

BERMUDA

PROCEEDINGS OF THE SENATE

SESSION OF 2023 - 2024

No. 4

WEDNESDAY, 13th DECEMBER 2023

PRESENT:

Senator the Hon. Mrs. J.E. DILLAS-WRIGHT,
M.B.E., J.P. - PRESIDENT
Senator Ms. K.J. BELL, J.P. - VICE PRESIDENT
Senator R.J. WIGHT
Senator the Hon. O.K. DARRELL, J.P.
Senator Ms. A.J.L. HODGSON
Senator Ms. L.L. ROBINSON, J.P.
Senator Ms. L.K. SIMMONS
Senator Mrs. R.S. TUCKER
Senator D.V. ROBINSON, J.P.
Senator Dr. D.S.J. DeCOUTO, J.P.

ABSENT:

Senator Rev. Dr. E.G.A. DILL

10:03a.m.

On the motion of Senator K.J. Bell, consideration the minutes of the meeting of Wednesday, 29th November 2023 were taken as read and confirmed.

Announcements

10:03a.m.

Senator the Hon. the President announced Senator Rev. Dr. Emilygail Dill will be absent from today's meeting.

10:05a.m.

Senator the Hon. O.K. Darrell, on behalf of Senator Rev. Dr. E.G.A. Dill, presented for the information of Senate the "Financial Intelligence Agency Annual Reports for the Years 2021, 2022 and 2023".

10:06a.m.

Senator the Hon. O.K. Darrell, on behalf of Senator Rev. Dr. E.G.A. Dill, presented for the information of Senate the "Financial Intelligence Agency Audited Financial Statements for the Years 2021, 2022 and 2023".

Notices of Motion

10:06a.m.

Senator L.L. Robinson presented for the consideration of Senate the "Economic Development (Designation of Economic Empowerment Zone) (South East Hamilton) Order 2023", proposed to be made by the Minister responsible for the Bermuda Economic Development Corporation, in exercise of the power conferred by section 2A of the Economic Development Act 1968; and gave notice that at a later point in the meeting, she would move that the said draft Order be approved.

Ministerial Statements

Senator the Hon. O.K. Darrell, as Minister for Tourism, Culture and Sports, made a Ministerial Statement on "Community Holiday Celebrations".

10:13a.m

The following Public Bill was brought up from the Honourable House of Assembly, and given its First Reading in the Senate:-

"Bermuda Immigration and Protection (Prohibition Order) Amendment Act 2023".

Question Period

10:14a.m.

Senator R.S. Tucker asked a question to Senator the Hon. O.K. Darrell on his Ministerial Statement entitled "Community Holiday Celebrations".

Senator the Hon. O.K. Darrell replied.

Senator the Hon. O.K. Darrell provided Oral responses to the following Parliamentary Questions from Senator D.V. Robinson:-

*Q1. With respect to the Government Consultant Ms. Alexia Hefti, would the Honourable Minister please inform the Senate as to what benchmarks and deliverables are being used to measure the success of the Consultant in her role as Special Advisor on Middle Eastern Affairs and Policy?

Senator the Hon. O.K. Darrell replied.

Senator D.V. Robinson asked a supplementary question.

*Q2. Would the Honourable Minister please inform the Senate as to what specific developments or policy the Special Advisor has been able to contribute to or to progress strengthening Bermuda's competitiveness and economic opportunities in the Middle East since her appointment in April?

Senator the Hon. O.K. Darrell replied.

Senator R.S. Tucker asked a question.

Senator the Hon. O.K. Darrell replied.

Senator D.V. Robinson asked a supplementary question.

Senator Dr. D.S.J. DeCouto asked a question.

Senator the Hon. O.K. Darrell replied.

Senator K.J. Bell asked a question.

Senator the Hon. O.K. Darrell endeavoured to undertake getting the answer to the question posed by Senator Bell.

*Q3. Would the Honourable Minister please inform the Senate as to why both the Premier/Minister of Finance and the Deputy Premier needed to attend the 28th Conference of Parties (COP 28) in Dubai, United Arab Emirates, when we have the Special Advisor on the Government payroll to look out for Bermuda's interests in the region?

Senator D.V. Robinson asked a supplementary question.

10:44a.m.

Madam President acknowledged the presence of Lt. Col. the Hon. D.A. Burch, Minister of Public Works, in the Public Gallery and Mrs. Gina Hurst-Maybury, Permanent Secretary for the Ministry of Legal Affairs, in the Chamber.

