



# BERMUDA HOUSE OF ASSEMBLY

## Official House Minutes

*June 21, 2013*

### Electronic Version

**Hon. K. H. Randolph Horton, JP, MP**  
**Speaker**

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**Proceedings  
of the  
Honourable House of Assembly  
Session of 2013**

**No. 16**

**Friday, June 21, 2013**

**Members Present:** His Honour the Speaker, Jeanne J. Atherden, Kenneth L. Bascome, Mr. Marc A. R. Bean, Glenn A. Blakeney, Walton D. Brown, Derrick V. Burgess, David G. Burt, Legay C. Cannonier, Rolfe P. Commissiong, Zane J. S. DeSilva, Michael H. Dunkley, Lovitta F. Foggo, Wayne L. Furbert, Dr. Edmund G. Gibbons, Patricia J. Gordon-Pamplin, Susan E. Jackson, Suzann Roberts-Holshouser, Dennis P. Lister, Terry E. Lister, Trevor G. Moniz, Mark J. Pettingill. Everard T. Richards, Sylvan D. Richards, Walter H. Roban, Leah K. Scott, Michael J. Scott, R. Wayne E. Scott, W. Lawrence Scott, N. H. Cole Simons, Glenn Smith, Jefferson C. Sousa, Michael A. Weeks, Kim N. Wilson.

**10:06 a.m.** Prayer

**Confirmation of Minutes:**

Minutes to the Meeting of 7th June, 2013, were confirmed.

Minutes of the Meeting of the 14th June, 2013, were deferred.

**10:07 a.m.**

**Announcements by the Speaker:**

The SPEAKER announced the following Members will be absent from the House today: - Mr. S. G. Crockwell, and Ms. N. S. Davis.

The SPEAKER also announced the absence Mrs. Sherleeta Talbot who was attending the 62nd Westminster Seminar on Parliamentary Procedures in London.

**Messages from the Senate:**

His Honour the SPEAKER announced that he received the following Message from the Senate:

(No. 2)

TO HIS HONOUR THE SPEAKER AND

MEMBERS OF THE HONOURABLE

HOUSE OF ASSEMBLY:

The Senate has the honour to return to Your Honourable House the accompanying Public Bill entitled "The Human Rights Amendment Act 2013", recommending the concurrence of Your Honourable House in the following suggested amendments, which it is proposed should be made to the Bill:-

1. That Clause 6 of the Bill be deleted in its entirety; and
2. in consequence, that the remaining Clauses 7 to 14 of the Bill be re-numbered as Clauses 6 to 13.

Senator the Hon. Carolanne M. Bassett, J. P.

PRESIDENT

Senate Chamber,  
19<sup>th</sup> June, 2013.

**10:06 a.m.**

**Papers and other Communications to the House:**

MR. S. D. RICHARDS read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:

I have the honour to attach and submit for the information of the Honourable House of Assembly the following:-

"The Fisheries Amendment (No.2) Regulations 2013" made by the Minister responsible for

Environment and Planning under section 4 of the Fisheries Act 1972.

MR. S. D. RICHARDS  
Minister of Environmental Planning

Sessions House,  
21st June, 2013

MS. P. J. GORDON-PAMPLIN read the following communication to His Honour the SPEAKER

TO HIS HONOUR THE SPEAKER:

I have the honour to attach and submit for the information of the Honourable House of Assembly the following:-

“Presentation on Childhood Obesity: A Bermuda Perspective”

MS. P. J. GORDON-PAMPLIN  
Minister of Health and Seniors

Sessions House,  
21st June, 2013

**10:08 a.m.**

**Statements by Ministers and Junior Ministers:**

MR. L. C. CANNONIER made a Ministerial Statement regarding the “London Meetings Ahead of the G8 Summit”.

MR. E. T. RICHARDS made Ministerial Statements regarding his “Business Trip to Brussels” and the “New Government Multi-Year Borrowing Strategy”.

MR. R. W. SCOTT made a Ministerial Statement regarding the “Mirrors Programme Open House”.

MR. M. H. DUNKLEY made Ministerial Statements regarding the “Gun Bounty – Mediation Update” and “Immigration Matters”.

MR. M. J. PETTINGILL made a Ministerial Statements regarding “Child Sexual Abuse: Protecting Children through Community Wide Support”.

MR. M. H. DUNKLEY made Ministerial Statements regarding “Work Permit Regulations” and the “Amendments to the Charities Act 1978”.

MS. L. K. SCOTT, on behalf of Ms. P. J. Gordon-Pamplin made a Ministerial Statement regarding the “Pink Conference on Breast Cancer”

**11:14 a.m.**

**Question Period:**

MR. C. W. BROWN asked Mr. L. C. Cannonier a question on his Ministerial Statement on London Meetings Ahead of the G8 Summit.

