

**Proceedings
of the
Honourable House of Assembly
Session of 2015-2016**

No. 13

Monday, March 7th, 2016

Members Present: His Honour the Speaker, Jeanne J. Atherden, Kenneth L. Bascome, Marc A. R. Bean, Walton D. Brown, David G. Burt, L. Craig Cannonier, Rolfe P. Commissiong, Zane J. S. DeSilva, Michael H. Dunkley, Lovitta F. Foggo, Wayne L. Furbert, Dr. Edmund G. Gibbons, Patricia J. Gordon-Pamplin, Suzann Roberts-Holshouser, Susan E. Jackson Dennis P. Lister, Trevor G. Moniz, Nandi S. Outerbridge, Mark J. Pettingill, Diallo V.S. Rabain, Everard T. Richards, Sylvan D. Richards, Walter H. Roban, Michael J. Scott, R.W. E. Scott, W. Lawrence Scott, Jamahl S. Simmons, N. H. Cole Simons, Glenn C. Smith, Jefferson C. Sousa, Kim N. Wilson.

10:05 a.m. Prayer

Confirmation of Minutes: Minutes of the 2nd and 4th March-deferred.

Announcements by the Speaker:

Members Ms. L. K. Scott and Hon. D.V. Burgess absent.

10:13 a.m.

Papers and other communications to the House:

MR. E.T.RICHARDS read the following communication to His Honour the SPEAKER:-

TO HIS HONOUR THE SPEAKER:

I have the honour to attach and submit for the consideration of the Honourable House of Assembly the "Supplementary Estimates No.1 for Financial Year 2015/2016".

Hon. E. T. Richards
Minister of Finance

Sessions House,
7th March, 2016

MR. R.W. SCOTT, on behalf of Mr. S. G. Crockwell, read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:-

I have the honour to attach and submit for the consideration of the Honourable House of Assembly the draft Regulations entitled the "Government Omnibus (Fares) Amendment Regulations 2016".

Hon. S. G. Crockwell
Minister Tourism,
Development and Transport

Sessions House,
7th March, 2016

MR. R.W. SCOTT on behalf of Mr. S. G. Crockwell read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:-

I have the honour to attach and submit for the consideration of the Honourable House of Assembly the draft Regulations entitled the "Marine Board (Seaborne Services) Regulations 2016"

Hon. S. G. Crockwell
Minister Tourism,
Development and Transport

Sessions House,
7th March, 2016

10:15am

Congratulatory and or Obituary Speeches

(Members may refer to Hansard)

10:23am

Notice of motions for the Adjournment of the House on matters of urgent public importance.

MR.C.W.BROWN moved the following Motion which read as follows:

“WHEREAS numerous matters concerning immigration laws and policies remain contentious, unresolved and deeply divisive;

AND WHEREAS there is a need for an inclusive approach for the betterment of Bermuda by dismantling historic piecemeal approaches and to embark instead on a method which embraces comprehensive immigration reform;

BE IT RESOLVED that, pursuant to Part IV of the Parliament Act 1957, a parliamentary Joint Select Committee be appointed to enquire into the nature and extent of these historic issues surrounding immigration and to report on the enquiries and make concrete recommendations to Parliament as soon as is practicable”.

10:23am - MR. T.G.MONIZ

10:22am – MR.M.J. PETTINGILL

10:24am - MS. K.N. WILSON

10:25am – MR. M.J.PETTINGILL

10:35am

The Speaker ruled that Mr. C. W. Brown Motion could proceed forward.

11:15am – MR. T.G.MONIZ

11:30am – MR. C.W.BROWN

11:36am – MR. J.S.SIMMONS

12:03am – MR. W.H.ROBAN

12:32pm

MR. M.H.DUNKLEY moved that the House do now recess for lunch, which was agreed to.

The House adjourned for lunch.

2:02pm

The House resumed.

2:02pm – MS. K.N.WILSON

2:28pm – DR. the Hon. E.G.GIBBONS

Dr. the Hon. E.G. Gibbons moved that the question be put forthwith and that S.O. 19 (10) be applied to the Motion.

