

**Proceedings
of the
Honourable House of Assembly
Session of 2018-2019**

No. 5

Friday, 7th December, 2018

Members Present: His Honour the Speaker, Jeanne J. Atherden, C. Walton Brown, Lt. Col. David A. Burch, Derrick V. Burgess, Wayne M. Caines, L. Craig Cannonier, Rolfe P. Commissiong, Curtis L. Dickinson, Michael H. Dunkley, Thomas C. Famous, Lovitta F. Foggo, Tinee S. Furbert, Wayne L. Furbert, Patricia J. Gordon-Pamplin, Susan E. Jackson, Dennis J. Lister III, Renee D.L. Ming, Trevor G. Moniz, R. Scott Pearman, Sylvan D. Richards, Walter H. Roban, Leah K. Scott, Michael J. Scott, Jamahl S. Simmons, W. Lawrence Scott, Scott A. Simmons, Ben A. Smith, H. Kim E. Swan, Neville S. Tyrrell, Kim N. Wilson.

10:05 a.m.

Prayers

Confirmation of Minutes:

The minutes of the Meeting of 30th November, 2018 were confirmed.

HIS HONOUR THE SPEAKER announced that Mr. Z.J.S. De Silva and Mr. M.A. Weeks will be absent from today's meeting.

10:06 a.m.

Papers and Communications to the House:

MR. C.L. DICKINSON read the following communication to 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 "Bermuda Fiscal Responsibility Panel 2018 Annual Assessment".

Mr. C.L. Dickinson
Minister of Finance

10:06 a.m.

Statements by Ministers and/or Junior Ministers:

MR. E.D.G. BURT read a Ministerial Statement on "The 2018 Joint Ministerial Council and Related Meetings in the UK & Europe".

MR. W.H. ROBAN read a Ministerial Statement on "Investigating Complaints of Price Gouging".

MR. C.W.D. BROWN read a Ministerial Statement providing an "Update on the Code of Practice for Project Management and Procurement – Framework Agreements".

MR. W.M. CAINES read a Ministerial Statement entitled "Royal Bermuda Regiment - Update".

10:22 a.m.

Question Period:

MR. E.D.G. BURT under the provisions of Standing Order 18 (4), deferred a written response to the following parliamentary question from Mr. L.C. Cannonier:-

Q1. Will the Honourable Premier please inform this Honourable House how many jobs have been created as a direct result of the forty-four (44) recently announced incorporated Fintech companies, the job titles and number of Bermudians employed?

MR. E.D.G. BURT under the provisions of Standing Order 18 (4), deferred a written response to the following parliamentary question from Mr. M.H. Dunkley:-

Q1. Will the Honourable Premier please provide to this Honourable House a complete list of any trip paid out of the consolidated fund that has been taken by any Government Member of Parliament or Government Senator from July 18th 2017 through November 23rd 2018 inclusive of purpose of trip, travel destination and all costs associated with the trip in itemized fashion?

MR. W.M. CAINES provided a written response to the following parliamentary question from Mr. S.D. Richards:-

Q1. Would the Honourable Minister please confirm for this Honourable House the number of work permits approved in the months of September, October and November 2018? Please provide a separate figure for each month.

A1. The following work permits were approved for:

Type	September	October	November
1 Year	130	266	272
2 Year	69	99	154
3 Year	60	88	144
4 Year	1	4	3
5 Year	13	23	24
Total	273	480	597

Type	September	October	November
Short Term	162	236	141
Periodic	31	50	33
Representative	48	47	44
Salesman	8	4	5
Entertainers	16	19	11
Total	265	356	234
GRAND	538	836	831

MR. L.C. CANNONIER asked a question to Mr. E.D.G. BURT on his Ministerial Statement on “The 2018 Joint Ministerial Council and Related Meetings in the UK & Europe”.

Mr. L.C. Cannonier asked a supplementary question.

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

MR. L.C. CANNONIER asked a second question.

MR. L.C. CANNONIER asked a third question. Mrs. P.J. Gordon-Pamplin asked a supplementary question.

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

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

Mrs. P.J. Gordon-Pamplin asked a second supplementary question.

Mr. M.H. Dunkley asked a supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a question.

Mrs. P.J. Gordon-Pamplin asked a supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a second question.

Mrs. P.J. Gordon-Pamplin asked a supplementary question.

Mrs. P.J. Gordon-Pamplin asked a second supplementary question.

MR. T.C. FAMOUS asked a question.

Mrs. P.J. Gordon-Pamplin asked a supplementary question.

Mrs. P.J. Gordon-Pamplin asked a second supplementary question.

Mr. T.C. Famous asked a supplementary question.

Mr. M.H. Dunkley asked a supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a question to Mr. W.H. Roban on his Ministerial Statement on “Investigating Complaints of Price Gouging”.

