.

However, the Government is estimated to have spent \$127.2 million in unbudgeted COVID-19-related expenses, including the following:

- payment of unemployment benefits;
- purchase of PPE;
- provision of COVID-19 testing, quarantine facilities and vaccination services;
- embodying of the Royal Bermuda Regiment;
- entering into enhanced cleaning contracts;
- providing grant funding for the BEDC [COVID-19] Business Sustainability & Continuity Funding Programme; and
- funding the Bermuda Airport Authority to honour the airport minimum revenue guarantee with Skyport.

Including these expenses related to COVID-19, the current account expenditure for 2020/21 is projected to be \$1 billion, or \$71.6 million (7.7 per cent) higher than budgeted. The original capital expenditure budget for 2020/21 was \$85 million. Following the onset of the COVID-19 pandemic, it was increased to \$93 million to help fund essential and other certain capital projects to support economic recovery, provide employment for Bermudians, and improve our quality of life.

However, due to delays relating to COVID-19, capital expenditure for 2020/21 is expected to be \$70.1 million, lower than the original budget by \$14.9 million (17.5 per cent).

In the 2020/21 Budget Statement, I advised that the Ministry of Finance intended to take advantage of relatively low interest rates to refinance the loan agreement arranged to satisfy the Caroline Bay obligations and other existing, more expensive government debt. Mr. Speaker, in August of 2020 the Government accessed international capital markets to execute on this strategy and also to fund the unbudgeted and ongoing COVID-19 expenses and re-forecasted budget deficits.

Due to Bermuda's credit profile, the offering was in high demand by global institutional investors. Not only did we achieve record low spreads to treasuries, but demand was such to allow Bermuda to upsize the issuance to refinance more debt than initially planned at much lower interest rates. Additionally, we issued Bermuda's first-ever 30-year public bond. Overall, the Government achieved a 58 basis points reduction in average interest rates and an 8.4-year extension of Bermuda's debt maturity profile.

Mr. Speaker, this is a validation of the strength of our international reputation and this Government's stewardship of the country and its finances in the most perilous times in a generation. However, while we reduced the Government's average borrowing costs, total borrowing has increased in order to fund the re-forecasted deficits, as I just mentioned, which offset the interest savings on the existing debt. As a result, debt service costs for 2020/21 are forecast to be \$128.8 million, or \$7.4 million (6.1 per cent) above the original estimate.

Mr. Speaker, given the aforementioned projections, the revised estimate of the overall deficit for 2020/21 is \$245.5 million, or \$225.7 million more than the \$19.8 million deficit that was originally projected. As of the 31<sup>st</sup> of March 2021, net debt will stand at \$3 billion. The Sinking Fund balance will be approximately \$348.8 million, which will be used to help fund future deficits.

## EXECUTING ON THE AGENDA

**Hon. Curtis L. Dickinson:** Mr. Speaker, I have alluded several times in these remarks to the fiscal challenges that have been caused by the pandemic. This will be a particularly challenging year for us; however, it will be one in which the public will be able to marry our fiscal allocations directly to the promises we have made and hold us accountable for their delivery. The jobs and economic benefits of the Economic Recovery Plan are expected beyond this [fiscal] year, but we must invest now for our future. Our room for manoeuvre is limited; we must make difficult choices now to avoid even harder choices in the future.

In line with international growth expectations, we expect economic growth to experience a modest bounceback this year. With significant expert input from the EAC and others, our central projection is for conservative economic growth of approximately 3.5 per cent with a modest rebound across all major domestic and international business sectors, but with a conservative view of the recovery of tourism and air travel.

Mr. Speaker, a targeted approach has been taken to analysing the government's current outlays and identifying potential areas where efficiencies could be made. Areas of most substantial efficiencies have been identified, and these align well with broader

programmes of reform that are underway to identify more efficient and effective delivery models.

Mr. Speaker, ministry budget [ceilings] have been achieved through an arduous and introspective process led by ministers, permanent secretaries, heads of department and controllers. For the avoidance of doubt, this Budget

- does *not* reduce any scholarship allocation across ministries;
- does *not* require any redundancies or further reductions in staffing; and
- does *not* reduce or eliminate critical programmes like the child day-care allowance, the summer student employment programme or support to seniors in rest home care.