MR. C. W. BROWN asked Mr. L. C. Cannonier a second question.

MR. C. W. BROWN asked Mr. L. C. Cannonier a third question.

MR. C. W. BROWN asked Mr. L. C. Cannonier a supplementary question.

MR. W. H. ROBAN asked Mr. L. C. Cannonier a supplementary question.

MR. G. A. BLAKENEY asked Mr. L. C. Cannonier a supplementary question.

MR. G. A. BLAKENEY asked Mr. L. C. Cannonier a supplementary question.

MR. W. L. FURBERT asked Mr. L. C. Cannonier a supplementary question.

MR. R. P. COMMISSIONG asked Mr. L. C. Cannonier a supplementary question.

MR. D. V. BURGESS asked Mr. E. T. Richards a question on his Ministerial Statement on the New Government Multi-Year Borrowing Strategy.

MR. D. V. BURGESS asked Mr. E. T. Richards a second question.

MR. E. D. G. BURT asked Mr. Mr. E. T. Richards a question.

MR. E. D. G. BURT asked Mr. Mr. E. T. Richards a supplementary question.

MR. E. D. G. BURT asked Mr. Mr. E. T. Richards a second question.

MR. E. D. G. BURT asked Mr. Mr. E. T. Richards a supplementary question.

MR. E. D. G. BURT asked Mr. Mr. E. T. Richards a third question.

MR. E. D. G. BURT asked Mr. Mr. E. T. Richards a supplementary question.

MR. E. D. G. BURT asked Mr. Mr. E. T. Richards a second supplementary question.

MR. M. J. SCOTT asked Mr. Mr. E. T. Richards a supplementary question.

MR. M. J. SCOTT asked Mr. Mr. E. T. Richards a second supplementary question.

MS. K. N. WILSON asked Mr. Mr. E. T. Richards a supplementary question.

MS. K. N. WILSON asked Mr. Mr. E. T. Richards a second supplementary question.

MR. W. L. FURBERT asked Mr. Mr. E. T. Richards a supplementary question.

MR. W. L. FURBERT asked Mr. Mr. E. T. Richards a second supplementary question.

MR. Z. J. S. DESILVA asked Mr. Mr. E. T. Richards a question.

MR. Z. J. S. DESILVA asked Mr. Mr. E. T. Richards a second question.

MR. Z. J. S. DESILVA asked Mr. Mr. E. T. Richards a third question.

MR. Z. J. S. DESILVA asked Mr. Mr. E. T. Richards a supplementary question.

MR. W. L. FURBERT asked Mr. Mr. E. T. Richards a supplementary question.

MR. W. L. FURBERT asked Mr. Mr. E. T. Richards a second supplementary question.

MR. C. W. BROWN asked Mr. Mr. E. T. Richards a supplementary question.

MR. C. W. BROWN asked Mr. Mr. E. T. Richards a supplementary question.

MR. Z. J. S. DESILVA asked Mr. Mr. E. T. Richards a supplementary question.

MS. K. N. WILSON asked Mr. Mr. E. T. Richards a supplementary question.

MR. C. W. BROWN asked Mr. Mr. E. T. Richards a supplementary question.

MR. W. L. SCOTT asked Mr. Mr. E. T. Richards a supplementary question.

MS. P. J. GORDON-PAMPLIN provided written responses on questions from Mr. Z. J. DeSilva.

MR. M. H. DUNKLEY provided written responses on questions from Mr. W. H. Roban.

**12:05 p.m.**

MR. G. A. BLAKENEY asked Mr. R. W. Scott a question on his Ministerial Statement on the Mirror's Open House.

MS. L. F. FOGGO asked Mr. M. H. Dunkley a question on his Ministerial Statement on the Gun Bounty.

MS. L. F. FOGGO asked Mr. M. H. Dunkley a second question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a question on his Ministerial Statement on Immigration Matters.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a second question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a third question.

MR. E. D. G. BURT asked Mr. M. H. Dunkley a question on his Ministerial Statement on the Gun Bounty.

MR. E. D. G. BURT asked Mr. M. H. Dunkley a supplementary question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a third question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a supplementary question.

MS. K. N. WILSON asked Mr. M. H. Dunkley a question.

**12:19p.m.**

**Congratulatory and Obituary Speeches:**

MS. K. N. WILSON sent condolences to the family of late Ms. Hope Bascome, an educator of 4 decades, associated Mr. M. J. Scott, Mr. W. L. Furbert, Mr. T. E. Lister, and Mr. D. P Lister.

MR. J. C. SOUSA congratulated Pastor Castro of Vernon Temple AME Church as he was honoured at his farewell ceremony and noted he will be presiding over 15 Churches overseas.

MS. L. F. FOGGO congratulated Ms. Darleen Hartley, producer of "Climbing Jacob's Ladder".