Mrs. P.J. Gordon-Pamplin asked a supplementary question.

MR. M.H. DUNKLEY asked a question.

Mr. M.H. Dunkley asked a supplementary question.

Mr. M.H. Dunkley asked a second supplementary question.

MR. M.H. DUNKLEY asked a second question.

Mr. M.H. Dunkley asked a supplementary question.

MS. S.E. JACKSON asked a question to Mr. C.W.D. Brown on his Ministerial Statement providing an “Update on the Code of Practice for Project Management and Procurement – Framework Agreements”.

MR. B.A. SMITH asked a question to Mr. W.M. Caines on his Ministerial Statement entitled “Royal Bermuda Regiment - Update”.

11:31 a.m.

Congratulatory and /or Obituary Speeches continued:

(Please refer to the House Hansard)

11:48 a.m.

Personal Explanation:

MR. T.G. Moniz made a Personal Explanation on matters relating to the Wedco Prefab Housing project.

11:51 a.m.

Notices of Motion:

MRS. P.J. GORDON-PAMPLIN gave notice that at the next day of meeting, she proposed to move the following Motion:

“BE IT RESOLVED that this Honourable House decries the posting of inappropriate and/or sexist comments on social media by Members of Parliament and that this House supports the inclusion in the Parliamentary Code of Conduct policies and procedures that will embrace a culture of respect towards women parliamentarians and women in general.”

Introduction of Bills:

MR. C.L. DICKINSON introduced and read for the first time by its title a Bill entitled the “Economic Substance Act 2018”.

11:53 a.m.

Orders of the Day

MS. K.N. WILSON moved the second reading of the Bill entitled the “Chief Medical Officer (Transfer of Functions and Validation) Act 2018”, which was agreed to.

11:58a.m. – Mrs. P.J. Gordon-Pamplin

12:02a.m. – Ms. K.N. Wilson

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MS. K.N. WILSON moved Clauses 1 to 4, which was agreed to.

12:06p.m. – Mrs. P.J. Gordon-Pamplin

12:14p.m. – Ms. K.N. Wilson

12:16p.m. – Mrs. P.J. Gordon-Pamplin

Clauses 1 to 4 were agreed to, as printed.

MS. K.N. WILSON moved the Schedule which was agreed to.

The Schedule was agreed to, as printed.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

12:20 p.m.

MS. K.N. WILSON moved that Standing Order 29 (1) be suspended to enable the House to proceed with the second reading of the Bill entitled the “Allied Health Professions Act 2018”, which was agreed to.

MS. K.N. WILSON moved the second reading of the Bill entitled the “Allied Health Professions Act 2018”, which was agreed to.

12:29p.m. – Mrs. P.J. Gordon-Pamplin

12:30 p.m.

MR. C.W.D. BROWN moved that the House do now adjourn for lunch and resume at 2:00 p.m., which was agreed to.

2:00 p.m.

The House resumed.

2:00p.m. – Mrs. P.J. Gordon-Pamplin continued.

2:18p.m. – Ms. T.S. Furbert

2:37p.m. – Ms. K.N. Wilson

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MS. K.N. WILSON moved Clauses 1 to 3, which was agreed to.

Clauses 1 to 3 were agreed to, as printed.

2:43p.m.

MS. K.N. WILSON moved Clauses 4 to 10, which was agreed to.

2:45p.m. – Mrs. P.J. Gordon-Pamplin

2:46p.m. – Ms. S.E. Jackson

2:47p.m. – Mrs. P.J. Gordon-Pamplin

2:48p.m. – Ms. K.N. Wilson

Clauses 4 to 10 were agreed to, as printed.

2:51 p.m.

MS. K.N. WILSON moved Clauses 11 and 12, which was agreed to.

Clauses 11 and 12 were agreed to, as printed.

2:53p.m.

MS. K.N. WILSON moved Clauses 13 to 21, which was agreed to.

2:57p.m. – Mrs. P.J. Gordon-Pamplin

2:58p.m. – Ms. K.N. Wilson

3:00p.m. – Ms. S.E. Jackson

3:00p.m. – Ms. T.S. Furbert

3:01p.m. – Ms. K.N. Wilson

Clauses 13 to 21 were agreed to, as printed.

3:02 p.m.

MS. K.N. WILSON moved Clauses 22 to 27, which was agreed to.

3:06p.m. – Mrs. P.J. Gordon-Pamplin

3:08p.m. – Ms. K.N. Wilson

Clauses 22 to 27 were agreed to, as printed.

3:10 p.m.

MS. K.N. WILSON moved Clauses 28 to 31, which was agreed to.

Clauses 28 to 31 were agreed to, as printed.

3:13 p.m.

MS. K.N. WILSON moved Clauses 32 to 35, which was agreed to.