Mr. Speaker, as the estimates of expenditure will reveal, the largest Ministry allocations are in Health, Education, National Security and Labour. The largest increase year over year is within the Ministry of Social Development and Seniors.

### 2021/22 BUDGET ESTIMATES

**Hon. Curtis L. Dickinson:** Mr. Speaker, the 2021/22 National Budget allocates \$1.1 billion in total spending. This level of spending represents an \$18.6 million, or 1.6 per cent, decrease over the 2020/21 original estimate and an \$82.7 million, or 6.9 per cent, decrease over the 2020/21 revised estimate. Given the sustained impact of the COVID-19 pandemic, revenues are forecast to decrease by 11 per cent, or \$123.3 million. Before interest on debt and capital expenditure, the current account balance is budgeted to be a surplus of \$95.9 million.

The current account balance, after interest, is budgeted at a deficit in the amount of \$31.8 million. This represents a decrease in the current account surplus of \$97.1 million when compared with the 2020/21 Budget, but a \$143.5 million improvement over the revised budget estimate for 2020/21.

Given the aforesaid, Mr. Speaker, the Government plans to run a budget deficit of \$124.5 million in 2021/22, which is \$120.8 million less than the revised estimate of a \$245.5 million deficit for 2020/21.

Mr. Speaker, the projected current account balance (excluding debt service) indicates whether revenues can support the day-to-day cost of running the government, excluding interest on debt and capital expenditures. This year's Budget, with a current account surplus of \$95.9 million, has sufficient revenue to cover the day-to-day costs of running the government.

Mr. Speaker, as already mentioned before, the Government has no plans to borrow in order to finance this fiscal year's deficit of \$124.7 million. The deficit will be financed by using a portion of the funds that currently sit in the Sinking Fund.

Mr. Speaker, as at the 31<sup>st</sup> of March 2022, it is estimated that gross public debt will remain at the

same level as March 31, 2021, at \$3.35 billion, and debt net of the Sinking Fund will be \$3.1 billion, \$370.0 million below the debt ceiling.

### Revenues

**Hon. Curtis L. Dickinson:** Mr. Speaker, as I signalled in the Pre-Budget Report, some revenue-raising measures were under consideration. I am pleased to advise this Honourable House of the following:

- Payroll tax relief to troubled sectors will be continued through the 31<sup>st</sup> of March 2022;
- The Tax Incentives to Grow Jobs programme will be continued through 31 March 2022;
- The Retail Shops (Temporary Customs Duty Relief for Capital Investments) Act 2008, which provides a zero rate of customs duty on imported capital goods intended for renovations and refurbishment of retail shops, will be extended for a further five years through the 31<sup>st</sup> of March 2026;
- The 2015 land valuation list will remain in force for a further 10 years, and as such there will be no increases to land tax and the bands will remain as is;
- To further strengthen the regulatory oversight undertaken by the Registrar of Companies [ROC] and to support the digitisation of the functions of the ROC to meet changing international obligations and increase efficiency, there will be increases within the fee structure of the ROC which will take effect in the coming fiscal year. Bermuda cannot fail to compete with other jurisdictions, recognising the bedrock of our revenue generation is the very sector supervised by the ROC.

Mr. Speaker, there are no other meaningful increases to the cost of government services or other fees and taxes. There is a fragility to local finances that cannot be further strained by increased taxes.

Mr. Speaker, the revenue estimate for 2021/22 is \$998.9 million, \$123.3 million, or 11.0 per cent, lower than the original estimate for the previous year and \$38.3 million, or 4.0 per cent, higher than the revised budget for 2020/21. The most significant decreases will be in relation to the continued impact of the COVID-19 pandemic on the global economy through the lack of cruise and air travel (forecast to be down \$20.7 million versus the 2020/21 original budget), as well as customs duty and payroll tax (forecast to be down \$34.4 million and \$19.3 million, respectively).

### Expenditure

**Hon. Curtis L. Dickinson:** Mr. Speaker, total expenditures including debt service of \$127.8 million and capital investment of \$92.9 million are estimated at \$1.1 billion, \$18.4 million, or 1.6 per cent, lower than

the original estimate for 2020/21. The primary reason for this decrease relates to the Government's proactive approach to cutting expenditure across all ministries by an average of 5.1 per cent and a lower spend on COVID-19-related expenses as the COVID-19 vaccine is more widely distributed locally and globally.