MS. L. K. SOTT congratulated Mr. Johnny Barnes who celebrated his 90th Birthday on Sunday; associated Ms. S. Roberts-Holshouser and Mr. J. C. Sousa; condolences to the family of late Bishop Christopher Haynes.

MR. Z. J. S. DESILVA associated himself with remarks for Mr. Pedro Castro.

MR. L. C. CANNONIER expressed condolences to the family of Mrs. Marie Frances Simons grandmother of P. S. Mr. Marc Telemaque; condolences Hurbert James Cornes and William A Black; congratulations to Ms. Margaret Farguesson on her 60th Birthday.

MR. D. P. LISTER associated himself with tributes paid to Ms. Hope Bascome.

### 12:30 p.m.

MR. L. C. CANNONIER moved that the House do now recess for lunch, which was agreed to.

The SPEAKER ordered that the House resume at 2:00 p.m.

### 2:00 p.m.

The House Resumed.

MR. W. L. SCOTT associated himself with congratulatory remarks to his father Hon. Alex Scott on being awarded the C.B.E in Queens Birthday Honours; recognized him as former Premier and Social and Community Activist.

MR. G. C. SMITH expressed condolences to the family of the late Mr. William Black, former policeman, Hamilton City Counselor and founder of very successful security company.

MR. M. J. SCOTT associated himself with the late Ms. Hope Bascome, a wonderful Sandy's woman.

MR. M. H. DUNKLEY associated himself with congratulating remarks to Hon. W. A. Scott; congratulations to Mr. Clement Talbot on his M. B.

E. Award in the Queen's Birthday Honours; congratulations to Ms. Michelle Simmons on her retirement as Principal of Berkeley Institute after 20 years of service; congratulations to organizers of the second Annual Bermuda Highland Games and the Caledonian Society of Bermuda President Mr. Scott Devin; congratulations to Awardees of the Department of Corrections Annual Long Service and Perfect Attendance Presentation and Reception; condolences for the passing of Ms. Marie Francis; associated himself with condolences to the family of the late Mr. James Cornes; associated himself with the condolences sent out to the family of the late Mr. William Black.

MR. M. A. R. BEAN congratulated Dalton E Tucker Primary School Principal and teachers on the schools 2013 graduates.

MS. J. J. ATHERDEN associated herself with congratulatory remarks for Mr. Clement Talbot on his MBE Award and recognized his tremendous role in Ross "Blackie" Talbot Charity Golf Tournament and the Ross "Blackie" Talbot Foundation; associated herself with condolences for Mr. William Black.

MR. R. P. COMMISSIONG congratulated Dr. Kyjuan Brown on the opening of his own medical practice described as an extraordinary individual and an excellent role model and associated Mr. M. H. Dunkley and Mr. R. W. E. Scott.

MR. R. W. E. SCOTT associated himself with remarks for Dr. Kyjuan Brown and associated Mr. W. A. Scott; congratulations to Ms. Lisa Blackburn on great success in the Masters Swimming events; congratulated Mr. Dominique Mayho on her Bermuda Cycling Championship; and congratulations to Ms. Karen Bordage also a Bermuda Cycling Championship winner.

MR. E. D. G. BURT congratulated Mr. Stanfield Smith on his retirement as principal of Northlands Primary School and associated Ms. L. F. Foggo and Mr. C. W. D. Brown.

### 2:19 a.m.

#### Introduction of Bills:

MR. R. W. E. SCOTT moved for leave to introduce and read for the first time by their title Bill entitles the "Financial Assistance Amendment Act 2013" and the "Child Care Allowance Amendment Act 2013".

MR. M. H. DUNKLEY moved for leave to introduce and read on behalf of Dr. E. G. Gibbons for their first

time by their titles the “Bermuda Government Scholarship Amendment Act 2013” and the “Mortgaging of Aircraft and Aircraft Engines Amendment Act 2013”.

MR. E. T. RICHARDS moved for leave to introduce and read for the first time by its title a Bill entitled the “Public Service Superannuation Amendment Act 2013”.

**2:22 p.m.**

On motion of MR. M. H. DUNKLEY the Bill entitled the “Auxiliary Bicycles Amendment Act 2013” was then read a second time

2:25 p.m. - MR. W. L. SCOTT

2:26 p.m. - MR. M. H. DUNKLEY

The Bill was committed.

MS. S. ROBERTS-HOLSHOUSER in the chair.

