

**Proceedings
of the
Honourable House of Assembly
Session of 2017-2018**

No. 1

Friday, 8th September, 2017

Pursuant to the Proclamation of His Excellency the Governor, Mr. John Rankin CMG, published in the official Gazette on Friday 1st September 2017, (Notice No. 726) convening the Legislature, the several Members assembled at the Sessions House.

10:02 am

Smiths South
Nelson Hadley Cole SIMONS

Prayer recited by the Clerk

10:05 am

Smiths West
Trevor Gerard MONIZ

A certified list of members returned to serve in the House of Assembly for the several electoral districts of Bermuda was forwarded by the Deputy Governor and was read by the Clerk to the Legislature as follows:

Smiths North
Michael Henry DUNKLEY

Devonshire East
Thomas Christopher FAMOUS

LIST OF MEMBERS ELECTED TO THE HOUSE OF ASSEMBLY ON TUESDAY JULY, 18 TH 2017.

Devonshire South Central
Legay Craig CANNONIER

St. George's North
Renee Denise L. MING

Devonshire North Central
Diallo Vincent S. Rabain

St. George's West
Hurbert Kim. E. SWAN

Devonshire North West
Wayne Michael CAINES

St. David's
Lovitta Fiona FOGGO

Pembroke East
Walter Henri ROBAN

St. George's South
Tinee Sherrice FURBERT

Pembroke East Central
Michael Anthony WEEKS

Hamilton East
Derrick Vaughn BURGESS

Pembroke Central
Charles Walton Devere BROWN

Hamilton West
Wayne Livingston FURBERT

Pembroke West Central
Edward David Gerald BURT

Hamilton South
Sylvan Deveaux RICHARDS JR.

Pembroke West
Jeanne Juanita ATHERDEN

Pembroke South West
Susan Elizabeth JACKSON

Pembroke South East
Rolfe Patton COMMISSIONG

Paget East
Edmund Graham Grant GIBBONS

Paget West
Patricia Jasmine GORDON-PAMPLIN

Warwick South East
William Lawrence SCOTT

Warwick North East
Jeffrey Caine BARON

Warwick South Central
Neville Sinclair TYRRELL

Warwick North Central
Lt. Col. David Arnold BURCH

Warwick West
Dennis James R. LISTER III

Southampton East
Zane Joseph Stephen DESILA

Southampton East Central
Leah Kimberly SCOTT

Southampton West Central
Benjamin Anthony SMITH

Southampton West
Scott Arthur SIMMONS

Sandy's South
Jamahl Snaith SIMMONS

Sandy's South Central
Kim Ninette WILSON

Sandy's North Central
Dennis Patrick LISTER

Sandy's North
Michael John SCOTT

10:02am

Mr. E.D.G. Burt moved moved that the Honourable Member for Sandy's North Central Mr. D.P. Lister to take the Chair of the House as Speaker.

The motion was seconded by Dennis James R. LISTER III.

There being no other nominations, the Honourable Member for Sandy's North Central Mr. D.P. Lister was declared to be duly elected as Speaker.

His Honour the Speaker elect was conducted to the Chair by his proposer and seconder, whereupon he expressed to the House his thanks for the high honour bestowed upon him and renounced party allegiance.

His Honour the Speaker elect, standing on the first step to the Chair took the Oaths of Allegiance and of an Assemblyman administered by the Clerk to the Legislature.

His Honour the Speaker Elect administered the Oaths of Allegiance and of Assemblyman to the Hon. Premier, Mr. Edward David Gerald Burt and the Leader of the Opposition the Hon. Patricia Jasmine Gordon-Pamplin.

10:12am

His Hon. the Speaker elect then administered the Oaths of Allegiance and of an Assemblyman to the following Honourable Members:

Mr. Jeffrey C. Baron, Lt. Col. David Burch, Mr. David E. Burt, Mr. Zane J. S. DeSilva, Ms. Lovitta F. Foggo, Mrs. Tinee S. Furbert, Hon. Wayne L. Furbert, Hon. Patricia J. Gordon-Pamplin, , Mrs. Renee D.L. Ming, Hon. Diallo V.S. Rabain, Hon. Walter H. Roban, Ms. Leah K. Scott, Hon. Michael J. Scott, Mr. W. Lawrence Scott, Hon. Jamahl S. Simmons, Mr. Mr. N.H. Cole Simons, Hon. Kim N. Wilson.

Certified Correct,
Deputy Governor's Office

His Honour the Speaker elect, administered Affirmations of Allegiance and of an Assemblyman to the following Members;

Hon. C. Walton D. Brown, Hon. Wayne M. Caines, Mr. Dennis P. Lister III, Hon. Derrick V. Burgess, Mr. Michael A. Weeks, Mr. Rolfe P. Commissiong, Mr. Neville S. Tyrrell, Mr. H. K. E Swan, Mr. Dennis P. Lister, Mr. T. Christopher Famous, Mr. Sylvan D. Richards, Scott A. Simmons, Dr Edmund G. Gibbons, Mr. Benjamin A. Smith, Ms. Susan E. Jackson.

The Speaker moved that the election of the Deputy Speaker be conducted.

10:45am

The Hon. Premier, Mr. E.D.G. Burt moved that the Honourable Member for Hamilton East, Hon. Derrick Vaughn Burgess be elected Deputy Speaker of the House.

The motion was seconded by the Deputy Premier the Hon. W.H. Roban.