3:15p.m. – Mrs. P.J. Gordon-Pamplin

3:16p.m. – Ms. K.N. Wilson

3:16p.m. – Mrs. P.J. Gordon-Pamplin

3:18p.m. – Ms. K.N. Wilson

3:19p.m. – Mrs. P.J. Gordon-Pamplin

3:19p.m. – Ms. K.N. Wilson

Clauses 32 to 35 were agreed to, as printed.

3:20 p.m.

MS. K.N. WILSON moved Clauses 36 and 37, which was agreed to.

Clauses 36 and 37 were agreed to, as printed.

3:23 p.m.

MS. K.N. WILSON moved the Schedules 1 to 3 which were agreed to.

Schedules 1 to 3 were agreed to, as printed.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

3:25 p.m.

MR. C.L. DICKINSON moved the second reading of the Bill entitled the “Investment Funds Amendment Act 2018”, which was agreed to.

3:31p.m. – Mrs. P.J. Gordon-Pamplin

3:32p.m. – Mr. N.H.C. Simons

3:34p.m. – Mr. C.L. Dickinson

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MR. C.L. DICKINSON moved Clauses 1 to 3, which was agreed to.

3:36p.m. – Mrs. P.J. Gordon-Pamplin

3:37p.m. – Mr. N.H.C. Simons

3:38p.m. – Mr. C.L. Dickinson

Clauses 1 to 3 were agreed to, as printed.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

3:41 p.m.

MR. C.L. DICKINSON moved that Standing Order 29 (1) be suspended to enable the House to proceed with the second reading of the Bill entitled the “Bermuda Monetary Authority Amendment (No.3) Act 2018”, which was agreed to.

MR. C.L. DICKINSON moved the second reading of the Bill entitled the “Bermuda Monetary Authority Amendment (No.3) Act 2018”, which was agreed to.

3:49p.m. – Mrs. P.J. Gordon-Pamplin

4:03p.m. – Ms. L.K. Scott

4:05p.m. – Mr. C.L. Dickinson

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MR. C.L. DICKINSON moved the Clauses 1 and 2 which were agreed to.

4:08p.m. – Mrs. P.J. Gordon-Pamplin

4:16p.m. – Mr. C.L. Dickinson

4:17p.m. – Mrs. P.J. Gordon-Pamplin

4:18p.m. – Mr. C.L. Dickinson

4:18p.m. – Mrs. P.J. Gordon-Pamplin

4:21p.m. – Mr. C.L. Dickinson

4:22p.m. – Mrs. P.J. Gordon-Pamplin

4:23p.m. – Mr. C.L. Dickinson

Clauses 1 and 2 were agreed to, as printed.

4:24 p.m.

MR. C.L. DICKINSON moved Clauses 3 to 5 which was agreed to.

4:26p.m. – Mrs. P.J. Gordon-Pamplin

4:26p.m. – Mr. C.L. Dickinson

Clauses 3 to 5 were agreed to, as printed.

4:27 p.m.

MR. C.L. DICKINSON moved the Schedules 1 and 2 which were agreed to.

Schedules 1 and 2 were agreed to, as printed.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

4:28 p.m.

MR. C.L. DICKINSON moved that Standing Order 29 (1) be suspended to enable the House to proceed with the second reading of the Bill entitled the “Insurance Amendment (No.3) Act 2018”, which was agreed to.

MR. C.L. DICKINSON moved the second reading of the Bill entitled the “Insurance Amendment (No.3) Act 2018”, which was agreed to.

4:33p.m. – Mrs. P.J. Gordon-Pamplin

(4:44p.m. His Honour the Speaker acknowledged the presence of Senator Marcus J.A. Jones in the Public Gallery.)

4:44p.m. – Mr. C.L. Dickinson

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MR. C.L. DICKINSON moved Clauses 1 to 4 which was agreed to.

4:47p.m. – Mrs. P.J. Gordon-Pamplin

4:48p.m. – Mr. C.L. Dickinson

4:50p.m. – Mrs. P.J. Gordon-Pamplin

4:51p.m. – Mr. C.L. Dickinson

Clauses 1 to 4 were agreed to, as printed.

4:52 p.m.

MR. C.L. DICKINSON moved Clauses 5 to 9 which was agreed to.

4:54p.m. – Mrs. P.J. Gordon-Pamplin

Clauses 5 to 9 were agreed to, as printed.

4:56 p.m.

MR. C.L. DICKINSON moved Clauses 10 to 15 which was agreed to.

4:57p.m. – Mrs. P.J. Gordon-Pamplin

4:59p.m. – Mr. C.L. Dickinson

Clauses 10 to 15 were agreed to, as printed.

4:59 p.m.

MR. C.L. DICKINSON moved Clauses 16 to 18 which was agreed to.

Clauses 16 to 18 were agreed to, as printed.

MR. C.L. DICKINSON moved the Schedule which was agreed to.