Senator the Hon. O.K. Darrell provided Oral responses to the following Parliamentary Questions from Senator Dr. D.S.J. DeCouto:-

*Q1. Would the Honourable Minister please provide the Senate with a list of all dates and destinations of travel by all Cabinet Ministers from 1st January 2022 to today that is not already listed on the Government travel calendar published on <https://www.gov.bm/travel-calendar> inclusive of COP28 in Dubai.

Senator the Hon. O.K. Darrell replied.

*Q2. For every trip in Question 1, would the Honourable Minister please provide the Senate with the full value of travel expenses and source of the funds. For trips currently underway (ie. COP28) or in the process of being booked, please provide the budgeted amount allocated and broken down into airfare, accommodation, per diem costs etc.

Senator the Hon. O.K. Darrell replied.

*Q3. For each trip in Question 1, would the Honourable Minister please inform the Senate of the purpose and outcome, including key meetings and attendees.

Senator the Hon. O.K. Darrell reverted to his answer to Question 1 and endeavoured to get further information to the question to provide on Monday, 18th December 2023.

Senator Dr. D.S.J. DeCouto asked a supplementary question.

Senator the Hon. O.K. Darrell replied.

On behalf of Senator Rev. Dr. E.G.A. Dill, Senator the Hon. O.K. Darrell provided Oral responses to the following Parliamentary Questions from Senator R.S. Tucker:-

*Q1. Would the Junior Minister please inform the Senate as to the total number of non-Bermudians who have served a term of imprisonment overseas for a sexual offence, and have had their names added to the Sex Offenders Register upon becoming resident in Bermuda between January 2013 and November 2023?

Senator the Hon. O.K. Darrell replied.

Senator R. S. Tucker asked a supplementary question.

Senator the Hon. O.K. Darrell replied.

*Q2. Would the Junior Minister please inform the Senate as to what evidence must a sexual offender provide to demonstrate that they no longer present a risk of re-offending that would enable them to have time listed on the Sex Offenders Register reduced?

Senator the Hon. O.K. Darrell replied.

Senator R. S. Tucker asked a supplementary question.

Senator the Hon. O.K. Darrell replied.

Senator R. S. Tucker asked a second supplementary question.

Senator the Hon. O.K. Darrell replied.

*Q3. Given that the Government committed to create an electronic Sex Offenders Register “to provide comprehensive and current data on sex offenders to facilitate more targeted notification to members of the public”, would the Junior Minister please inform the Senate as to whether the electronic register has been created and, if so, when did it become operational?

Senator the Hon. O.K. Darrell replied.

Senator R. S. Tucker asked a supplementary question.

Senator the Hon. O.K. Darrell replied.

Orders of the Day

11:02a.m.

Senator L.L. Robinson moved that Senate do now take under consideration the Proposed ‘Agreement for Sale between Gardine Izetta Gibbons and the Government of Bermuda regarding all that southernmost strip of land to be subdivided from property situate at 18 Secretary Lane, St George’s GE 05’, in accordance with the provisions of Section 2(1)(a) of the Acquisition of Land Act 1970 — which was agreed to.

Senator L.L. Robinson spoke on the Sale Agreement.

11:21a.m. - Senator Dr. D.S.J. DeCouto

11:23a.m. - Senator R.J. Wight

11:23a.m. - Senator the Hon. O.K. Darrell

11:25a.m. - Senator L.L. Robinson moved that the Proposed Sale Agreement be approved — which was agreed to.

11:26a.m.

Senator L.L. Robinson moved that Standing Order 71(2) be suspended so that Senate may now proceed with consideration of the “Economic Development (Designation of Economic Empowerment Zone) (South East Hamilton) Order 2023” — which was agreed to.

Senator L.L. Robinson moved that Senate do now take under consideration the “Economic Development (Designation of Economic Empowerment Zone) (South East Hamilton) Order 2023”, proposed to be made by the Minister responsible for the Bermuda Economic Development Corporation, in exercise of the power conferred by section 2A of the Economic Development Act 1968 — which was agreed to.

Senator L.L. Robinson spoke on the draft Order.

11:37a.m. - Senator Dr. D.S.J. DeCouto

11:40a.m. - Senator R.J. Wight

11:41a.m. - Senator D.V. Robinson

11:43a.m. - Senator L.L. Robinson replied.