The Honourable member for Hamilton East submitted himself to the judgement of the House.

There being no other nominations, the Honourable Member for Hamilton East, Hon. Derrick Vaughn BURGESS was declared to be duly elected as Deputy Speaker.

10:55am

Announcements by the Speaker:

The Speaker announced a message is being sent to His Excellency the Governor.

(No. 1)

MAY IT PLEASE YOUR EXCELLENCY:

We are directed by the House of Assembly to inform Your Excellency that the House has met.

**Sessions House
8th September 2017**

His Honour the SPEAKER appointed the following Honourable Members to deliver the message:

Mrs. Tinee S. Furbert and Mr. Benjamin Smith

Message from the Governor:

The following Message was received from His Excellency the Governor.

Mr. John Rankin
Governor and Commander in Chief

(No. 2)

I have the honour to inform the House of Assembly that I will deliver the Speech on the occasion of the Convening of Parliament at 11:00am today, Friday the 8th of September 2017 on the Cabinet Office Lawn.

The Governor, further, has the honour to request that at this time the House of Assembly will be pleased to present to him its Speaker.

**Government House
8th September, 2017**

The attendance of the Honourable House having been requested on the Cabinet Office Lawn His Honour the Speaker elect and Honourable Members attended upon His Excellency the Governor at the Cabinet Office Lawn.

His Excellency enquired:

"Members of the Honourable House of Assembly, have you elected your Speaker?"

His Honour the Speaker replied:

"Your Excellency", I am honoured to inform your Excellency that I have been elected to that position. However difficult and challenging the duty, I have accepted the appointment and I now submit myself with all humility to your Excellency's approval.

His Excellency said:

Mr. Speaker, I most heartily approve of your election."

His Honour the Speaker replied:

“Your Excellency” I thank you for your gracious approval. I must now, in the name of and on behalf of, Her Majesty’s faithful People of these Bermuda Isles, in order that they may be enabled fully to discharge their duty to their Queen and Country, claim all their ancient rights and privileges, particularly freedom of speech in their debates, that they may have full access to your Excellency, and that their proceedings may receive the most favourable interpretation.”

His Excellency said:

"Mr. Speaker and Members of the Honourable House of Assembly, in Her Majesty's name I do assure to her Majesty's faithful Commons of the Bermudas the full enjoyment of their ancient rights and privileges, and that they may depend upon a favourable interpretation of their proceedings."

The Speaker replied:

. “Your Excellency, on behalf of Her Majesty’s faithful People of these Bermuda Isles, I thank you for those assurances.”

His Excellency the Governor then opened the present session of Parliament with the following Speech:

Throne Speech at Cabinet Grounds:

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

The historic general election of July 18th produced the clearest expression of the people’s will that Bermuda has ever witnessed. At more than 46,000 voters, the voters list was the largest in Bermuda’s history. The Progressive Labour Party secured just under 60% of this enlarged popular vote; a clear endorsement of the Government’s election manifesto, which laid out plans to build a better and fairer Bermuda. The Government has twice as many seats in the House as the Opposition; and the Government’s

Backbench outnumbers Her Majesty’s Loyal Opposition.

These salient facts provide both the background and the mandate that drives the 2017 Speech from the Throne.

This convening will see a new parliament led by a new government committed to ensuring social mobility and removing social inequality. This Government will face the issues of division in our country head-on, and will overcome them.

For too long Bermuda’s economy, wealth and influence have not created a level playing field. When there have been economic downturns, one segment of Bermuda suffers far more than the other; and when economic bonuses, such as the richest sailing event in history, come to Bermuda, the same segment receives little benefit.

Bermuda was listed as the most expensive country in which to live in 2016. Against that backdrop, Bermudian jobs continued to decline while more non-Bermudians were added to the workforce. It is the duty of a responsible new government entering parliament to prioritise reducing the cost of living, creating Bermudian jobs, and growing Bermuda’s economy.

The former Government’s use of the “trickle-down” theory of economics—the principle that the poor, who must subsist on table scraps dropped by the rich, can best be served by giving the rich bigger meals—has failed the people of Bermuda, as it has failed other citizens around the world.

Instead of the uneven nature of trickle-down economics, this Government believes in ripple-effect economics. If one pictures a rock being thrown into a lake, you can see the ripple that spreads from that rock hitting the water; this is what this Government will do in Bermuda: create ripples, not trickles. The Government will ensure that Bermudians who were waiting for

crumbs to fall will now have a seat at the table to share the full meal.

The Government is cognizant of the fact that in recent years there have been multiple demonstrations, marches and other forms of civil protest that clearly displayed the gulf of trust between legislators and those they serve. This Government will repair the relationship between the Government and the people by communicating more, serving more, and inspiring Bermudians to see the Government as a partner in the improvement of their quality of life.

In the weeks since the election, the Government has been meeting with business leaders, union leaders, community leaders, civil servants and Bermudians from every walk of life. This Throne Speech prioritises the issues that will grow international business, inspire our children, protect and respect our seniors, restore confidence to public education, and ensure Bermuda is best placed to meet the challenges of the modern information age.

**Madame President and Members of the Senate,
Mr. Speaker and Members of the House of
Assembly,**

The core of the Government's philosophy is focused on growing the economy while empowering all Bermudians to become full participants in the economic miracle that is Bermuda. The Government will ensure that Bermuda's success in attracting the most innovative companies from around the globe to Bermuda is increased and that the quality of life for Bermudians is also enhanced by the presence of those companies.