2:30pm – MR. M.J.PETTINGILL

2:32pm – MR. E.D.G.BURT

2:32pm – MR. M.J.PETTINGILL

2:33pm – MS. K.N.WILSON

2:33pm – MR. M.J.PETTINGILL

2:35pm

The Speaker adjourned the House to consult on the applicability of S.O. 19(10) in regards to the Motion under debate.

2:50pm

The House resumed.

2:52pm

The Speaker cited Standing Orders 19(9) and 19(10) and ruled that a Minister of the Government would be allowed to conclude the debate under the provisions 19(10). However, under the provisions of S.O. 19(9) he will allow the debate to continue so that all Members who wish to speak on the Motion can do so before the mover of the motion replies.

2:58pm – DR. the Hon. E.G.GIBBONS

3:11pm

The Speaker asked Mr. R. P. Commissiong to leave the Chamber.

3:13pm

Mr. R. P. Commissiong left the Chamber.

3:17pm – MR. M.J. SCOTT

3:47pm

The Speaker acknowledged the presence of former Attorney General Mr. Larry Mussenden in the public gallery.

3:47pm – MR. Z.J.DESILVA
4:17pm – MR. D.V.S RABAIN
4:45pm – MRS. P.J.GORDON-PAMPLIN
5:15pm – MR C.W.BROWN
5:16pm – MR.W.L.A.SCOTT

5:35pm

The Speaker acknowledged the presence of former MP Arthur Pitcher in the public gallery.

5:36pm- MR. S.D.RICHARDS
5:54pm – MR E.D.G.BURT
6:00pm – Deputy Speaker in the Chair
6:24pm – MR. W.L.FURBERT

6:45pm

Madame Deputy Speaker acknowledged the presence of Senator Kim Wilkerson.

6:45pm – MR. E.T.RICHARDS
6:59pm – MR. D.P.LISTER
7:00pm – Speaker in the Chair
7:15pm – MS. L.F.FOGGO
7:35pm – MR. D.P.LISTER
7:52pm – MR. .M.A.R.BEAN
8:20pm – MR. C.W.BROWN
8:30pm – MR. M.H. DUNKLEY

8:45pm

The Speaker put the Motion to a vote, which on division, the Motion was defeated.

NOES: 18
Ms.J.J.Atherden
Mr.K.L.Bascome
Mr.L.C.Cannonier
Mr.S.G.Crockwell
Mrs.N.S.Outerbridge
Mr.M.H.Dunkley
S. Roberts-Holshouser
Dr. the Hon. E.G.Gibbons
Mrs.P.J.Gordon Pamplin
Ms. S.E.Jackson
Mr.T.G.Moniz
Mr.M.J.Pettingill
Mr.S.D.Richards
Mr.E.T.Richards
Mr.R.W.E.Scott
Mr.N.H.Simons
Mr.C.C.Smith
Mr.J.C.Sousa

AYES: - 14
Mr.M.A.R.Bean
Mr.C.W.Brown
Mr.E.D.Burt
Mr.Z.J.Desilva
Ms.L.F.Foggo
Mr.W.L.Furbert
Mr.D.P.Lister
Mr.W.H.Roban
Mr.M.J.Scott
Mr. W.L.A. Scott
Mr.J.S.Simmons
Mr.M.A.Weeks
Ms. K.N.Wilson

9:00pm

Introduction of Bills:

MR. E.T.RICHARDS introduced and read for the first time by its title the Bill entitled the “Customs Tariff Amendment Act 2016”.

MR. S.D.RICHARDS introduced and read for the first time by its title the Bill entitled the “Bermuda Immigration and Protection Amendment Act 2016”.

MR. L.C.CANNONIER introduced and read for the first time by its title the Bill entitled the “Morgan’s Point Resort Amendment Act 2016”.

MR. T.G.MONIZ introduced and read for the first time by its title the Bill entitled the “Proceeds of Crime Amendment Act 2016”.

MR. T.G.MONIZ introduced and read for the first time by its title the Bill entitled the “The Police and Criminal Evidence Amendment Act 2016”.

MRS. P.J.GORDON-PAMPLIN introduced and read for the first time by its title the Bill entitled the “Human Rights Amendment (No.2) Act 2016”.