Mr. Speaker, this level of spending will enable the Government to execute on its priorities of improving the quality of education for our children, improving the health care system and providing adequate support to our citizens who are less fortunate and more vulnerable. It will also allow us to provide targeted investments to grow and diversify the Bermuda economy and to recover from the impacts of the COVID-19 pandemic in as fiscally prudent a manner as is possible. Operating expenditure for 2021/22 is forecast to be \$888 million. This amount represents a decrease of \$47.6 million, or 5.1 per cent, when compared to the 2020/21 original estimate of \$935.6 million.

Mr. Speaker, to properly manage and allocate public finances in support of the Government's mandate, the public service must be the right mix of human resources, programmes and prudent spending. Achieving this is no easy task, but in this coming fiscal year we will renew this effort. Therefore, in fiscal year 2021/22, I have determined to defund any vacant post unless the funding for it has been allocated in support of delivering a service or [unless] active recruitment for the post is underway. This results in estimated savings to the public purse of approximately \$20 million. This will mean that the public service will trim its sails to meet the actual tasks required, managing public expectations accordingly, and the funding that remains will be put to better use achieving greater value for money.

Budget processes will require policy prioritisation at the start to facilitate a better alignment of the allocation of limited resources with the Government's overall policy initiatives and objectives.

### Debt Service

**Hon. Curtis L. Dickinson:** Mr. Speaker, debt service costs for the fiscal year 2021/22 are projected at \$127.8 million. Approximately \$5.4 million of this is due to the debt related to the Caroline Bay project. As I mentioned earlier, in August of 2020 the Government borrowed additional funds to refinance and pre-fund unexpected expenses and deficits due to the impacts of the COVID-19 pandemic. Had we not had to do so, debt service for 2021/22 would be forecast to be \$111.2 million, meaning the capital markets transactions would have resulted in a savings of approximately \$16.6 million next year and \$17.6 million lower than interest expense for 2020/21.

Mr. Speaker, in April 2020 in anticipation of the negative impacts of the COVID-19 pandemic, the Government raised the debt ceiling by \$150 million to \$2.9 billion to ensure that it could raise the necessary

liquidity to fund a variety of public health and emergency financial measures to support Bermuda's people and economy. In July, in anticipation of accessing the capital markets, as I mentioned earlier, the Government further raised the debt ceiling by \$600 million to \$3.5 billion.

Mr. Speaker, while we accept that increased debt was necessary due to COVID-19 and the Caroline Bay obligations, the current debt ceiling is set as an important guard rail in our economic recovery plan that we do not expect to breach. In fact, we expect that a surplus budget beginning in 2023/24 will allow Bermuda to continue with our pre-pandemic debt management strategy, which included (1) balanced budgets, (2) no further increases in the debt ceiling and (3) applying surpluses to reduce debt.

### Capital Expenditure

**Hon. Curtis L. Dickinson:** Mr. Speaker, the Government's capital expenditure plan is a collection of maintenance, remediation and new works intended to preserve the integrity of the government estate, encourage infrastructure improvement and provide a measured economic stimulus in times like these. The capital plan for fiscal year 2021/22 is set at \$92.9 million and will achieve these broad intentions, playing a vital role in economic recovery. The highlights of the plan include:

- the development of a shoreside facility to support a new fishing co-operative;
- renewed grants to community clubs and community organisations;
- desperately needed upgrades to the physical plant of the Mid Atlantic Wellness Institute consistent with this Government's approach to the importance of mental health; and
- long-awaited upgrades to the Marine & Ports workshop and the Department of [Public] Transport Headquarters, both of which address long-standing concerns around worker safety and working conditions.

### CONCLUSION

**Hon. Curtis L. Dickinson:** Mr. Speaker, there is an understandable fatigue in our society. Compliance with rules and guidelines that dictate our actions down to the very distance we must keep from one another have shredded our nerves and tested our patience. We have all weathered a year of unforeseen change brought on by this pandemic; everyone's lives have been impacted. Whether working from home or being forced to wear a mask around people we consider friends or even our families, we are tired. But, Mr. Speaker, we cannot lose heart now. In fact, as we witness the unprecedented challenges being experienced by other countries, Bermuda should be proud. The energy to push the extra mile should be found in

the fact that we are in the top five in the world for testing and have a vaccination programme that is the envy of other countries. Our unity of purpose, followed by action, has enabled us to persist and reopen our economy. This Government's leadership combined with much-needed programmes by churches, the third sector and the private sector have reached far into society to provide the support and relief required for our people to soldier on.