The plans laid out in this Throne Speech are specifically designed to achieve economic growth by creating new jobs for more people to work and live in Bermuda who complement, not overpower, Bermudians in the workforce. This will ensure growth in our International Business

sector while new impetus to grow our domestic economy is created.

The Government will continue to ensure that all measures are taken internationally to maintain Bermuda's leading role in the global insurance industry. Bermuda is facing a number of threats that, if successful, would cause our economy significant harm. The Government is mindful of these threats and will act to ensure that Bermuda's 3 interests are both promoted and protected overseas. Bermuda's proven track record for meeting these challenges can only be continued by keeping Bermuda's unique story and standards in the minds of regulators, politicians, and those who may seek to undermine our role in global finance. **This Government will increase Bermuda's outreach around the globe by staffing the empty Washington DC office and increasing engagement with the European Union in Brussels to ensure that Bermuda's interests are represented as the United Kingdom leaves the EU.**

**Madame President and Members of the Senate,
Mr. Speaker and Members of the House of
Assembly,**

Leaving Bermuda's economic and commercial development to the whims of the markets or external forces is unwise. Bermuda has existed without a National Plan for too long. Bermuda needs to draw on the intellectual capital of our stakeholders to move our community in the same direction. The Government will re-establish the Bermuda First Think Tank, consisting of local and international business and community leaders, to produce a long-term economic and social plan for Bermuda. With broad community support, this economic plan will produce balanced, long-term economic growth that will create jobs in Bermuda.

In 2015, the Caribbean Regional Technical Assistance Centre (CARTAC) completed a review of Bermuda's tax system. Many stakeholders requested access to this document, but the

former Government refused to share its contents. In keeping with its pledges of transparency, this Government will table the CARTAC review in Parliament so that parliamentarians and members of the community can be made aware of the recommendations.

With a world economy that is changing rapidly, Bermuda must examine its current system of taxation to ensure that it remains a competitive jurisdiction and protects against external threats. In order to determine and create the fairest tax regime possible, the Government will **create a Tax Reform Commission** drawing participants from both political parties, international and local businesses, trade unions, and the Bermuda Bar. The Commission will conduct a review of our system of taxation and revenue collection and make recommendations on tax reform to Parliament that enhance Bermuda's international competitiveness and increase tax compliance.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

Bermuda's economy is in desperate need of economic diversification as a means to provide additional jobs and careers for Bermudians. The Government will ensure that Bermuda is poised to meet new demands and will be aggressive in reaching out to new global areas of growth. Therefore, the Government will establish an **Economic Diversification Unit** to make progress on this urgent need. This permanent organisation will consist of a small number of persons with a proven history of developing economies. Their mission will be to identify new opportunities for economic diversification and to subject them to structured analysis and research. Once areas have been identified and agreed upon, the unit will seek partners and investment to develop new local industry.

In the highly competitive world of global finance and financial services, innovation and reputation

are almost equally valuable. At present, captive insurance jurisdictions— such as the Cayman Islands and Barbados—are using Bermuda's lack of Incorporated Segregated Accounts Companies (iSAC) legislation to win business. The Government will draft, table and pass the legislation required to ensure that Bermuda's hard-won reputation for modernisation is maintained.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

In 2000, the Hotel Concessions Act was passed to incentivise hotels to upgrade their facilities. Over the past 17 years, this landmark Act has become outdated, and Bermuda must be more nimble in attracting tourism investment. This Government will pass the Tourism Investment Act to stimulate investment in all aspects of our tourism product, including restaurants, attractions and facilities, to grow tourism and to create jobs.

International events in Bermuda must deliver more than exposure to our island's beauty; they must deliver jobs and commercial opportunities for Bermudians, as well as a memorable experience for our visitors that will encourage them to return.

The Government will transform the **ACBDA into the Bermuda Event Authority**. This reformed body will build on the experience of hosting the America's Cup. However, the new authority will be constituted to utilise a far more diverse and inclusive approach to finding, attracting and managing events. Bermuda is more than golf, rugby and sailing, and there exists the capacity to grow events that attract younger, more cosmopolitan and more diverse visitors to our shores.

With jobs for non-Bermudians continuing to grow as Bermudian jobs are lost in the tourism industry, it is clear that a new approach is needed. In this term, the Government, working in tandem with the Department of Immigration,

the Department of Workforce Development and stakeholders, will **conduct an industry-wide skills and needs assessment** to identify areas where unemployed or underemployed Bermudians can be trained to fill or be promoted into jobs currently held by non-Bermudians.

To further facilitate the entrance and development of Bermudians into the industry, the Government will seek to reform and revitalise the Bermuda Hospitality Institute (BHI) as a stronger, more effective vehicle for empowering our Bermudian people. The training and designations that the BHI offers will be enhanced to certify Bermudians so they can become stakeholders in the tourism industry.

Vacation rentals are a growing and important part of Bermuda's tourism economy, and it is necessary for Bermuda to legislatively define vacation rental property to remove bureaucratic restrictions and develop a light-touch regulatory approach. **Vacation rentals legislation will be enacted** to enable the Government to better support the vacation rental sector to the benefit of Bermudian homeowners, service providers and entrepreneurs.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

In Bermuda, there are cooperative ways for people to save money, trade goods and services, and engage in business. One such example of a cooperative entity is the BIU Credit Union. Cooperative economic empowerment has the ability to spread risk and benefit greater numbers of people than operating alone. To create and expand the opportunities to boost community-based economic empowerment, the Government will **create a Director of Cooperative Economics**.

