



SENATE OF BERMUDA

Official Senate Minutes

December 03, 2014

Electronic Version

Senator the Hon. Carol A.M. Bassett, JP

President

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BERMUDA

PROCEEDINGS OF THE SENATE

SESSION OF 2014-2015

No. 4

WEDNESDAY, 3rd DECEMBER, 2014

PRESENT:

Senator Mrs. J.E. DILLAS-WRIGHT,
M.B.E., J.P., VICE-PRESIDENT
Senator J.S. JARDINE, J.P.
Senator the Hon. M.M. FAHY, J.P.
Senator Ms. A.L. SWAN, J.P.
Senator J.C. BARON, J.P.
Senator V.E.R.C. BALL, J.P.
Senator D.V.S. RABAIN, J.P.
Senator Ms. R.D.L. MING, J.P.
Senator M.G. DANIELS, J.P.

**Senator Mrs. J.E. Dillas-Wright in
the Chair as Acting President.**

10:02a.m.

On the motion of Senator J.S. Jardine, the minutes of the meeting of Wednesday, 26th November 2014 were taken as read and confirmed.

The following Message was received from the Honourable House of Assembly and read by the Clerk:-

(No. 5)

**TO THE HONOURABLE THE PRESIDENT
AND MEMBERS OF THE SENATE:**

The House of Assembly has the honour to inform your Honourable House of a Resolution approved in the House on 21st November, 2014. The Resolution reads as follows:

“BE IT RESOLVED that this Honourable House establish a Joint Select Committee to examine, review and make recommendations and report to this Honourable House its findings on existing legislation on sex offenders and protecting children from sexual abuse, including the necessity for a public sex offenders’ register along with other pertinent matters relating to convicted sex offenders.”

Therefore, I seek your approval and invite you to appoint two representatives from the Senate to serve on the Joint Select Committee.

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

**Sessions House
2nd December 2014**

Senator the Hon. M.M. Fahy presented for the information of Senate a copy of the ‘UK Letter of Entrustment regarding the proposal that the Government of Bermuda contract with the Canadian Commercial Corporation to redevelop the L.F. Wade International Airport’, as issued by the Secretary of State in the Foreign and Commonwealth Office and dated 10th November 2014.

10:04a.m.

Further to the Message received from the Honourable House of Assembly, Senator Mrs. J.E. Dillas-Wright, in the Chair as Acting President, put the question to Senate as to whether Senators approved of the Resolution passed by the House and the invitation to appoint two Senators to serve as Senate’s representatives on the noted Joint Select Committee. Senators agreed to the approval of the Resolution and the appointment of two Senators to the JSC.

Madam Acting President then announced the appointment of Senator Ms. R.D.L. Ming and Senator Mrs. L.A. Woolridge to serve as Senate’s representatives on the JSC. Madam Acting President ordered that a suitable Message be sent to the House of

Assembly informing the Speaker and Members of the House that Senate had agreed to the establishment of the Joint Select Committee, and about the appointment of Senators Ming and Woolridge to serve on the JSC.

Senator the Hon. M.M. Fahy presented for the consideration of Senate the draft Regulations entitled “The Government Fees Amendment (No. 5) Regulations 2014”, proposed to be made by the Minister of Finance under the provisions of section 2 of The Government Fees Act 1965; and he gave notice that at the next day of meeting he would move that the said draft Regulations be approved.

Senator the Hon. M.M. Fahy presented for the consideration of Senate the draft Regulations entitled “The Charities (Anti-Money Laundering, Anti-Terrorist Financing and Reporting) Regulations 2014”, proposed to be made by the Minister responsible for charities, under the provisions of sections 38 and 47 of The Charities Act 2014, after consultation with the NAMLC; and he gave notice that at the next day of meeting he would move that the said draft Regulations be approved.

Statements

10:07a.m.

Senator the Hon. M.M. Fahy, as Minister of Home Affairs, made a Ministerial Statement regarding the Commencement Day Delay of the “2014 Work Permit Policy”.

(10:15a.m. Madam Acting President acknowledged the presence of the Shadow Minister of External Affairs, Mr. C. Walton D. Brown, JP, MP in the Public Gallery.)

Senator Ms. A.L. Swan, as Junior Minister for Community, Culture and Sports, made a Ministerial Statement on “The

MIRRORS Programme 2014 Welcome Home Ceremony”.

Senator V.E.R.C. Ball, as Junior Minister for Tourism Development and Transport, made a Ministerial Statement providing an “Update on the Minibus Industry” in Bermuda.

Senator the Hon. M.M. Fahy, as Minister of Home Affairs, made a Ministerial Statement providing an “Update on Charity Law Reform”.

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

“The Fire Safety Act 2014”.

Questions/Question Period

10:35a.m.

Senator D.V.S. Rabain asked Senator the Hon. M.M. Fahy a question regarding the 2014 Work Permit Policy.

Senator Fahy replied.

Senator Rabain asked Senator Fahy a second question. Senator Fahy replied.

Senator Rabain asked Senator Fahy a third question. Senator Fahy replied.

