

Proceedings
of the
Honourable House of Assembly
Session of 2018-2020

Second Virtual Sitting

No. 47

Friday, 08th May, 2020

Members Present: His Honour the Speaker, Jeanne J. Atherden, Lt. Col. David A. Burch, Derrick V. Burgess, E. David G. Burt, L. Craig Cannonier, Wayne M. Caines, Rolf P. Commissiong, Zane J.S. De Silva, Curtis L. Dickinson, Michael H. Dunkley, T. Christopher Famous, Jason P. Hayward, Lovitta F. Foggo, Tinee S. Furbert, Wayne L. Furbert, Patricia J. Gordon-Pamplin, Susan E. Jackson, Dennis J.R. Lister, Renee D.L. Ming, Trevor G. Moniz, R. Scott Pearman, Diallo V. Rabain, Sylvan D. Richards, Walter H. Roban, Michael J. Scott, Leah K. Scott, W. Lawrence A. Scott, N. Cole Simons, Jamahl S. Simmons, Scott A. Simmons, Ben A. Smith, H. Kim E. Swan, Neville S. Tyrrell, Michael A. Weeks, Kim N. Wilson.

[This meeting of the House was conducted virtually.]

10:02 a.m.

Prayers

10:05 a.m.

Minutes of the Meeting of March 11th, 2020, March 13th, 2020 and March 16th, 2020 were confirmed.

Minutes of the Meeting of April 6th, 2020 and April 17th, 2020 were deferred.

10:05 a.m.

HIS HONOUR THE SPEAKER announced that the Standing Order have been suspended and the Standing Order Committee will be meeting to propose an amendment to the Standing Order so that the House can meet virtually.

10:08 a.m.

Papers and Other Communications to the House

MR. E.D.G. BURT read the following communication to the Speaker:-

I have the honour to attach and submit for the information of the Honourable House of Assembly, the following Regulations:

- “Emergency Powers (COVID-19 Shelter in Place) Regulations 2020”
- “Emergency Powers (COVID-19 Shelter in Place) Amendment Regulations 2020”
- “Emergency Powers (COVID-19 Shelter in Place) Amendment (No. 2) Regulations 2020”
- “Emergency Powers (COVID-19 Shelter in Place) Amendment (No. 3) Regulations 2020”
- “Emergency Powers (COVID-19 Continuing Precautions) Regulations 2020”

Mr. E.D.G. Burt
Premier

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 consideration of the Honourable House of Assembly, the “National Pension Scheme (Refund) (Temporary) Regulations 2020”, proposed to be made by the Minister of Finance, in exercise of the power conferred by section 24(9)(c) of the National Pension Scheme (Occupational Pensions) Act 1998.

Mr. C.L. Dickinson
Minister of Finance

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 consideration of the Honourable House of Assembly, the “National Pension Scheme (Lump Sum Refund) (Retiree) Regulations 2020”, proposed to be made by the Minister of Finance, in exercise of the power conferred by section 24(9)(b) of the National Pension Scheme (Occupational Pensions) Act 1998.

Mr. C.L. Dickinson
Minister of Finance

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 following Regulations:

- “Public Treasury (Administration and Payments) (Temporary Unemployment Benefit) Regulations 2020 “

- “Public Treasury (Administration and Payments) (Temporary Unemployment Benefit) Amendment Regulations 2020”

Mr. C.L. Dickinson
Minister of Finance

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 following:

- “Customs Duty (Bermuda Paper Company Ltd.) Remission Order 2020”
- “Customs Tariff (Head of Department) (Customs) Certificate 2020”
- “Customs Tariff (Approved Businesses) Amendment Notice 2020”
- “Customs Tariff (Approved Businesses) Amendment (No. 2) Notice 2020” “Public Treasury (Administration and Payments) (Temporary Unemployment Benefit) Regulations 2020 “

Mr. C.L. Dickinson
Minister of Finance

10:10 a.m.