Empowering small businesses is the key to economic growth. The Bermuda Economic Development Corporation (BEDC) was established in 1980, and its remit has adapted over the years. The Government will conduct a

holistic review of the services offered by the BEDC to fully engage in the economic empowerment of Bermudians. Many entrepreneurs have commented that the BEDC needs to be more flexible to meet the needs of business. The Government will ensure the BEDC is better able to serve their clients by increasing entrepreneurs' access to capital, leading to increased economic growth and jobs for Bermudians.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

In a country where providing employees with medical insurance is mandatory, where motor insurance is mandatory, where pensions are mandatory, and where more than half of Bermudian homeowners have a mortgage, the majority of residents are involuntary consumers of financial services. Limited lending options coupled with austerity in recent years have operated against the aspirations of many hardworking Bermudians. Therefore, during this session the Government will explore the best means by which to expand banking options available to Bermudians and increase the opportunities available to finance their legitimate aspirations in this society. Over the years there have also been a number of complaints regarding the treatment of Bermudians by debt collection agencies—the majority concerning exorbitant interest rate charges, and the sharing of information to employers and others. At present, if clients have complaints about mistreatment, they do not have representation beyond the expensive and time-consuming avenue of Bermuda's legal system.

Therefore, the Government will **introduce regulations for debt collection agencies; regulate payday lenders who lend money at extraordinary interest rates; and bring banking, insurance and other financial service conduct under the umbrella of an updated Consumer Protection Act**.

Given the growing gap between the Two Bermudas, it is imperative that a government of the people addresses the cost of living that severely and detrimentally impacts quality of life. Food prices are too high in Bermuda, and the high cost is even more evident when one wants to feed their family healthier options. Bringing down the cost of food will require a collective effort and original thinking to be successful and sustainable. This Government is committed to reducing the expense of Bermudians' grocery baskets. Accordingly, the Government will **grant the Price Control Commission additional powers and scope to find innovative ways to reduce the cost of living in Bermuda.**

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

To ensure that workers can live in dignity and are not working simply to remain in poverty, the Government will support a new Parliamentary Committee to complete the work that was started in the last parliament to examine the living wage. This committee will present Parliament with recommendations for **implementing a living wage in Bermuda.**

Immigration reform remains a key issue for our country, and this Government is committed to a consultative process. There is wide agreement that the Bermuda Immigration and Protection Act 1956 needs a complete overhaul. During this year, the Government **will establish a Bipartisan Committee on Immigration Reform** comprised of MPs from both political parties who will engage in a consultative process with all stakeholders to develop both policy and legislation.

There are many challenges in the workplace which need to be addressed; some are bad practices that need to be eliminated, but other issues are structural and lead to discrimination and resentment among workers. One such structural imbalance is the difference between pension benefits required for guest workers and those required for Bermudians.

Currently, employers are not required by law to provide the same level of pension benefits to guest workers as they are to Bermudians, thus making it more expensive to employ Bermudians. In collaboration with employers and the Bermuda Trade Union Congress, this Government will update pension legislation to require equal treatment for Bermudian and expatriate workers, while also updating labour legislation to ensure that labour disputes are handled more effectively and labour rights are protected.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

Bermuda is a blue-chip business jurisdiction and a world-class tourist destination. It is important, therefore, that our reputation as an innovative and competitive jurisdiction is complemented by being at the vanguard of an exploding digital economy that is creating ground-breaking technologies and new businesses almost weekly. To grow our economy, the Government will issue a Request for Information to establish a Technology Hub at Southside. This will allow start-ups in the technology field that require little more than a computer and an Internet connection to use our regulatory environment while developing their new products and services in Bermuda. The vision is to transform Southside into a technology-based community with living facilities as well as an active office community.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

The Government's plans will grow Bermuda's economy. However, outcomes in our public education system must be improved to equip the next generation of Bermudians to fill the jobs of the future. During the election campaign, the Government made clear its intention to phase out middle schools and return to a two-tier system.

The Government has embarked upon a new strategic planning effort to transform the quality of education. This approach will create a vision for education that is developed by Bermudians, for Bermudians.

As the consultation process reaches its final stages, to ensure that all stakeholders have an opportunity to provide feedback, the Department of Education will host three town hall meetings in September. The Department of Education will use this feedback to finalise and move into the implementation design phase of the strategic plan. The new plan will be completed and in place by September 2018.

In 2017, it is unfortunate that most Bermuda public schools do not have wireless Internet. In the last seven weeks, this Government has moved aggressively to fulfil its 100-day pledge to commence installation of Wi-Fi in public schools. When students of East End Primary School and Purvis Primary arrive at school next week, wireless Internet will have been installed. The Government **will complete the installation of Wi-Fi in all primary and middle schools by the end of the school year.** This implementation will be complemented by an IT strategy for public schools that includes teacher training.

With the summer success of the Science, Technology, Engineering, Arts and Mathematics (S.T.E.A.M.) Academy, the Government will concentrate on the development of S.T.E.A.M. in our primary schools. Therefore, the Government will ensure that all primary schools have the resources to integrate S.T.E.A.M. education in classrooms by September 2018 to provide students with equal access. S.T.E.A.M. education initiatives have yielded excellent results worldwide, and there is much evidence to suggest that engaging girls in S.T.E.A.M. at an early age can serve to close the gender gap in later years, especially in disciplines where girls have traditionally been side-lined.