Senator Ms. R.D.L. Ming asked Senator Fahy a question. Senator Fahy replied.

Senator M.G. Daniels asked Senator Fahy a question. Senator Fahy replied.

Senator M.G. Daniels asked Senator Fahy a supplementary question. Senator Fahy replied.

Senator M.G. Daniels asked Senator Fahy a second question. Senator Fahy replied.

Senator Ms. R.D.L. Ming asked Senator Fahy a second question. Senator Fahy replied.

10:55a.m.

Senator D.V.S. Rabain asked Senator Ms. A.L. Swan a question regarding the MIRRORS Programme 2014 Welcome Home Ceremony.

Senator Swan replied and gave an undertaking to provide the answer to Senator Rabain.

Senator Ms. R.D.L. Ming asked Senator Swan a question. Senator Swan gave an undertaking to provide an answer at a later date.

Senator D.V.S. Rabain asked Senator the Hon. M.M. Fahy a question regarding Charities Law Reform.

Senator Fahy replied

Senator Ms. R.D.L. Ming asked Senator Fahy a question. Senator Fahy replied.

Senator Ming asked Senator Fahy a supplementary question. Senator Fahy replied.

Orders of the Day

11:06a.m.

Senator the Hon. M.M. Fahy moved for leave of the Senate to consider Item numbers 1 and 2 on the Order Paper simultaneously, as the two Public Bills are related and have very similar provisions -- which was agreed to.

Senator the Hon. M.M. Fahy moved that the Public Bills entitled “The International Cooperation (Tax Information Exchange Agreements) Amendment Act 2014” and “The U.S.A. – Bermuda Tax Convention Amendment Act 2014” be now read a second time -- which was agreed to.

11:13p.m. Senator D.V.S. Rabain spoke on the Bills.

11:13p.m. Senator J.S. Jardine.

11:14p.m. Senator Fahy replied.

The 2 said Bills were accordingly read a second time.

Senator the Hon. M.M. Fahy moved that Standing Order 26 be suspended in respect of these Bills -- which was agreed to.

Senator the Hon. M.M. Fahy moved that the 2 said Bills be now read a third time - which was agreed to.

The Bills were accordingly read a third time.

Senator the Hon. M.M. Fahy moved that the 2 Bills entitled “The International Cooperation (Tax Information Exchange Agreements) Amendment Act 2014” and “The U.S.A. – Bermuda Tax Convention Amendment Act 2014” do now pass -- which was agreed to.

The 2 said Bills were accordingly passed and ordered to be laid before His Excellency the Governor for His Excellency’s assent.

11:15a.m.

Senator Ms. A.L. Swan moved that the Public Bill entitled “The Children Amendment Act 2014” be now read a second time -- which was agreed to.

(11:30a.m. Madam Acting President acknowledged the presence of the Minister of Tourism Development and Transport, the

Hon. Shawn Crockwell, JP, MP and Community. Culture and Sports Permanent Secretary, Mr. Wayne Carey, in the Chamber.)

11:30a.m. Senator D.V.S. Rabain spoke on the Bill.
 11:34a.m. Senator J.S. Jardine.
 11:36a.m. Senator Ms. R.D.L. Ming.
 11:39a.m. Senator Swan replied.

The Bill was accordingly read a second time.

Senator Ms. A.L. Swan moved that Standing Order 26 be suspended in respect of this Bill -- which was agreed to.

Senator Ms. A.L. Swan moved that the Bill be now read a third time -- which was agreed to.

The Bill was accordingly read a third time.

Senator Ms. A.L. Swan moved that the Bill entitled "The Children Amendment Act 2014" do now pass -- which was agreed to.

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

Congratulatory &/or Obituary Speeches

11:38a.m.

Senator J.S. Jardine congratulated the Minister of Education and Economic Development and his Ministry officials on the naming of Bermuda as the host site for the 2017 Americas Cup regatta, which he noted was a tremendous achievement for Bermuda. All Senators associated themselves with these remarks.

Senator M.G. Daniels offered Happy Birthday Wishes to Mr. Alexander Daniels.

11:40a.m.

Senator the Hon. M.M. Fahy moved that the Senate do now adjourn – which was agreed to.

11:41a.m. Senator D.V.S. Rabain.
 11:52a.m. Senator M.G. Daniels.
 12:07p.m. Senator V.E.R.C. Ball.
 12:10p.m. Senator Ms. R.D.L. Ming.

(12:21p.m. Madam Acting President acknowledged the presence of the Premier, Hon. Michael H. Dunkley, JP, MP, in the Public Gallery.)

12:21p.m. Senator M.M. Fahy.

12:30p.m.

Adjourned until Wednesday, 10th December, 2014.

PRESIDENT

ORDERS OF THE DAY

Wednesday – 10th December, 2014

- (1) Consideration of the draft Regulations entitled "The Government Fees Amendment (No. 5) Regulations 2014".
{Governor's Recommendation Signified.}
- (2) Consideration of the draft Regulations entitled "The Charities (Anti-Money Laundering, Anti-Terrorist Financing and Reporting) Regulations 2014".
- (3) Second Reading: The Fire Safety Act 2014.