MR. M. H. DUNKLEY moved Clauses 1-3

2:28 p.m. - MR. W. L. SCOTT

2:29 p.m. - MR. M. H. DUNKLEY

2:29 p.m. - MR. D. V. BURGESS

2:30 p.m. - MR. M. H. DUNKLEY

2:30 p.m. - MR. D. V. BURGESS

2:31 p.m. - MR. M. H. DUNKLEY

2:31 p.m. - MR. D. V. BURGESS

2:31 p.m. - MS. S. ROBERTS-HOLSHOUSER

2:32 p.m. - MS. L. F. FOGGO

2:33 p.m. - MR. M. H. DUNKLEY

2:33 p.m. - MR. Z. J. S. DESILVA

2:35 p.m. - MS. L. F. FOGGO

2:37 p.m. - MR. W. L. SCOTT

2:37 p.m. - MR. N. H. C. SIMONS

2:38 p.m. - MR. G. A. BLAKENEY

2:45 p.m. - MR. M. J. PETTINGILL

2:50 p.m. - MR. W. L. FURBERT

2:51 p.m. - MS. S. E. JACKSON

2:53 p.m. - MR. M. H. DUNKLEY

Clauses 1 – 3, as printed, were agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Chair reported the adoption of the Bill, as printed, which was agreed to.

Items Number 2 and 3 on the Order Paper were carried over to the next day of meeting.

**2:59 p.m.**

MR. C. W. D. BROWN moved that the following Resolution be now taken under consideration:-

“Whereas ensuring integrity and transparency in the electoral process is a cornerstone of democracy; be it resolved that this Honourable House establish a Select Committee on elections with the mandate of examining and reviewing any matter relating to elections and report its findings and recommendations to Parliament.”

**3:00 p.m.**

MR. M. H. DUNKLEY moved that Mr. C. W. D. Brown's motion be amended to read as follows:-

”That this Honourable House take note of the measures to be taken by the Government of Bermuda to examine and resolve the challenges relating to Bermuda elections and the electoral process”.

**3:05 p.m.**

The SPEAKER ruled that the amendment put forward by Mr. M. H. Dunkley was in order.

**3:15 p.m.**

MR. M. H. DUNKLEY'S amendment was put to vote.

- which on division, was tied 15 Noes, Ayes 15.

There being a tie vote on division, His Honour the Speaker was entitled to a casting vote under Standing Order 26(6) (iii).

His Honour the Speaker casted a Noe vote after the tie vote on the Division.

- which on casted vote, was defeated,  
16 Noes, Ayes 15

**Ayes**

1. Ms. J. J. Atherden
2. Mr. L. C. Cannonier
3. Mr. M. H. Dunkley
4. Mrs. P. J. Gordon-Pamplin
5. Ms. S. Roberts-Holshouser
6. Ms. S. E. Jackson
7. Mr. T. G. Moniz

8. Mr. M. J. Pettingill
9. Mr. E. T. Richards
10. Mr. S. D. Richards
11. Ms. L. K. Scott
12. Mr. R. W. Scott
13. Mr. N. H. C. Simons
14. 17. Mr. G. Smith
15. Mr. J. C. Sousa

- 4:45 p.m. - MR. W. L. SCOTT  
 4:51 p.m. - MR. R. P. COMMISSIONG  
 5:05 p.m. - MR. W. H. ROBAN  
 5:28 p.m. - MR. E. D. G. BURT  
 5:30 p.m. - MR. L. C. CANNONIER  
**4:40 p.m.**

The House adjourned to Friday, 28st June, 2013 at 10:00 a.m.

**Noes**

1. Mr. M. A. R. Bean
2. Mr. G. A. Blakeney
3. Mr. C. W. D. Brown
4. Mr. D. V. Burgess
5. Mr. E. D. G. Burt
6. Mr. R. P. Commissiong
7. Mr. Z. J. S. DeSilva
8. Ms. L. F. Foggo
9. Mr. W. L. Furbert
10. Mr. D. P. Lister
11. Mr. W. H. Roban
12. Mr. M. J. Scott
13. Mr. W. L. Scott
14. Mr. M. A. Weeks
15. Mrs. K. N. Wilson
16. His Honour the Speaker

- 3:17 p.m. - MR. C. W. D. BROWN  
 3:45 p.m. - MR. T. G. MONIZ  
 3:56 p.m. - MR. M. A. R. BEAN  
 4:00 p.m. - MS. P. J. GORDON-PAMPLIN  
 4:07 p.m. - MR. E. D. G. BURT  
 4:08 p.m. - MR. C. W. D. BROWN

MR. C. W. D. BROWN - Motion agreed to as printed.

Order numbers 5 and 6 were carried over to the next day of meeting.

**4:12 p.m.**

MR. M. H. DUNKLEY moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Auxiliary Bicycles Amendment Act 2013” be now read the third time and passed, which was agreed to.

**4:13 p.m.**

MR. L. C. CANNONIER moved that the House do adjourn to Friday, 28th June, 2013, which was agreed to.

- 4:13 p.m. - MR. C. W. D. BROWN  
 4:26 p.m. - MS. K. N. WILSON