The Government will ensure that lifelong learning and access to education and

educational resources are available to all Bermudians of all ages.

In keeping with its commitment to hit the ground running, the Government has already delivered one of its 100-day pledges by investing in Bermuda's future by providing the opportunity for 150 Bermudians to further their education at the Bermuda College.

The Government will create a National Workforce Development Plan, in collaboration with our key stakeholders, to ensure that Bermudians are properly prepared to take advantage of both current and future job opportunities. The plan will include a **National Skills Policy for employers to address chronic skills shortages across different occupational groupings.**

The plan will also offer more training programmes at the College to provide more opportunities for Bermudians to retool their skill-sets. Additionally, the Government will conduct a pilot programme to assess the provision of child-care services to working parents to enable them to attend night courses at the Bermuda College.

**Madame President and Members of the Senate,
Mr. Speaker and Members of the House of
Assembly,**

Reforming and improving our public education system will yield better outcomes in the future. Poor educational attainment and the lack of economic opportunities are the main contributing factors to anti-social behaviour and violence.

The Bermuda Police Service has steadily sought to combine strong enforcement with best-practice community policing. Police officers have been engaging in schools and in the communities they serve. Operational control of the police service will continue to be the purview of the Commissioner, but the time has come for a coordinated methodology by which strategic

decisions can be made and clear input provided to the Commissioner regarding policing priorities. During this session, the Legislature will be invited to consider a bill **to create a Police Authority** which will comprise Government House, the Government, the police, and laymen, working together to help establish Bermuda's policing priorities and determining the funding required to properly support our valued service.

The Royal Bermuda Regiment will assume responsibility for inshore maritime patrolling from the Bermuda Police Service. During this session, relevant statutes will be amended to permit regiment soldiers to carry out some law enforcement functions in this maritime role. These changes augment the Special Constable Training and Designation earned by soldiers and will return police officers currently performing this function to core policing duties.

The Government will amend the Defence Act 1965 in consultation with the Governor to officially end conscription to **the Royal Bermuda Regiment within this legislative session.**

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

Violence and anti-social behaviour will no longer be seen solely through a law enforcement prism. The solution to these issues rests in determined action to address the social and economic inequalities that have given rise to violence in Bermuda.

The Government will **appoint a Gang Violence Reduction Coordinator** with a singular focus on implementing programmes to reduce violence and anti-social behaviour. The coordinator will review the effectiveness of existing programmes while ensuring that social services are focused on dealing with the root causes of crime. During this session, the Government will reduce violence through greater economic opportunity for those historically left out of the economic success of Bermuda. The Government will ensure that opportunities exist for young people

who wish to leave a lifestyle that can only produce incarceration, pain or death, by supporting social enterprises that offer employment opportunities and skills development to Bermudians seeking to exit gangs. Additionally, the Government **will provide financial support to Bermudians who wish to break from their dependence on gangs** to return to school to learn a trade or achieve their GED.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

Mere steps from where we meet today, a scene of public turmoil played out which was more reminiscent of Bermuda's dark past than its professed 21st century ideals. An important show of democracy descended into open conflict between concerned citizens and those charged with protecting the very rights they sought to exercise. In the wake of the events of December 2nd, 2016, this Government has determined that a greater balance must be struck in favour of those who rightly question the actions of the police.

Therefore, during this session, legislation will be introduced to give ordinary citizens greater confidence in the independence of the Police Complaints Authority. These amendments will enable truly independent investigations in the case of complaints regarding police conduct.

The Government will also establish a parliamentary committee to look into the events of December 2nd to bring closure to this dark day in our country's history.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

In 2017, national security must also focus on cyber security and ensure that our digital infrastructure is protected and safe. 12 Bermuda is heavily reliant on its digital infrastructure, as it supports communication, commerce,

government service delivery and records, and it undergirds Bermuda's role in global finance. As the potential for cyber-attacks to generate significant consequences to Bermuda's economy and society increases, Bermuda's cyber security is a national priority.

A harmonised approach that ensures Bermuda prevents, is prepared for, and recovers from cyber-attacks is required. Accordingly, the Government will commence stakeholder consultations **to develop a National Cyber Security Strategy.**

Technology provides users access to a world of information; however, it also exposes them—particularly young people—to risks including cyberbullying, fraud and cyber stalking. It is important that responsible, online safety practices are encouraged. The Government will **host a youth-focused Stop Cyber Bullying Summit** that will initiate the creation of a National Cyber Safety Plan. The Summit will take place in December 2017 and jumpstart the creation of the plan in the first quarter of 2018.

**Madame President and Members of the Senate,
Mr. Speaker and Members of the House of Assembly,**

The Government has outlined its plans to grow the economy, reform the education system and address the national security challenges facing the country. Simultaneously, the Government will also make changes to legislation to improve the social conditions in the country. The Financial Assistance Programme that serves some of the most vulnerable in our society is in need of reform as the current system does not effectively serve either the clients or the government.

The Government will undertake a review of the Financial Assistance Programme. This **review will require able-bodied unemployed persons who are receiving assistance to upgrade their education and skills** to facilitate their return to the workforce. Financial Assistance should

encourage people to find work; therefore, people who take a part-time position will not find themselves penalised. This Government will reform Financial Assistance to reduce abuse, discourage dependency, and ensure that work pays.

