

Proceedings
of the
Honourable House of Assembly
Session of 2023-2024

No. 6

Friday, 9th February, 2024

Members Present:

His Honour, the Speaker of the House, the Hon. Dennis P. Lister| Mr. Jache A. K. Adams| Lt. Col. the Hon. David A. Burch| The Hon. Derrick V. Burgess| The Hon. E. David G. Burt| Mr. Wayne M. Caines| The Hon. Vance M. E. Campbell| The Hon. L. Craig Cannonier| Ms. Lovitta F. Foggo| The Hon. Tinée S. Furbert| The Hon. Jason P. Hayward | Ms. Susan E. Jackson| Mr. Dennis J. R. Lister| Mrs. Renée D. L. Ming| The Hon. Jarion C. Richardson| The Hon. Walter H. Roban| Mr. W. Lawrence A. Scott| Mrs. Ianthia G. Simmons-Wade| Mr. Ben A. Smith| Mr. H. Kim E. Swan| Mr. Neville S. Tyrrell| The Hon. Michael A. Weeks|

This meeting of the House was held at the House Chamber, 3rd Floor, Veritas Place, 65 Court Street, City of Hamilton.

10:00 a.m.

His Honour the Speaker in the Chair.

Prayers

10:02 a.m.

Minutes of the Meeting of 15th December, 2023 were confirmed.

Announcements by the Speaker

His Honour the Speaker informed Members of the absence of the Hon. W. L. Furbert, the Hon. K. N. Wilson, the Hon. D. V. S. Rabain, Mr. T. C. Famous, Mr. J. R. W. Wade, Ms. C. C. Caesar, Mr. J. S. Simmons, Mr. C. L. Dickinson, the Hon. M. H. Dunkley and Mr. R. S. Pearman from the House of Assembly proceedings.

Papers and Other Communications to the House

10: 04 a.m.

The Hon. J. P. Hayward, Minister of Economy and Labour, read the following communication to His Honour the Speaker:-

“I have the honour to attach and submit for the information of the Honourable House of Assembly the “National Training Board Report 2019-2023 .”

The Hon. J. P. Hayward, Minister of Economy and Labour, read the following communication to His Honour the Speaker:-

“I have the honour to attach and submit for the information of the Honourable House of Assembly the “Ministry of Economy and Labour, Department of Labour-Procedural Guidance for Determining What Constitutes Work Regularly Performed to a Substantial Degree Pursuant to the Employment (Protection of Employee Tips and Other Gratuities) Amendment Act 2023 ”

Statements by Ministers and Junior Ministers

10:05 a.m.

Statement entitled “National Training Board Annual Report 2019-2023” was read by the Hon. J. P. Hayward, Minister of Economy and Labour.

10:10 a.m.

Statement entitled “Employment Act Procedural Guidance for Determining Substantial Degree Work with Respect to the Distribution of Tips and Other Gratuities” was read by the Hon. J. P. Hayward, Minister of Economy and Labour.

10:15 a.m.

Statement entitled “Addressing Street Harassment” was read by the Hon. M. A. Weeks, Minister of National Security.

10:19 a.m.

Statement entitled “The Office of the Privacy Commissioner for Bermuda” was read by the Hon. V. M. E. Campbell, Minister for the Cabinet Office.

10:27 a.m.

His Honour the Speaker reminded Members of Standing Order 17 (11) (i) in reference to Premier's Questions:-

"During the second Friday of each month that the House is in session, there shall be a Premier's Question Period at the time designated in the Order of Business. Premier's question time shall not exceed thirty (30) minutes."

Premier's Questions

10:28 a.m.

The Hon. J. C. Richardson asked a question based on media reports.

10:29 a.m.

The Hon. E. D. G. Burt asked His Honour the Speaker if the question can be rephrased, according to Standing Order 17 5(c):-

"If a question contains a statement of fact, the Member asking it shall make himself responsible for the accuracy of the statement, and no question shall be based upon a newspaper report or upon an unofficial publication."

The Hon. J. C. Richardson rephrased the question.

10: 30 a.m.

The Hon. E. D. G. Burt replied.

The Hon. J. C. Richardson asked a supplementary question.

The Hon. E. D. G. Burt replied.

10:31 a.m.

The Hon. J. C. Richardson asked a second supplementary question.

The Hon. E. D. G. Burt replied.

10:32 a.m.

His Honor the Speaker reminded the Hon. J. C. Richardson on Standing Order 18 (5) (h):-

"A question shall not solicit the expression of an opinion, or the solution of an abstract legal question or of a hypothetical proposition."

The Hon. J. C. Richardson asked a second question.

The Hon. E. D. G. Burt replied.

10:33 a.m.

The Hon. J. C. Richardson asked a supplementary question.

The Hon. E. D. G. Burt replied.

The Hon. J. C. Richardson asked a second supplementary question.

The Hon. E. D. G. Burt replied.

10:34 a.m.

The Hon. J. C. Richardson- PoC

10:35 a.m.

The Hon. J. C. Richardson asked a third question.

The Hon. E. D. G. Burt asked if the question can be rephrased.

10:36 a.m.

The Hon. J. C. Richardson rephrased his question.

The Hon. E. D. G. Burt replied.

10:37 a.m.

The Hon. J. C. Richardson asked a supplementary question.

10:38 a.m.

The Hon. E. D. G. Burt replied.

10:40 a.m.

Mr. B. A. Smith asked a question.

10:41 a.m.

The Hon. E. D. G. Burt replied.

10:42 a.m.

Mr. B. A. Smith asked a second question.

His Honour the Speaker asked for the question to be repeated.

Mr. B. A. Smith repeated the question.