Mr. Speaker, I am the son of parents who worked hard and sacrificed so that I could have opportunities they did not have. I have a strong and dedicated mother who made sure that after graduating from Berkeley, I went off to college. I worked hard, really hard, and now thankfully I hope that I am able to give back to my country what I have learned in my years working both internationally and locally.

Mr. Speaker, I am also a husband and a father of three wonderful children, one of whom is now a young adult. I want my children's future in Bermuda to be one of opportunity and full of possibility. I want for them what all parents want—a future where they will each enjoy the dignity of work and the ambition to pursue their passion, raise their family and live a life of meaning. So I know what it is like to have a parent who sacrifices for my education, and I also understand how to make sure that we manage our debt, balance a budget and do not spend more money today that our children will have to repay tomorrow.

Mr. Speaker, yes, we are still in a pandemic. But we are focused now on building the economy with a view to the future—all of its many and unknowable possibilities. Part of that is continuing our world-class COVID-19 testing platform and delivering vaccines. Protecting the public health is an essential and necessary part of our economic recovery. And our new economy cannot look like our economy of the past. It must be better. It must not only be diversified but must actively engage diversity. It must not only be stable but must cultivate innovation.

If there are obstacles to growth, we must remove them quickly. This future economy requires all of us to dig deep, collaborate, listen and most of all not fear change. If you do fear change, face that fear. Have courage and press on. This is not a time to be timid. These are the ingredients that it will take to successfully execute our Economic Recovery Plan and build an economy that all can participate in, *an economy that works for all of us*.

During this pandemic we have welcomed close to 400 new people to our shores with the one-year residential certificate, and we must welcome more. We must welcome newcomers not only to buy our groceries and use our services, but also to bring us new skills, knowledge and capital. That so many have come in the midst of a pandemic is the ultimate compliment to our Island nation. Their arrival strengthens us and diversifies our community and our economy to the benefit of all.

Yes, the new way forward requires us to be open to change, but have confidence that these changes will have the welfare of our people and our future generations embedded in all that we do.

Have confidence that we have the right leadership, the right mind-set, culture and work ethic to turn adversity into opportunity as our forefathers did. If we bring the same confidence, discipline, skill and resilience to resetting our economy as we have to tackling this pandemic, our future will be very bright.

So take the opportunities that we will work to create. Seize them. Work hard. Play your part in the renewal of Bermuda's promise so that you are not just surviving, but thriving.

Mr. Speaker, I humbly present for the consideration of this Honourable House the Estimates of Revenue and Expenditure for the Fiscal Year 2021/22.

Thank you.

**The Speaker:** Thank you, Minister. It is much appreciated.

Members, the Budget Statement for this year has been written and presented by the Minister. We will now move on.

## REPORTS OF COMMITTEES

**The Speaker:** There are no reports of committees.

## QUESTION PERIOD

**The Speaker:** The Question Period has been forwarded until the next sitting.

*[Inaudible interjections]*

## CONGRATULATORY AND/OR OBITUARY SPEECHES

**The Speaker:** There are none.

## MATTERS OF PRIVILEGE

*[Carried over]*

## PERSONAL EXPLANATION

*[Carried over]*

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

**The Speaker:** There are none.

## INTRODUCTION OF BILLS

*[Carried over]*

## NOTICE OF MOTIONS

*[Carried over]*

## ORDERS OF THE DAY

**The Speaker:** I believe that has been carried [over] as well.

Mr. Premier.

## ADJOURNMENT

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

Mr. Speaker, I move that this Honourable House do now adjourn until Friday, March the 5<sup>th</sup>, at 10:00 am.

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

There are none. Does any Member wish to speak to that?

There are none.

Members, the House now stands adjourned until next Friday at 10:00 am.

Have a good weekend, Members. Thank you.

*[At 11:17 am, the House stood adjourned until 10:00 am Friday, 5 March 2021.]*

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**BERMUDA HOUSE OF ASSEMBLY  
2020/2021 SESSION**

**OFFICIAL HANSARD REPORT  
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**February 2021**

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