MS. K.N. WILSON 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 following Regulations:

- “Public Health (COVID-19) Regulations 2020”
- “Public Health (COVID-19) Amendment Regulations 2020”
- “Public Health (COVID-19) Amendment (No. 2) Regulations 2020”
- “Occupational Safety and Health (COVID-19) Temporary Regulations 2020”
- “Residential Care Homes and Nursing Homes Amendment Regulations 2020”

Ms. K.N. Wilson
Minister of Health

MS. K.N. WILSON 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 following Orders:

- “Public Health (Communicable Disease) Order 2020”
- “Quarantine (Communicable Disease) Order 2020”
- “Quarantine (Travel Ban) Order 2020”
- “Quarantine (Travel Ban) (No. 2) Order 2020”
- “Quarantine (Travel Ban) (No. 2) Amendment Order 2020”
- “Quarantine (COVID-19) Order 2020”
- “Quarantine (Incoming Traveller) Order 2020”

- “Quarantine (Extension of Quarantine) Order 2020”

Ms. K.N. Wilson
Minister of Health

MS. K.N. WILSON 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 “Nursing and Midwifery Amendment Rules 2020”

Ms. K.N. Wilson
Minister of Health

10:11 a.m.

Statements by Ministers and Junior Ministers.

MR. E.D.G. BURT read a Ministerial Statement entitled “Emergency Powers (COVID-19 continuing Precautions) Regulations 2020”.

10:16 a.m.

MR. W.H. ROBAN read a Ministerial Statement entitled “Six (6) Megawatt Solar Farm Progress”.

10:26 a.m.

MR. C.L. DICKINSON read a Ministerial Statement entitled “COVID-19 Fiscal and Economic Plan Update”.

10:42 a.m.

MR. D.A. BURCH read a Ministerial Statement entitled “Public Works COVID-19 Operations”.

10:55 a.m.

MS. L.F. FOGGO read a Ministerial Statement entitled “Heritage Month 2020”.

11:03 a.m.

MR. J.S. SIMMONS read a Ministerial Statement entitled “Government Feedback Forum for COVID-19”.

11:07 a.m.

MR. J.S. SIMMONS read a Ministerial Statement entitled “Public Communications during COVID-19”.

11:19 a.m.

Premier’s Questions

MR. L.C. CANNONIER asked Mr. E.D.G. Burt a question on businesses reopening and guidelines regarding COVID-19 and in particular enforcement measures.

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

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

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

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

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

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

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

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

Mr. H.K.E Swan asked Mr. E.D.G. Burt a question.

Mr. B.A. Smith asked Mr. E.D.G. Burt a questions.

11:50 a.m.

Question Period

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

Q1. Notwithstanding, the responses provided to questions by the Honourable Premier on July 12, 2019; will the Honourable Premier please advise this Honourable House if any Members of Parliament have been paid from the public purse for any services, other than Government Committees, Government Boards or Quangos?

Q2. Will the Honourable Premier please identify for this Honourable House the Members of Parliament and the amounts paid or the outstanding amounts due to them?

MR. L.C. CANNONIER asked a question to Mr. E.D.G Burt on his Ministerial Statement entitled “Emergency Powers (COVID-19 Continuing Precautions) Regulations 2020”.

MR. R.S. PEARMAN asked a question to MR. E.D.G. BURT on his Ministerial Statement.

MR. R.S. PEARMAN asked a supplementary question.

MR. R.S. PEARMAN asked a second supplementary question.

MR. T.G. MONIZ raised a Point of Order – Premier misleading the House on the issue of tabling the COVID-19 Regulations.

MR. R.S. PEARMAN raised a Point of Order.

MR. M.H. DUNKLEY asked a question to MR. W.H. ROBAN on his Ministerial Statement entitled “Six (6) Megawatt Solar Farm Progress”

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

MRS. P.J. GORDON-PAMPLIN asked MR. W.H. ROBAN a supplementary question.