9:10pm

Orders of the Day:

MR. E.T.RICHARDS moved that the House resume in Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for 2016/2017, which was agreed to.

MR.S.D. RICHARDS moved for consideration of Heads: 32; Department of Planning and 60; Department of Workforce Development.

11:40pm

MR.S.D. RICHARDS moved Heads: 32; Department of Planning and 60; Department of Workforce Development, to be approved, which was agreed to.

11:42pm

Mr. G. C. Smith in the Chair.

11:42pm

Mrs. J. J. ATHERDEN moved for consideration of Heads: - 21, 22, 24, and 91. Ministry of Health, Seniors and Environment, Department of Health, Hospitals and Health Insurance.

12:02am

Tuesday 8th March 2016

1:29am – MR. M.A.WEEKS
1:55am – MRS. J.J.ATHERDEN

2:00am

Mr. C. W. Brown in the Chair.

2:07am

MRS. J.J. ATHERDEN moved Heads 21, 22, 24, and 91 to be approved, which was agreed to.

2:08am

MRS. J.J.ATHERDEN moved for consideration of Head: 79 Environment and Natural Resources.

2:29am – MR. D.P.LISTER
2:37am – MRS. J.J. ATHERDEN

MRS. J.J.ATHERDEN moved that head 79 be approved, which was agreed to.

2:42am

Mr. E. T. Richards moved that the Committee rise, and report progress and ask for leave to sit again, which was agreed to.

The Committee rose.

The House resumed.

The Committee was granted leave to sit again.

2:45am

Orders 2-7 were carried over.

DR. the Hon. E.G.GIBBONS moved that consideration be given to the draft Regulations entitled the “Electronic Communications (Regulatory Authority Fees) Regulations 2016” proposed to be made by the Minister responsible for telecommunications under the provision of Section 44 of the “Regulatory Authority Act 2016”.

2:49am – MR.D.P. LISTER
2:50am – MS. L.F.FOGGO
2:51am – DR. the Hon. E.G.GIBBONS
2:52am – MR.E.D.G.BURT
2:52am – MR.W.H. ROBAN
2:53am – DR. the Hon. E.G.GIBBONS
2:54am – MR. W.H.ROBAN
2:54am – DR. the Hon. E.G.GIBBONS

DR. the Hon. E.G.GIBBONS moved that the said draft Regulations be approved and that the following message be sent to His Excellency the Governor.

(No.10)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Regulations entitled “Electronic Communications (Regulatory Authority Fees) Regulations 2016” proposed to be made under Sections 6, and 11 of the “Electronic Communications Act 2011 has the honour to inform Your Excellency that the House has approved the said draft Regulation.

-which was agreed to and ordered accordingly

2:55am

On motion of Mr. E. T. Richards, the Bill entitled the “Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2016,” was read a second time.

2:59am – MR. E.D.G.BURT

3:00am – MR. E.T.RICHARDS

The Bill was committed.

Mrs. S. Roberts-Holshouser in the Chair.

3:03am – MR.E.D.G.BURT

3:03am – MR. E.T.RICHARDS

Mr. E. T. RICHARDS moved Clauses 1-2, which was agreed to.

The Preamble was agreed to.

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

The Committee rose.

The House resumed.

Order number 10 was carried over.

Order numbers 11-24 were carried over.

3:07am

MR. S. D. RICHARDS moved that Standing Order 14 be suspended to enable him read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:-

I have the honour to attach and submit for the consideration of the Honourable House of Assembly the “Facility Agreement and the Legal Mortgage and Security Agreement” which was agreed to.

Mr. T. G. Moniz
Attorney General
and Minister of Justice

Sessions House
7th March, 2016

3:08am

MR. E.T. RICHARDS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled “Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2016”, be now read a third time, which was agreed to.

On the motion of MR. E.T. RICHARDS, the Bill entitled the “Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2016” was then read the third time and passed.

MR. M.H. DUNKLEY moved that the House, at its rising adjourn to Wednesday 9, March 2016, which was agreed to.

MR. M. H. DUNKLEY moved that the House do now adjourn, which was agreed to.

3:09am

The House adjourned to Wednesday 9th March, 2016 at 10:00 a.m.