11:45a.m. - Senator Dr. D.S.J. DeCouto

11:46a.m. - Senator L.L. Robinson replied.

11:51a.m. - Senator L.L. Robinson moved that the said draft Order be approved and that the following Message be sent to Her Excellency the Governor:-

“MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration the draft Order entitled the “Economic Development (Designation of Economic Empowerment Zone) (South East Hamilton) Order 2023”, proposed to be made by the Minister responsible for the Bermuda Economic Development Corporation, in exercise of the power conferred by section 2A of the Economic Development Act 1968, has the honour to inform Your Excellency that the Senate has approved the said draft Order.”

— which was agreed to and ordered accordingly.

11:52a.m.

Senator L.L. Robinson moved that the provisions of Standing Order 25 be granted so that Senate may proceed with the Second Reading of the Public Bill entitled “Bermuda Immigration and Protection (Prohibition Order) Amendment Act 2023”, which was agreed to

Senator L.L. Robinson moved that the Public Bill entitled the “Bermuda Immigration and Protection (Prohibition Order) Amendment Act 2023” be now read the second time.

Senator L.L. Robinson spoke on the Bill.

11:56a.m. - Senator R. S. Tucker

11:58a.m. - Senator D.V. Robinson

11:59a.m. - Senator Dr. D.S.J. DeCouto

12:00p.m. - Senator R.J. Wight

12:01p.m. - Senator L.L. Robinson replied.

The Bill was accordingly read a second time.

Senator L.L. Robinson moved that Standing Order 26 be suspended in respect of this Bill —which was agreed to.

Senator L.L. Robinson moved that the Bill be now read a third time — which was agreed to.

The Bill was accordingly read a third time.

Senator L.L. Robinson moved that the Bill entitled the “Bermuda Immigration and Protection (Prohibition Order) Amendment Act 2023” do now pass — which was agreed to.

The Bill was accordingly passed and ordered to be laid before Her Excellency the Governor for Her Excellency’s assent.

Congratulatory and/or Obituary Speeches

12:05p.m.

Senator L.K. Simmons offered congratulations to all of the finalists of the 2023 Bermuda Education Network Outstanding Teacher of the Year Awards. Senator Simmons also thanked all those who donated to Angel Tree.

Senator R.J. Wight offered condolences to the family of Ms. Kim Burns who recently passed.

Senator Dr. D.S.J. DeCouto offered best wishes to the young sailors, PJ Rodrigues and Christian Ebbin, currently in Brazil competing in the Allianz Youth Sailing World Championship.

Senator R.S. Tucker associated herself with the congratulations extended to the 2023 Bermuda Education Network Outstanding Teacher of the Year Award finalists. She also extended condolences to the family of Mr. Steve Parkes, and Mr. Outerbridge, both victims of gun violence.

Senator L.L. Robinson associated herself with the condolences extended to the family of Ms. Kim Burns.

Senator K.J. Bell associated herself with all the comments, with special attention to the condolences extended to the family of Ms. Kim Burns.

PRESIDENT

Senator the Hon. O.K. Darrell congratulated Mr. Derek Simmons on the release of his album 'Lunar'. He also congratulated BMDS on their production of 'Cinderella' pantomime. Senator the Hon. O.K. Darrell also congratulated the organisers of the Market Place Santa Parade and the organisers of Skyport for hosting the Carol-Off.

ORDERS OF THE DAY

Monday – 18th December 2023

Madam President associated herself with the condolences extended to the family of Ms. Kim Burns. She also extended condolences to the family of Mrs. Patricia Ann Phillips and the family of Mrs. Mary Elizabeth Franks.

NIL

Senator L.K. Simmons offered condolences to Senator A.J.L. Hodgson and her family on the passing of her grandfather.

12:20p.m.

Senator the Hon. O.K. Darrell moved that, at its rising, the Senate adjourn to Monday, 18th December 2023 – which was agreed to.

Senator the Hon. O.K. Darrell moved that the Senate do now adjourn – which was agreed to.

12:21p.m. - Senator L.K. Simmons

12:30p.m. - Senator R.S. Tucker

12:41p.m. - Senator D.V. Robinson

12:48p.m. - Senator A.J.L. Hodgson

12:55p.m. - Senator Dr. D.S.J. DeCouto

1:01p.m. - Senator the Hon. O.K. Darrell

1:19p.m.

Adjourned until Monday, 18th December 2023.