MR. M.H. DUNKLEY asked a second question

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

MR. L.C. CANNONIER asked a question to MR. C.L. DICKINSON on his Ministerial Statement Entitled “COVID-19-Fiscal and Economic Plan Update”.

In response to MR. T.G. MONIZ, MR. E.D.G BURT raised a Point of Order per Standing Order 17(9).

MRS. P.J. GORDON-PAMPLIN asked a question to MR. C.L. DICKINSON on his Ministerial Statement.

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

MR. M.H. DUNKLEY asked a question to MR. C.L. DICKINSON on his Ministerial Statement.

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

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

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

MS. S.E. JACKSON asked a question to MR. J.S. SIMMONS on his Ministerial Statement.

1:00 p.m.

MR. E.DG. BURT moved that the House do now adjourn for lunch and resume at 2:00 p.m., which was agreed to.

2:00 p.m.

House resumes.

2:01 p.m.

MR. SPEAKER asked the House to have a moment of silence for the late Former Speaker of the House, Mr. Stanley Lowe, OBE, JP

Tributes

2:00 p.m. MS. L.F. FOGGO

2:08 p.m. – MR. D.V. BURGESS

2:11 p.m. – MR. E.D.G BURT

2:14 p.m. – MR. L.C. CANNONIER

2:16 p.m. – MR. W.M. CAINES

2:19 p.m. – MRS. P.J. GORDON-PAMPLIN

2:23 p.m. – MR. H.K.E. SWAN

2:27 p.m. – MR. M.H. DUNKLEY

2:33 p.m. – MR. W.H. ROBAN

2:35 p.m. – MR D.V. RABAIN

2:37 p.m. – MR. R.P. COMMISSIONG

2:39 p.m. – MR. M.J. SCOTT

2:42 p.m. – MR. J.S. SIMMONS

2:44 p.m. – MR. T.G. MONIZ

2:47 p.m. – MR. T.C. FAMOUS

2:49 p.m. – MR. NEVILLE TYRRELL

2:51 p.m. – Z.J. DESILVA

2:55 p.m. – MR. B.A. SMITH

2:55 p.m. – MR. D.P. LISTER

3:00 p.m.

Introduction of Bills

MR. W.H. ROBAN introduced and read for the first time by its title a Bill entitled the “Development and Planning (Draft Bermuda Plan 2018 Extension) Act 2020”, which was agreed to.

MR. C.L. DICKINSON introduced and read for the first time by its title a Bill entitled the “National Pension Scheme (Occupational Pension) Amendment Act 2020”, which was agreed to.

Notice of Motions

MR. E.D.G BURT gave notice that at a later point in the meeting he will move the following motion:

“That this Honourable House take note of the ‘Emergency Powers (COVID-19 Continuing Precautions) Regulations 2020’”.

Orders of the Day

MR. C.L. DICKINSON moved that Standing Order 29(1) be suspended to enable him to move the second reading of the Bill entitled the “National Pension Scheme (Occupational

Pensions) Amendment Act 2020”, which was agreed to.

3:10 p.m. – MRS. P.J. GORDON-PAMPLIN

3:22 p.m. – MRS. R.M. MING

3:34 p.m. – MR. T.G. MONIZ

3:40 p.m. – MR. M.J SCOTT

3:52 p.m. – M.H. DUNKLEY

4:08 p.m. – MRS. J.J. ATHERDEN

4:24 p.m. – MR. N.S. TYRRELL

4:31 p.m. – MR. B.A. SMITH

4:36 p.m. – MR. H.K.E. SWAN

4:46 p.m. – MR. N.H.C. SIMONS

5:00 p.m. – MS. L.K. SCOTT

5:09 p.m. – MR. E.D.G BURT

5:19 p.m. – MR. C. L. DICKINSON

The Bill was Committed.

(MR. D.V. BURGESS in the Chair)

5:25 p.m.

MR. C.L. DICKINSON moved Clauses 1 to 5, which was agreed to.