The Hon. E. D. G. Burt replied.

10:43 a.m.

Ms. S. E. Jackson asked a question.

The Hon. E. D. G. Burt replied.

10:46 a.m.

Ms. S. E. Jackson asked a supplementary question.

The Hon. E. D. G. Burt replied.

10:48 a.m.

Mr. J. A. K. Adams asked a question.

The Hon. E. D. G. Burt replied.

Mr. J. A. K. Adams asked a supplementary question.

10:50 a.m.

The Hon. E. D. G. Burt replied.

10:52 a.m.

Mr. J. A. K. Adams asked a second supplementary question.

The Hon. E. D. G. Burt replied.

10:54 a.m.

Mrs. I. G. Simmons-Wade asked a question.

10:55 a.m.

The Hon. E. D. G. Burt replied.

10:56 a.m.

Mrs. I. G. Simmons-Wade asked a second question.

The Hon. E. D. G. Burt replied.

10:58 a.m.

The Hon. L. C. Cannonier asked a question.

The Hon. E. D. G. Burt informed His Honour the Speaker he will endeavor to get the answer to the question.

Premier's question time expired.

Question Period

10:59 a.m.

The Hon. J. C. Richardson asked the Hon. J. P. Hayward a question in reference to the Ministerial Statement entitled "National Training Board Annual Report 2019-2023".

The Hon. J. P. Hayward replied.

11:01 a.m.

The Hon. J. C. Richardson asked the Hon. J. P. Hayward a second question.

11:02 a.m.

The Hon. J. P. Hayward replied.

11:05 a.m.

Ms. S. E. Jackson asked the Hon. M. A. Weeks a question in reference to the Ministerial Statement entitled "Addressing Street Harassment".

The Hon. M. A. Weeks replied.

11:07 a.m.

Ms. S. E. Jackson asked a supplementary question.

11:08 a.m.

The Hon. M. A. Weeks replied.

Congratulatory and Obituary Speeches (Please refer to the House Hansard)

11:10 a.m.- The Hon. W. H. Roban

11:13 a.m.- Mr. N. S. Tyrrell

11:15 a.m.- The Hon. M. A. Weeks

11:16 a.m.- The Hon. J. P. Hayward

11:18 a.m.- Mrs. I. G. Simmons-Wade

11:19 a.m.- Mr. H. K. E. Swan

11:22 a.m.- Mr. D. J. R. Lister

11:24 a.m.- Lt. Col. the Hon. D. A. Burch

11:27 a.m.- Ms. S. E. Jackson

11:28 a.m.- The Hon. E. D. G. Burt

11:31 a.m.- The Hon. L. C. Cannonier

11:32 a.m.- His Honour the Speaker

Introduction of Bills

11:34 a.m.

The Hon. E. D. G. Burt, Premier and Minister of Finance introduced and read for the first time by its title a Bill entitled the "Registrar of

Companies (Annual Corporate Regulatory Fees) Act 2024”, with the Governor’s Declaration as per Section 2(1) of the Provisional Collection of Revenue Act 1975 that it is expedient in the public interest that the provisions of this Bill should have statutory effect from its First Reading in the House of Assembly.

The Hon. J. P. Hayward, Minister of Economy and Labour introduced and read for the first time by its title a Bill entitled the “Economic Development Amendment Act 2024”.

Orders of the Day

11:36 a.m.

The Hon. E. D. G. Burt moved that the Bill entitled the “Investment Business Amendment Act 2023” be now read a second time, which was agreed to.

The Hon. E. D. G. Burt spoke on the Bill.

11:49 a.m.- The Hon. J. C. Richardson

11:52 a.m.-The Hon. J. P. Hayward

12:03 p.m.-The Hon. E. D. G. Burt replied.

The Bill was committed.

12:04 p.m.

The Hon. D. V. Burgess in the Chair.

The Hon. E. D. G. Burt moved that the title of the Bill be amended to reflect the year 2024, and be read as the “Investment Business Amendment Act 2024”, which was agreed to.

The Hon. E. D. G. Burt moved Clauses 1-28, which was agreed to.

12:16 p.m.

The Hon. J. C. Richardson

12:21 p.m.

The Hon. E. D. G. Burt replied.

12:23 p.m.

Clauses 1-28 were agreed to, as printed.

12:24 p.m.

The Schedule was agreed to, as printed.

The Preamble was agreed to, as printed.

12:24 p.m.

The Hon. D. V. Burgess thanked the entire staff at the Bermuda Monetary Authority for the job they do keeping Bermuda at the forefront of international regulations, doing a great job making Bermuda number one.

The Committee rose.

12:25 p.m.

The House resumed.

His Honour the Speaker in the Chair.

The Bill was reported to the House as amended, which was agreed to.

The Hon. E. D. G. Burt moved that Standing Order 21 be suspended to enable him to move that the Bill entitled “Investment Business Amendment Act 2024” be now read a third time, which was agreed to.

12:26 p.m.

On the motion of the Hon. E. D. G. Burt, the Bill entitled “Investment Business Amendment Act 2024”, was then read a third time by its title only and passed.

The Hon. E. D. G. Burt moved that the House, at its rising, adjourn until Friday, 16th February, 2024 at 10:00 a.m., which was agreed to.

The Hon. E. D. G. Burt moved that the House do now adjourn, which was agreed to.

The Hon. D. V. Burgess

12:38 p.m.- The Hon. J. P. Hayward

12:57 p.m.-Mr. H. K. E. Swan

1:17 p.m.- The Hon. W. H. Roban

1:37 p.m.-His Honour the Speaker

1:38 p.m.

The House adjourned.