**Madame President and Members of the Senate,
Mr. Speaker and Members of the House of Assembly,**

There are many parents who, either through circumstances or choices, are not living with their children and have been ordered through the Courts to provide financial support. In some cases, the parent has abandoned all parental responsibility, and punishments that come from breaching an order are required. As of August 29th, 2017, the arrears of child support payments in Bermuda stands at \$46.7 million for 1,840 outstanding cases. Therefore, this Government will ensure full compliance by those who are ordered to pay child support, but refuse to do so.

However, there are some parents who, due to the economy, temporary employment, or other factors, have built up arrears and may even have been incarcerated as a result, but are now trying to reduce their arrears and financially support their children.

Accordingly, the Government will undertake a thorough assessment of the Child Support System to analyse the deficiencies of its enforcement measures to create new enforcement options. Access to alternative dispute resolution will be simplified so that a resolution is more quickly achieved for the child's benefit. The overall goal is to improve enforcement measures to minimise delinquency.

The Government will amend the Children Act 1998 to achieve a greater degree of protection and care for children. In a great many cases involving care and custody disputes, parties each have litigators and advisors representing their

interests, while the child often does not have the same.

Accordingly, the Act will be amended to enhance the existing protocol that assigns a Litigation Guardian to children whose custody, care, or control is before the Courts. The guardian will ensure the interests of the child are fairly represented in the Courts, and that any subsequent orders or findings are respected by all parties.

In addition, the Government will expand the duty to investigate under the Children Act 1998, giving the Director of Child and Family Services the ability to enter public or private schools rather than only the Department of Education. The Act will also be amended to indicate that case reporters are not required to receive consent from a parent or guardian to investigate, especially when the allegation involves a parent or guardian.

When sex offenders have been tried and convicted, to help prevent the tragedy of sex crimes being repeated, the Government will selectively release information pertaining to sex offenders to members of the public. Offenders and the disclosure of their information will be managed according to the risk they pose to the public. Since the election, the new Government has created a 'Protocol on Disclosure of Information Identifying Sex Offenders' and this will be distributed amongst stakeholders to formalise a systematic approach to minimising the risks posed to the public by high-risk offenders.

In many jurisdictions, the Legal Aid Scheme is the only avenue for citizens to receive the legal representation they require. In Bermuda, the Legal Aid Scheme is facilitated by the Legal Aid Act 1980 and is a pillar of Bermuda's justice system.

During the upcoming legislative session, administrative and other improvements will be undertaken to reform the administration of the

Legal Aid Scheme. The goal is to increase the availability of legal assistance while minimising costs and enabling an accurate prediction of costs.

The criminalisation of our citizens for minor, non-violent possession of cannabis is an open sore on our society, damaging the lives of hundreds of Bermudians, young and old. This is also an issue of fairness, as black people in our society are far more likely to be arrested, charged and convicted for cannabis possession than white people. Given the dire consequences of a conviction for simple non-violent drug possession, the Government **will decriminalise cannabis possession for amounts under seven (7) grams.**

Despite the severity of Bermuda's penalties for illicit drug use, they apparently fail to deter criminal behaviour. Given that the behaviour is driven by addiction, punishments tend to be ineffective. Consequently, the Government has a duty to seek ways to reduce drug abuse and increase rehabilitation. The Government **will publish a Green Paper for consultation to review Bermuda's drug policies** to discuss options to reduce drug abuse.

The menace of drunk driving on our roads is one that can be difficult to curtail given the proliferation of alcohol versus our available enforcement resources. This Government will not tolerate impaired driving. **Sobriety checkpoints and increased penalties will be implemented** to reduce the number of people who drink and drive.

**Madame President and Members of the Senate,
Mr. Speaker and Members of the House of
Assembly,**

The cost of health care is a major expense for the government and private employers, which reduces our global competitiveness. Cost reduction will lead to savings that will promote economic growth. The Government will launch a comprehensive review of healthcare costs in

Bermuda and will seek to extract savings throughout the entire healthcare system.

The Government will institute a regime that protects seniors and others in care homes by amending the Residential Care Homes and Nursing Homes Act 1999 to provide standards, sanctions and regulations that protect and respect our care home residents.

The Government will introduce the Radiation Therapy Act to provide coverage for the subscribers of the Government's Health Insurance Plan (HIP) and Future Care patients to allow them to utilise local life-saving radiation treatments. This gap in treatment coverage must be addressed to ensure access to the latest on-island care.

The community must take actions to reduce habits that lead to the high incidence of chronic disease in Bermuda. These chronic diseases, such as diabetes, heart disease and hypertension, have common preventive factors such as healthy eating, active living, maintaining a healthy weight, smoking cessation, and consuming alcohol only in moderation.

The Government will engage all sectors of society in a coordinated, strategic plan to halt the rise in obesity and diabetes in Bermuda. The Government will lead the way in wellness by encouraging its employees to make healthy choices, and will contribute to their well-being by offering programmes, incentives and education to support the journey to a healthier public service.

While unhealthy foods are often appealing due to their lower prices, the cost of treatment is significantly higher than the cost of prevention. Accordingly, the Government will begin a consultation for the introduction of a Sugar Tax on the sale of certain foods and beverages in Bermuda.

