



# BERMUDA HOUSE OF ASSEMBLY

## Official House Minutes

*June 27, 2014*

### Electronic Version

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

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**Proceedings  
of the  
Honourable House of Assembly  
Session of 2013-2014**

**No. 25**

**Friday, June 27th, 2014**

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

**10:00 a.m.** Prayer

Sessions House,  
27th June, 2014

**Confirmation of Minutes:**

Minutes to the Meetings of June 6th and 13, 2014, were confirmed.

MR. S. G. CROCKWELL read the following communication to His Honour the SPEAKER.

**Announcements by the Speaker:**

TO HIS HONOUR THE SPEAKER:-

His Honour the Speaker announced that Mr. E. D. G. Burt will be absent from the House.

I have the honour to attach and submit for the consideration of the Honourable House of Assembly the "Hotel Concessions (Fairmont Hamilton Princes) Order 2014".

His Honour the Speaker announced the 9th Annual Report of the Ombudsman for Bermuda for year 2013, forwarded from the Ombudsman.

MR. S. G. CROCKWELL  
Minister of Tourism Development and Transport

**10:07 a.m.**

Sessions House,  
27th June, 2014

**Papers and other Communications to the House:**

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

MR. S. D. RICHARDS read the following communication to His Honour the SPEAKER.

TO HIS HONOUR 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 Monetary Authority 2013 Annual Report".

I have the honour to attach and submit for the consideration of the Honourable House of Assembly the "National Occupational Certificate (Landscape Gardener) Regulations 2014" and the National Occupational Certificate (Designation of Occupations) Amendment Regulation 2014.

MR. E. T. RICHARDS  
Minister of Finance

MR. S. D. RICHARDS  
Junior Minister of Home Affairs

Sessions House,  
27th June, 2014

**10:10 a.m.**

**Statements by Ministers and Junior Ministers:**

MR. E. T. RICHARDS made Ministerial Statements regarding the "Targeted Payroll Tax Relief for the Construction Sector", the "Finance Minister's Visit to Europe" and the "Pensions (Increase) Amendment Suspension Act 2014".

MS. J. J. ATHERDEN made a Ministerial Statement regarding the "Accreditation of the Bermuda Aquarium, Museum and Zoo".

MR. R. W. E. SCOTT made a Ministerial Statement regarding the "Heritage Month Themes: 2015, 2016, and 2017".

MS. P. J. GORDON-PAMPLIN made a Ministerial Statement regarding the "Potable Water Supply Status in Bermuda".

**10:53 a.m.**

**Question Period:**

MR. E. T. RICHARDS provided oral responses to parliamentary questions from Mr. D. V. Burgess.

MR. D. V. BURGESS asked Mr. E. T. Richards a second question.

MR. D. V. BURGESS asked Mr. E. T. Richards a supplementary question.

MR. W. L. FURBERT asked Mr. E. T. Richards a supplementary question.

MR. D. V. BURGESS asked Mr. E. T. Richards a second supplementary question.

MR. D. V. BURGESS asked Mr. E. T. Richards a third question.

MR. S. G. CROCKWELL provided oral responses to parliamentary questions from Mr. G. A. Blakeney.

MR. G. A. BLAKENEY asked Mr. S. G. Crockwell a supplementary question.

MR. G. A. BLAKENEY asked Mr. S. G. Crockwell a second question.

MR. G. A. BLAKENEY asked Mr. S. G. Crockwell a second question.

MR. G. A. BLAKENEY asked Mr. S. G. Crockwell a third question.

MR. S. G. CROCKWELL provided oral responses to parliamentary questions from Mr. T. E. Lister.

MR. T. E. LISTER asked Mr. S. G. Crockwell a supplementary question.

MR. T. E. LISTER asked Mr. S. G. Crockwell a second supplementary question.

MR. T. E. LISTER asked Mr. S. G. Crockwell a second question.

MR. T. E. LISTER asked Mr. S. G. Crockwell a supplementary question.

MR. T. E. LISTER asked Mr. S. G. Crockwell a second supplementary question.

MR. T. E. LISTER asked Mr. S. G. Crockwell a third question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a supplementary question.

