

BERMUDA

PROCEEDINGS OF THE SENATE

SESSION OF 2022 - 2023

No. 5

WEDNESDAY, 15th MARCH 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 Rev. Dr. E.G.A. DILL
Senator Ms. L.K. SIMMONS
Senator B.A. SMITH, J.P.
Senator Mrs. R.S. TUCKER
Senator Dr. D.S.J. DeCOUTO, J.P.

ABSENT:

Senator Ms. L.L. ROBINSON, J.P.

**[This meeting of Senate was conducted in
the Senate Chamber at Veritas Place.]**

10:03a.m.

On the motion of Senator K.J. Bell, the minutes of the meeting of Thursday, 2nd March 2023 were taken as read and confirmed.

Message from the House of Assembly

10:03a.m.

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

(No. 4)

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

The House of Assembly has the honour to forward herewith the undernoted Bill for the concurrence of your House:

“The Appropriation Act 2023”

Copies of the Estimates of Revenue and Expenditure for 2023/2024 are also forwarded for the information of your House.

Hon. Dennis P. Lister, JP, MP
SPEAKER

Sessions House
March 13, 2023

Announcements

10:04a.m.

Senator the Hon. the President announced that Senator L.L. Robinson would be absent from today's sitting.

Senator the Hon. the President announced that Commonwealth Day was celebrated on Monday, 13th March 2023 and, as is customary, the annual Commonwealth Day Message from His Majesty King Charles III was distributed to all Commonwealth Nations and Parliaments for the information of Members. She advised Senators that a copy of the Message could be accessed on their tablets or on the Parliament website.

10:05a.m.

Senator the Hon. O.K. Darrell presented for the information of Senate the “Annual Report of The Information Commissioner's Office for the Year 2022”.

Senator A.J.L. Hodgson presented for the information of Senate the following Reports:-

The “Annual Report of the Bermuda Public Accountability Board for the Year ended March 31st, 2022”;

The “Audited Financial Statements of the Bermuda Public Accountability Board for the Fiscal Year ended March 31st, 2022”; and

The “Annual Report of The Bermuda Hospitals Board for the Fiscal Year ended 31st March 2018”.

10:07a.m.

Senator L.K. Simmons, on behalf of Senator L.L. Robinson presented for the information of Senate the “Economic Investment Residential Certificate Policy”, as made by the Minister responsible for Immigration pursuant to Section 32(5) of the Bermuda Immigration and Protection Act 1956, and made effective 31st March 2023 by order of the Minister.

10:08a.m.

Madam President acknowledged the presence of former Senator, Mr. Marcus Jones, JP, in the Public Gallery.

Notices of Motion

10:08a.m.

Senator A.J.L. Hodgson presented for the consideration of Senate the draft Regulations entitled “The Government Fees Amendment Regulations 2023”, proposed to be made by the Minister of Finance under the provisions of section 2 of The Government Fees Act 1965; and she gave notice that at the next day of meeting she would move that the said draft Regulations be approved.

Senator A.J.L. Hodgson presented for the consideration of Senate the draft Regulations entitled the “Government Fees (Trade Marks and Service Marks) Amendment Regulations 2023”, proposed to be made by the Minister of Finance under the provisions of section 2 of The Government Fees Act 1965;

and she gave notice that at the next day of meeting she would move that the said draft Regulations be approved.

10:09a.m.

Senator Rev. Dr. E.G.A. Dill present for the consideration of Senate the following draft Regulations:-

“The Marine and Ports Authority (Pilotage Dues) Regulations 2023”, proposed to be made by the Minister responsible for Marine and Ports services under the provisions of Section 71 of The Marine and Ports Services Act 2021;

“The Marine and Ports Authority (Port Dues) Regulations 2023”, proposed to be made by the Minister responsible for Marine and Ports Services under the provisions of Section 40 of The Marine and Ports Services Act 2021; and

“The Marine and Ports (Seaborne Services) Regulations 2023”, proposed to be made by the Minister responsible for Marine and Ports Services under the provisions of Section 65 of The Marine and Ports Services Act 2021

- and she gave notice that at the next day of meeting she would move that each of the said draft Regulations be approved.

Ministerial Statement

10:10a.m.

Senator the Hon. O.K. Darrell as Minister of Youth, Culture and Sport made a Ministerial Statement on “Summer Employment and Entrepreneurship Opportunities - Ministry of Youth, Culture and Sport”.

10:16a.m.