**Madame President and Members of the Senate,
Mr. Speaker and Members of the House of
Assembly,**

In keeping with its campaign promises, the Government will implement a number of measures to improve the standard of governance in Bermuda to ensure that our democracy and our government is more responsive to the needs of the people it serves.

The Government will implement an **interactive Citizens Forum** to engage in constructive discussion on issues and to broaden the base of consultation on matters that affect Bermudians.

To ensure Parliament remains relevant and responsive to the people, the Government will implement three measures to enhance the standard of governance.

First, the Government will establish and **implement a Code of Conduct for Parliamentarians**. The seat of democracy in Bermuda demands nothing less than full adherence to behaviour and standards that are becoming of the people's representatives.

Second, the Government will implement the SAGE Commission's recommendation to **establish three Parliamentary Oversight Committees** to reduce waste, improve governance, and increase efficiency.

Third, the Government will amend Parliamentary Rules to **introduce Premier's Question Time** whereby Members of the House of Assembly can question the Premier about government policies.

**Madame President and Members of the Senate,
Mr. Speaker and Members of the House of
Assembly,**

The power of government purchasing must be used to meet the objectives of the Government as, for far too long, many small contractors have not had a fair shake. In keeping with its election

pledge, the Government **will implement the Code of Practice for Project Management and Procurement**. The code has been drafted and in suspension since 2012 and, over the last five years, it has remained inoperative; this new Government will implement this code before the end of October 2017.

The Government will enshrine rules that give **preference in the awarding of contracts to companies that hire Bermudians**. Additionally, the Office of Project Management and Procurement, in conjunction with the BEDC, will host workshops 17 to ensure that more small contractors gain access to government work. Companies that hire Bermudians are to be supported, and this Government will do so through a structured and transparent procurement process.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

To improve communications to residents, the Government will produce a mobile application for government announcements and notices. Instead of paying high-priced IT consultants, the Government will work in collaboration with the Bermuda College to have students build this app. This opportunity to engage in practical work will provide real-world experience to our students, and will provide benefit to the College as any application developed can be licensed to other governments worldwide.

Technology is modernising transportation globally, and Bermuda must examine those trends when taking into account the future of public, private and public-service transportation. Bermuda is also modernising and is now home to three-wheeled vehicles, two-person rental cars, limousines and water taxis. The Government will conduct a thorough review of transportation and will **produce a Green Paper on the future of transport in Bermuda** that will provide various options for modernisation, which also takes into account the needs of the differently-abled.

Residents who rely solely on public buses to get to and from work are severely impacted when a lack of available buses detrimentally affects the service, which in turn causes them to be late. The former government left 14 mechanic positions vacant, which caused the lack of sufficient buses to meet demand. In order to increase reliability of published routes, to instil confidence in the service, and to reduce overtime paid to repair ageing buses, the Government will **invest in new buses and will immediately fill six vacant maintenance positions**.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

Bermuda lacks a system to register land title, and many Bermudian families have experienced avoidable disputes when title that was thought to be vested in one person is actually vested in another. Historically, some Bermudians have also endured lawyers and agents who were able to prey on the vulnerable and legally unaware.

Although the Land Title Registry Act 2011 was enacted nearly six years ago, interested parties have stymied its implementation for their own motives. While it is not in operation, our current archaic, slow, cumbersome and inefficient system of deeds based title transfer is still in effect.

This Government will bring the Land Title Registration regime into force in order to minimise the chances of fraud, provide simple proof of ownership, and record the rights and interests in land on one register with all land information held in one place.

Madame President and Members of the Senate, Mr. Speaker and Members of the House of Assembly,

Former governments have provided financial guarantees for wealthy sports competitions and tax exemptions for restaurants, nightclubs and retailers. They have also provided loan

guarantees for hotel construction and at-risk banks. One of the ways to better utilise the Government's financial influence is to make an investment in our society by assisting community and sporting clubs to become self-sufficient.

Accordingly, in exchange for creating sustainable and transparent financial controls, the Government will **provide loan guarantees to community and sporting clubs** to upgrade their facilities, develop programmes to serve our youth, spur entrepreneurship and ensure greater community outreach in their parishes and neighbourhoods.

**Madame President and Members of the Senate,
Mr. Speaker and Members of the House of
Assembly,**

Currently, Bermuda has a voluntary waste sorting policy and the results have not reached the level of success originally intended. In order to inspire residents to further care for and protect Bermuda's delicate environment, the Government will consult on the issue of mandatory recycling, single-use plastic bags and bottle deposits. Once the consultation is complete, the Government will produce a Green Paper with options for implementation.

Bermuda's planning laws and regulations are in place to ensure that Bermuda's environment and beauty are not spoiled by rampant development and construction.

Accordingly, as certain determined property owners construct at will and then apply for retroactive permission, legislation will be introduced to increase enforcement and introduce penalties for those who wilfully violate planning policy and then seek retroactive approval.

As a further commitment to ensure Bermuda's future generations can also enjoy our dwindling amount of unspoiled beauty, the Government will identify the open spaces that must be

protected for generations to come. Legislation will be introduced to take this protection beyond ministerial discretion.

To stimulate construction demand and provide homeowners with additional income, the Government **will create a new category of dwelling units**. These new one bedroom or studio units will have assessment numbers, but will be restricted from having a private car registered at the address. Many homeowners have space to create an additional unit, but are unable to create additional parking spaces. This new type of unit can provide additional income for homeowners with smaller properties who previously were unable to create a rental unit.