MR. W. L. FURBERT asked Mr. S. G. Crockwell a supplementary question.

MR. W. L. FURBERT asked Mr. S. G. Crockwell a second supplementary question.

MR. W. L. FURBERT asked Mr. S. G. Crockwell a question.

MR. R. P. COMMISSIONG asked Mr. S. G. Crockwell a supplementary question.

MR. R. P. COMMISSIONG asked Mr. S. G. Crockwell a second supplementary question.

MR. W. H. ROBAN asked Mr. S. G. Crockwell a supplementary question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a supplementary question.

MR. Z. J. S. DESILVA asked Mr. S. G. Crockwell a supplementary question.

Under Standing Order 18(3) MR. M. A. R. BEAN requested permission to asked Mr. S. G. Crockwell questions on behalf of MR. M. A. WEEKS, which was agreed to.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a question which was submitted in writing by Mr. M. A. Weeks.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a second question.

MR. Z. J. S. DESILVA asked Mr. S. G. Crockwell a supplementary question.

MR. Z. J. S. DESILVA asked Mr. S. G. Crockwell a second supplementary question.

MR. T. E. LISTER asked Mr. S. G. Crockwell a supplementary question.

MR. C. W. D. BROWN asked Mr. S. G. Crockwell a supplementary question.

MR. C. W. D. BROWN asked Mr. S. G. Crockwell a second supplementary question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a supplementary question.

MR. R. P. COMMISSIONG asked Mr. S. G. Crockwell a supplementary question.

MR. R. P. COMMISSIONG asked Mr. S. G. Crockwell a second supplementary question.

MR. Z. J. S. DESILVA asked Mr. S. G. Crockwell a second supplementary question.

MS. K. N. WILSON asked Mr. S. G. Crockwell a supplementary question.

**11:36 p.m.**

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a third question.

MR. M. A. R. BEAN asked Mr. E. T. Richards a question on his Ministerial Statement on Targeted Payroll Tax Relief for the Construction Sector.

MR. M. A. R. BEAN asked Mr. E. T. Richards a supplementary question.

MR. M. A. R. BEAN asked Mr. E. T. Richards a second question.

MR. D. V. BURGESS asked Mr. E. T. Richards a question.

MR. D. V. BURGESS asked Mr. E. T. Richards a supplementary question.

MR. D. V. BURGESS asked Mr. E. T. Richards a second supplementary question.

MR. W. L. FURBERT asked Mr. E. T. Richards a question.

MR. W. L. FURBERT asked Mr. E. T. Richards a supplementary question.

MR. D. V. BURGESS asked Mr. E. T. Richards a supplementary question.

MR. M. A. R. BEAN asked Mr. E. T. Richards a second question.

MR. M. A. R. BEAN asked Mr. E. T. Richards a supplementary question.

MR. D. V. BURGESS asked Mr. E. T. Richards a question.

MR. T. E. LISTER asked Mr. E. T. Richards a supplementary question.

MR. W. L. FURBERT asked Mr. E. T. Richards a second supplementary question.

MR. Z. J. S. DESILVA asked Mr. E. T. Richards a supplementary question.

**11:54 p.m.**

**Congratulatory and Obituary Speeches:**

DR. E. G. GIBBONS sent congratulations to the graduates of Berkeley Institute and congratulated Mr. Nadir and Mr. Nasir Wales who gave an inspiring speech; sent congratulations to CedarBridge Academy students who graduated.

MR. Z. J. S. DESILVA congratulated BerNews for receiving an Award recently.

MR. J. C. SOUSA sent congratulations to Eugene "Penny" Simmons who won the One International Design Award in Norway at a recent sailing competition.

MR. W. H. ROBAN sent congratulations to Art Mels' who again was mentioned on the international stage and being recognized by an internationally known chef as having the best Fish Sandwich; associated himself with condolences to the family of the late Ms. Meredith James; sent condolences to the family of the late Mr. Llewellyn Rubain an unsung hero for justice and equality.

MR. G. C. SMITH sent condolences to the family of the late Mr. Lawrence McEwen.