The following Public Bills were brought up from the Honourable House of Assembly, and given their First Reading in the Senate:-

The “Appropriation Act 2023”;

{Governor's Recommendation Signified}

The "Fire Safety Amendment Act 2023";

The "Police (Amendment and Validation) Act 2023";

The "Public Holidays Amendment and Validation Act 2023";

The "Municipalities Amendment Act 2023";

The "Land Tax Amendment Act 2023";
{Governor's Recommendation Signified}

The "Stamp Duties Amendment Act 2023";
{Governor's Recommendation Signified}

The "Customs Tariff Amendment Act 2023";
{Governor's Recommendation Signified}

The "Payroll Tax Amendment Act 2023";
{Governor's Recommendation Signified}

The "Public Treasury (Administration and Payments) Amendment Act 2023".

Question Period

10:18a.m.

Senator B.A. Smith asked a question to Senator the Hon. O.K. Darrell on his Ministerial Statement entitled "Summer Employment and Entrepreneurship Opportunities - Ministry of Youth, Culture and Sport".

10:20a.m. - Senator R.S. Tucker asked a question.

Senator R.S. Tucker asked a second question.

Senator R.S. Tucker asked a third question.

10:21a.m. - Senator the Hon. O.K. Darrell replied.

10:26a.m. - Senator B.A. Smith asked a second question.

10:27a.m. - Senator the Hon. O.K. Darrell replied.

Orders of the Day

10:30a.m.

Senator A.J.L. Hodgson moved that the provisions of Standing Order 25 be granted so that the Senate could now proceed with the Second Reading of the Public Bill entitled the "Appropriation Act 2023" -- which was agreed to.

Senator A.J.L. Hodgson moved that the Bill entitled the "Appropriation Act 2023" be now read a second time.

Senator A.J.L. Hodgson spoke on the Bill.

11:30a.m. - Senator Dr. D.S.J. DeCouto

12:10p.m.

Madam President acknowledged the presence of the Opposition Leader and Shadow Minister of Finance, the Hon. N.H. Cole Simons, JP, MP, in the Public Gallery.

12:21p.m. - Senator R.J. Wight

12:32p.m.

Senator the Hon. the President ordered that the Senate do now adjourn for lunch.

The Senate adjourned for lunch at 12:30p.m. and resumed at 2:00p.m.

2:00p.m.

The Senate resumed.

2:00p.m. - Senator R.S. Tucker

2:16p.m. - Senator L.K. Simmons

2:34p.m. - Senator K.J. Bell

2:39p.m. - Senator B.A. Smith

3:08p.m. - Senator Rev. Dr. E.G.A. Dill

3:15p.m. - Senator O.K. Darrell

3:49p.m. - Senator A.J.L. Hodgson replied.

3:59p.m.

The Bill entitled the “Appropriation Act 2023” was accordingly read a second time.

Senator A.J.L. Hodgson moved that the Senate do now resolve itself into a Committee of the Whole for further consideration of the “Appropriation Act 2023”, together with the Estimates of Revenue and Expenditure for the Year 2023/2024 – which was agreed to.

The Senate resolved itself into Committee of the Whole, Senator K.J. Bell in the Chair.

4:02p.m.

Senator A.J.L. Hodgson moved that Head 10 – Ministry of Finance Headquarters; Head 11 – Accountant General; Head 12 – Customs; Head 28 – Social Insurance; Head 38 – Office of the Tax Commissioner; Head 39 – Registrar of Companies; and Head 58 – Debt & Loan Guarantees be now considered -- which was agreed to.

Senator Hodgson spoke on the Heads.

6:16p.m. - Senator Dr. D.S.J. DeCouto

6:22p.m. - Senator R.J. Wight

6:25p.m. - Senator B.A. Smith

6:26p.m. - Senator Dr. D.S.J. DeCouto

6:32p.m. - Senator R.J. Wight

6:33p.m. - Senator A.J.L. Hodgson

6:34p.m. - Senator B.A. Smith

6:35p.m. - Senator A.J.L. Hodgson

6:40p.m. - Senator R.J. Wight

6:43p.m. - Senator Dr. D.S.J. DeCouto

6:44p.m. - Senator A.J.L. Hodgson

6:48p.m. - Senator R.S. Tucker

6:49p.m. - Senator B.A. Smith

6:50p.m. - Senator A.J.L. Hodgson

6:51p.m. - Senator Dr. D.S.J. DeCouto

6:54p.m. - Senator A.J.L. Hodgson

6:56p.m. - Senator Dr. D.S.J. DeCouto

6:57p.m. - Senator A.J.L. Hodgson

7:00p.m.