Bermuda's energy costs are among the highest in the world, and they stifle growth and economic advancement. The Government must look to transition to energy independence and to reap the economic benefits of a clean energy future. The Government has been presented with a number of proposals for the future of Bermuda's energy infrastructure. The Government is in the process of reviewing the various proposals and will decide a path forward that ensures that Bermuda can realise the goal of reducing the cost of energy, which will reduce the cost of living and increase economic growth.

**Madame President and Members of the Senate,
Mr. Speaker and Members of the House of
Assembly,**

On July 18th, 2017, Bermuda voted for the new Government's vision of a better and fairer Bermuda. They voted in record numbers to change the status quo to ensure that hopelessness is replaced with opportunity, allowing all of Bermuda to share in the wealth and prosperity of our island home.

Bermuda can do better. Bermuda can transform our education system to prepare the next generation of CEOs and tradesmen. Bermuda can diversify our economy to 20 create new jobs and encourage economic growth. Bermuda can

heal our social fabric to restore peace and rebuild our sense of community.

However, Bermuda will only do better when all segments of our society work together to ensure that Bermuda becomes more fair, more just, and more equitable.

Former Premier Alex Scott said, "Bermuda works best when it works together".

This new Government will lead that collective effort, bringing all stakeholders along in the spirit of collaboration to ensure that we grow the economic pie for all, that we increase opportunity for all, and that we build a better and fairer Bermuda for all.

**Madam President and Members of the Senate,
Mr Speaker and Members of the House of
Assembly**

I am grateful for the convention which by tradition allows the Governor to add a few words of his- or her- own at the end of the Throne Speech.

As a parent myself of three children, now all in their twenties, I welcome the initiatives in this Speech aimed at supporting young people in Bermuda to fulfil their full potential. I also particularly welcome the initiatives which look to reduce the threats to the safety of all Bermudians from both violence and the all too many accidents on our roads.

As we advance through peak hurricane season I am reminded of the great work that so many on this island, in Bermuda's Emergency Services and beyond, carry out in support of the Emergency Measures Organisation in getting Bermuda back on its feet after a hurricane. Bermuda is not of course alone in its experience of hurricane response and, looking forward, there is perhaps more we can learn in this context from benchmarking our response against best practice and ensuring we are not only well prepared for hurricanes but for the many other

types of natural or manmade disasters that could hit Bermuda without warning.

As Governor I will continue to do all I can to support the work of Bermuda's services in line with my responsibilities under the Constitution for security and compliance with international obligations, including in the areas of aviation and maritime security and respect for the human rights of all Bermudians. It has been my privilege to read 21 the Throne Speech today and I look forward to working with the Government in delivering its priorities in line with my own responsibilities.

**Madam President and Members of the Senate,
Mr Speaker and Members of the House of
Assembly**

I declare this Session of the Legislature open; and may God guide you and grant you wisdom in your deliberations.

John Rankin, GMC
Governor and Commander-in-Chief

Hamilton
Bermuda
8 September 2017

12:20pm

On return to the House.

12:38 pm

Mr. E.D.G. Burt moved that Standing Orders 14 and 21 be suspended to enable him to move a motion relating to His Excellency the Governor's Speech from the Throne, which was agreed to.

Mr. E.D.G. Burt moved that the Speech with which His Excellency the Governor was pleased to open the present Session of Parliament be taken as read and that the said Speech be set down for consideration as the first Order of the Day for the next day of meeting, which was agreed to.

12:39pm

Mr. D.V. Burgess moved that the appointment of Mrs. Shernette M. Wolffe, as the Clerk of the Legislature be approved, which was agreed to.

Mr. D.V. Burgess moved that the appointment of Sergeant Major Arnold Allen as Sergeant -At - Arms and Keeper of the House and Grounds of the Assembly be approved, which was agreed to.

Mr. D.V. Burgess moved that the Standing Orders of the House in force during the last Session of the last Parliament be continued in force until other Standing Orders shall be adopted, which was agreed to.

12:39 pm

Papers and Other Communications to the House

MS. K.N. WILSON 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 "Quarantine (Maritime and Air) Regulations 2017", proposed to be made under Section 5 of the Quarantine Act 2017.

Hon. K.N. Wilson
Minister of Health

Sessions House
September 8, 2017

Introduction of Bills:

Mr. E.D.G. BURT introduced and read for the first time by its title a Bill entitled "Companies Amendment (No. 2) Act 2017" which was agreed to.

Mr. E.D.G. BURT introduced and read for the first time by its title a Bill entitled "Payroll Tax Amendment (No. 3) Act 2017", which was agreed to.

Mr. E.D.G. BURT introduced and read for the first time by its title a Bill entitled "USA Bermuda Tax Convention (No. 3) Amendment Act 2017".

Ms. K.N. Wilson spokesperson in the House, for Legal Affairs introduced and read for the first time by its title a Bill entitled "Proceeds of Crime Amendment (No. 2) Act 2017", which was agreed to.

Ms. K.N. Wilson introduced and read for the first time by its title a Bill entitled "Quarantine Amendment Act 2017", which was agreed to.

12:42pm

Mr. E.D.G. Burt moved that the House do now adjourn, to Friday, 15th September, 2017, which was agreed to.

House adjourned to Friday next, at 10:00 a.m.