MS. J. J. ATHERDEN sent congratulations to Mont. St. Agnes Academy.

MR. T. E. LISTER sent congratulations to Bernell Williams who was recently licensed by the Bermuda Health Foundation; sent condolences to the family of the late Ms. Ida Phillpott; send condolences to the family of Ms. Frances Bean; congratulations to the staff and Principal of Dalton E. Tucker; congratulations to 18 athletes who have been selected to attend the Commonwealth Games in Scotland.

MS. N. S. OUTERBRIDGE sent congratulations to Patrina O'Conner on Big Brother and Big Sisters evening of "Crazy Dares"; congratulations to Bermuda Gymnastics Team who won 1st place in a world championship event held in Orlando Florida.

MS. J. J. ATHERDEN sent congratulations to all the school that are promoting health within their schools, and congratulations to Northlands Primary School which was the overall winning school.

MS. S. ROBERTS-HOLSHOUSER sent congratulations to Mr. Roy Tolaram on the opening of his new business called "Hill Groove".

**10:50 a.m.**

**Introduction of Bills:**

MR. E. T. RICHARDS introduced and read for the first time by its title Bill entitled the "Pensions (Increase) Amendment Suspension Act 2014".

DR. E. G. GIBBONS introduced and read for the first time by its title Bill entitled the "Trustee Amendment Act 2014".

MR. W. L. FURBERT introduced and read for the first time by its title Bill entitled the "Debtors Amendment Act 2014".

MR. W. L. FURBERT, on behalf of Mr. M. A. Weeks, introduced and read for the first time by its title Bill entitled the "Public Holiday Amendment Act 2014".

**12:16 p.m.**

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

The Speaker ordered that the House resume at 2:00 p.m.

**2:00 p.m.**

The House Resumed.

**Orders of the Day:**

Order 1 was carried over to the next day of business.

On the motion of MR. S. G. CROCKWELL the Bill entitled the "Motor Car Amendment Act 2014" was then read a second time.

- 2:05p.m. - MR. W. L. FURBERT
- 2:10p.m. - MR. C. W. D. BROWN
- 2:13p.m. - MR. W. H. ROBAN
- 2:19p.m. - MS. N. S. OUTERBRIDGE
- 2:24p.m. - MR. D. V. BURGESS
- 2:28p.m. - MS. K. N. WILSON
- 2:36p.m. - MR. S. G. CROCKWELL

The Bill was committed.

2:36 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair.

MR. S. G. CROCKWELL moved clauses 1-6 of the Bill

- 2:45p.m. - MR. W. L. FURBERT
- 2:55p.m. - MS. K. N. WILSON
- 3:00p.m. - MR. S. G. CROCKWELL
- 3:06p.m. - MR. W. L. FURBERT
- 3:12p.m. - MR. M. A. R. BEAN
- 3:17p.m. - MR. S. G. CROCKWELL
- 3:21p.m. - MR. W. L. FURBERT
- 3:23p.m. - MR. S. G. CROCKWELL

Clauses 1 – 6, on division, was affirmed as printed by 17 Ayes to 10 Noes:-

**Ayes:**

1. Ms. J. J. Atherden
2. Mr. K. L. Bascome
3. Mr. S. G. Crockwell
4. Mr. M. H. Dunkley
5. Dr. E. G. Gibbons
6. Ms. P. J. Gordon-Pamplin
7. Ms. S. E. Jackson
8. Mr. T. E. Lister
9. Mr. T. G. Moniz
10. Ms. N. S. Outerbridge
11. Mr. E. T. Richards
12. Mr. S. D. Richards
13. Ms. L. K. Scott
14. Mr. R. W. E. Scott
15. Mr. G. C. Smith
16. Mr. N. H. C. Simons
17. Mr. J. C. Sousa

**Noes:**

1. Mr. M. A. R. Bean
2. Mr. G. A. Blakeney
3. Mr. C. W. D. Brown
4. Mr. D. V. Burgess
5. Mr. R. P. Commissiong
6. Mr. Z. J. S. DeSilva
7. Ms. L. F. Foggo
8. Mr. W. L. Furbert
9. Mr. W. H. Roban
10. Ms. K. N. Wilson

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Chairwoman reported the adoption of the Bill, as printed, which was agreed to.