The Schedule was agreed to, as printed.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

5:01 p.m.

MR. C.L. DICKINSON moved that Standing Order 29 (1) be suspended to enable the House to proceed with the consideration of the draft Order entitled the “Contributory Pensions (Amendment of Benefits) Order 2018” proposed to be made by the Minister of Finance, under section 37 of the Contributory Pensions Act 1970, which was agreed to.

MR. C.L. DICKINSON moved the consideration of the draft Order entitled the “Contributory Pensions (Amendment of Benefits) Order 2018” proposed to be made by the Minister of Finance, under section 37 of the Contributory Pensions Act 1970, which was agreed to.

5:14p.m. – Mrs. P.J. Gordon-Pamplin

5:24p.m. – Mr. W.L. Furbert

5:33p.m. – Mr. M.H. Dunkley

5:41p.m. – Mr. E.D.G. Burt

5:43p.m. – Mr. C.L. Dickinson

MR. C.L. DICKINSON moved that the said draft Order be approved, and that the following Message be sent to His Excellency the Governor:

“MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Order entitled the “Contributory Pensions (Amendment of Benefits) Order 2018” proposed to be made by the Minister of Finance, under section 37 of the Contributory Pensions Act 1970, has the honour to inform Your Excellency that the House approved the said draft Order.”

-which was agreed to and ordered accordingly.

5:44 p.m.

MR. C.L. DICKINSON moved that the House do now take under consideration the following motion notice of which was given on 23rd November, 2018:

“WHEREAS Honourable Members are mindful of the contents of the Report of the Tax Commission 2018;

BE IT RESOLVED that this Honourable House carefully consider both the contents and implications of the said report.”

- which was agreed to.

5:55p.m. – Mrs. P.J. Gordon-Pamplin

6:40p.m. – Mr. W.L. Furbert

(6:42p.m. Mr. D.V. Burgess in the Speaker’s Chair.)

7:11p.m. – Mr. L.C. Cannonier

(7:34p.m. Mr. D.V. Burgess announced the presence of former Member of Parliament Mr. W.L. Lister in the Public Gallery.)

7:34p.m. – Mr. H.K.E. Swan

7:46p.m. – Mr. R.P. Commissiong

8:12p.m. – Mr. R.S. Pearman

(8:21p.m. His Honour the Speaker in the Chair.)

8:24p.m. – Mrs. J.J. Atherden

8:45p.m. – Mr. S.D. Richards

9:00p.m. – Mr. E.D.G. Burt

Order numbers 8 to 10 were carried over.

9:10 p.m.

MR. C.L. DICKINSON moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Investment Funds Amendment Act 2018” be now read a third time, which was agreed to.

On the motion of Mr. C.L. Dickinson, the Bill entitled the “Investment Funds Amendment Act 2018” was then read the third time by its title only and passed.

MR. C.L. DICKINSON moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Bermuda Monetary Authority Amendment (No.3) Act 2018” be now read a third time, which was agreed to.

On the motion of Mr. C.L. Dickinson, the Bill entitled the “Bermuda Monetary Authority Amendment (No.3) Act 2018” was then read the third time by its title only and passed.

MR. C.L. DICKINSON moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Insurance Amendment (No.3) Act 2018” be now read a third time, which was agreed to.

On the motion of Mr. C.L. Dickinson, the Bill entitled the “Insurance Amendment (No.3) Act 2018” was then read the third time by its title only and passed.

MR. C.W.D. BROWN, on behalf of Ms. K.N. Wilson moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Chief Medical Officer (Transfer of Functions and Validation) Act 2018” be now read a third time, which was agreed to.

On the motion of Mr. C.W.D. Brown, the Bill entitled the “Chief Medical Officer (Transfer of Functions and Validation) Act 2018” was then read the third time by its title only and passed.

MR. C.W.D. BROWN, on behalf of Ms. K.N. Wilson moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Allied Health Professions Act 2018” be now read a third time, which was agreed to.

On the motion of Mr. C.W.D. Brown, the Bill entitled the “Allied Health Professions Act 2018” was then read the third time by its title only and passed.

9:15 p.m.

MR. E.D.G. BURT moved that the House adjourn to Friday, 14th December, 2018, which was agreed to.

MR. E.D.G. BURT moved that the House do now adjourn, which was agreed to.

9:15p.m. – Mr. D.V. Burgess
9:23p.m. – Mr. T.C. Famous
9:34p.m. – Mr. L.C. Cannonier
9:55p.m. – Lt. Col. D.A. Burch
10:15p.m. – Mr. W.M. Caines
10:28p.m. – Mr. D.V.S. Rabain
10:35p.m. – Mr. E.D.G. Burt

10:43 p.m.

The House adjourned to Friday, 14th December, 2018 at 10:00 a.m.