5:27 p.m. – MRS. P.J. GORDON-PAMPLIN

5:30 p.m. – MR. C.L. DICKINSON

5:30 p.m. – MRS. P.J. GPRDON-PAMPLIN

5:32 p.m. – MR. C.L. DICKINSON

5:32 p.m. – MRS. P.J. GORDON-PAMPLIN

5:33 p.m. – MR. R.S. PEARMAN

5:39 p.m. – MS. S.E. JACKSON

Clauses 1 to 5 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.

MR. C.L. DICKINSON moved that Standing Order 23 (3) be suspended to enable him to move the following draft Regulation entitled the “National Pension Scheme (Refund) (Temporary) Regulations 2020”, which was agreed to.

5:46 p.m. – MRS. P.J. GORDON-PAMPLIN

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

(No. 22)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Regulations entitled the “National Pension Scheme (Refund) (Temporary) Regulations”, proposed to be made by the Minister of Finance, in exercise of the powers conferred by section 24(9)(c) and 69 of the National Pension Scheme (Occupational Pensions) Act 1998, has the honour to inform Your Excellency that the House has approved the said draft Regulations. -which was agreed to and ordered accordingly.

MR. C.L. DICKINSON moved that Standing Order 23 (3) be suspended to enable him to move

the Regulation entitled the “National Pension Scheme (Lump Sum Refund) (Retiree) Regulations 2020”, which was agreed to.

5:52 p.m. – MRS. P.J. GORDON-PAMPLIN

5:55 p.m. – MR. C.L. DICKINSON

5:58 p.m. – MR. N.H.C SIMONS

6:00 p.m. – MR. C.L. DICKINSON

6:00 p.m. – MS. S.E. JACKON

6:02 p.m. – MR. C.L DICKINSON

6:02 p.m. – MRS. J.J. ATHERDEN

6:06 p.m. – MS. S.E. JACKON

6:06 p.m. – MR. C.L DICKINSON

6:11 p.m.

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

(No. 23)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Regulations entitled the “National Pension Scheme (Lump Sum Refund) (Retiree) Regulations 2020”, proposed to be made by the Minister of Finance, in exercise of the powers conferred by section 24(9)(b) and 69 of the National Pension Scheme (Occupational Pensions) Act 1998, has the honour to inform Your Excellency that the House has approved the said draft Regulations. -which was agreed to and ordered accordingly.

6:13 p.m.

MR. E.D.G BURT moved that Standing Order 23 (3) be suspended to enable him to move the following Motion:

“That this Honourable House take note of the ‘Emergency Powers (COVID-19 Continuing Precautions) Regulations 2020’”.

6:21 p.m. – MR. R.S. PEARMAN

6:31 p.m. – MR. W.M. CAINES

6:32 p.m. – MR. R.S. PEARMAN

6:40 p.m. – MR. W.M. CAINES

6:45 p.m. – MR. L.C. CANNONIER

6:46 p.m. – MR. W.M. CAINES

6:56 p.m. – MR. B.A. SMITH

7:05 p.m. – MR. M. J. SCOTT

7:14 p.m. – MR. L.C. CANNONIER

7:27 p.m. – MR. M.H. DUNKLEY

7:34 p.m. – MR. W.M. CAINES

7:36 p.m. – MR. E.D.G. BURT

7:43 p.m.

MR. C.L DICKINSON moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “National Pension Scheme (Occupational Pensions) Amendment Act 2020” be now read a third time, which was agreed to.

On the motion of MR. C.L DICKINSON, the Bill entitled the “National Pension Scheme (Occupational Pensions) Amendment Act 2020 ” was then read the third time by its title only and passed.

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

7:44 p.m. – MR. D.V. RABAIN

7:54 p.m. – P.J. GORDON-PAMPLIN

8:01 p.m. – MR. N.H.C SIMONS

8:06 p.m. – MR D.V. RABAIN

8:11 p.m. – MR. T.G. MONIZ

8:18 p.m.

The House adjourned until Friday, 22nd May 2020 at 10:00 a.m.