Senator A.J.L. Hodgson moved that Heads 10, 11, 12, 28, 38, 39 and 58 be approved as printed – which was agreed to.

7:01p.m.

Senator A.J.L. Hodgson moved that the Committee rise, report progress and ask for leave to sit again — which was agreed to.

7:02p.m.

The Chairperson reported that the Committee had risen, reported progress and requested leave to sit again for further consideration of the Bill.

The Committee rose and the Senate resumed.

The Committee was accordingly granted leave to sit again.

Congratulatory and/or Obituary Speeches

7:03p.m.

Senator R.J. Wight offered condolences to the family of 16 year old Colm

Eoghan Patrick Homan, who unfortunately passed away in Boston after a battle with cancer.

Senator the Hon. O.K. Darrell congratulated Bermuda Schools on their School Sports Days recently held in full swing, without any restrictions, at the National Sports Centre and elsewhere.

7:06p.m.

Senator A.J.L. Hodgson congratulated all those involved in the International Women’s Day events. She congratulated Ms. Kathleen Faries on her recognition and Acting Financial Secretary Ms. Cheryl Lister on receiving her Trailblazer Award. Senator Hodgson also acknowledged Ms. Patrina O’Connor-Paynter on receiving the ‘Woman of the Year’ Award, as well as Ms. Janeek Providence on being named the Public Service Excellence Award Winner for February 2023. Senator Hodgson associated herself in congratulating Bermuda Schools on the School Sports Day events at the National Sports Centre.

Senator Rev. Dr. E.G.A. Dill associated herself with the condolences for the family of Colm Homan. Senator Dill also expressed condolences to the family of the late Mrs. Lovina Ann Dorisa Flood, who she noted was a great lady and will be greatly missed. She also associated herself with the congratulations to the Schools and children who participated in the School Sports Day events.

Senator Darrell associated himself with the condolences to the family of Mrs. Lovina Flood.

Senator the Hon. the President associated herself with the congratulatory and obituary remarks of Senators.

Adjournment

7:11p.m.

Senator the Hon. O.K. Darrell moved that, at its rising, the Senate adjourn to Monday, 20th March 2023 – which was agreed to.

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

7:11p.m. - Senator Rev. Dr. E.G.A. Dill

7:27p.m. - Senator B.A. Smith

7:31p.m. - Senator L.K. Simmons

7:34p.m. - Senator R.S. Tucker

7:42p.m. – Senator O.K. Darrell

7:54p.m.

Senate adjourned until Monday, 20th March 2023.

PRESIDENT

ORDERS OF THE DAY

Monday – 20th March 2023

(1) Resolution into Committee of the Whole for further consideration of The Appropriation Act 2023, together with the Estimates of Revenue and Expenditure for the Financial Year 2023/2024.

{Governor’s Recommendation Signified}

(2) Second Reading: The Fire Safety Amendment Act 2023.

(3) Second Reading: The Police (Amendment and Validation) Act 2023.

(4) Second Reading: The Public Holidays Amendment and Validation Act 2023.

(5) Second Reading: The Municipalities Amendment Act 2023.

(6) Consideration of the draft Regulations entitled the "Government Fees Amendment Regulations 2023".

{Governor's Recommendation Signified}

(7) Consideration of the draft Regulations entitled the "Government Fees (Trade Marks and Service Marks) Amendment Regulations 2023".

{Governor's Recommendation Signified}

(8) Second Reading: The Land Tax Amendment Act 2023.

{Governor's Recommendation Signified}

(9) Second Reading: The Stamp Duties Amendment Act 2023.

{Governor's Recommendation Signified}

(10) Second Reading: The Customs Tariff Amendment Act 2023.

{Governor's Recommendation Signified}

(11) Second Reading: The Payroll Tax Amendment Act 2023.

{Governor's Recommendation Signified}

(12) Second Reading: The Public Treasury (Administration and Payments) Amendment Act 2023.

(13) Consideration of the draft Regulations entitled the "Marine and Ports Authority (Pilotage Dues) Regulations 2023".

{Governor's Recommendation Signified}

(14) Consideration of the draft Regulations entitled the "Marine and Ports Authority (Port Dues) Regulations 2023".

{Governor's Recommendation Signified}

(15) Consideration of the draft Regulations entitled the "Marine and Ports (Seaborne Services) Regulations 2023".

{Governor's Recommendation Signified}