**3:37p.m.**

On the motion of DR. E. G. GIBBONS the Bill entitled the "Trust (Special Provisions) Amendment Act 2014" was then read a second time.

- 3:48p.m. - MR. C. W. D. BROWN  
 3:49p.m. - MS. L. K. SCOTT  
 3:51p.m. - MR. Z. J. S. DESILVA  
 3:53p.m. - MR. N. H. C. SIMONS  
 3:57p.m. - DR. E. G. GIBBONS

The Bill was committed.

3:57 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair.

DR. E. G. GIBBONS moved clauses 1-3 of the Bill  
 4:10p.m. - MR. W. L. FURBERT  
 Clauses 1 – 3, as printed, were agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Chairwoman reported the adoption of the Bill, as printed, which was agreed to.

**4:12p.m**

On the motion of MR. E. T. RICHARDS, the Bill entitled the "Public Treasury (Administration and Payments) Amendment Act 2014" was then read a second time.

- 4:25p.m. - MR. W. L. FURBERT  
 4:30p.m. - MR. T. E. LISTER  
 4:48p.m. - MS. P. J. GORDON-PAMPLIN  
 5:00p.m. - MR. E. T. RICHARDS

The Bill was committed.

5:05 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair.

MR. E. T. RICHARDS moved clauses 1-6 of the Bill

- 5:13p.m. - MR. W. L. FURBERT  
 5:14p.m. - MR. E. T. RICHARDS  
 5:16p.m. - MR. W. L. FURBERT  
 5:16p.m. - MR. E. T. RICHARDS  
 5:17p.m. - MR. W. L. FURBERT  
 5:17p.m. - MR. E. T. RICHARDS  
 5:18p.m. - MR. W. L. FURBERT  
 5:20p.m. - MR. N. H. C. SIMONS  
 5:21p.m. - MR. E. T. RICHARDS

Clauses 1 – 6, as printed, were agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Chairwoman reported the adoption of the Bill, as printed, which was agreed to.

Order numbers 5-12 were carried over to the next meeting day.

**5:25 p.m.**

MR. S. G. CROCKWELL moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Motor Car Amendment Act 2014" be now read the third time, which was agreed to.

On the motion of MR. S. G. CROCKWELL, the Bill entitled the "Motor Car Amendment Act 2014" was then read the third time and passed.

DR. E. G. GIBBONS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Trust (Special Provisions) Amendment Act 2014" be now read the third time, which was agreed to.

On the motion of DR. E. G. GIBBONS, the Bill entitled the "Trust (Special Provisions) Amendment Act 2014" was then read the third time and passed.

MR. E. T. RICHARDS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Public Treasury (Administration and Payments) Amendment Act 2014" be now read the third time, which was agreed to.

On the motion of MR. E. T. RICHARDS, the Bill entitled the "Public Treasury (Administration and Payments) Amendment Act 2014" was then read the third time and passed.

**5:28 p.m.**

MR.M. H. DUNKLEY moved that the House do adjourn to Friday, July 4, 2014, which was agreed to.

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

5:28p.m. - MR. G. A. BLAKENEY  
 5:32p.m. - MR. S. D. RICHARDS  
 5:42p.m. - MR. W. H. ROBAN  
 5:48p.m. - MR. Z. J. S. DESILVA  
 6:12p.m. - MR. W. L. FURBERT

His Honour the Speaker recognized in the Public Gallery Ms. Renee Webb, former Member of Parliament.

6:25p.m. - MR. D. V. BURGESS  
 6:45p.m. - MS. K. N. WILSON  
 6:56p.m. - MR. E. T. RICHARDS

7:07p.m. - MR. M. A. R. BEAN  
 7:34p.m. - MS. P. J. GORDON-PAMPLIN  
 7:48p.m. - MR.M. H. DUNKLEY

**8:08 p.m.**

The House adjourned to Friday, 4th July, 2014 at 10:00 a.m.