

**Proceedings**  
**of the**  
**Honourable House of Assembly**  
**Session of 2016-2017**

**No. 17**

**Monday, 12<sup>th</sup> May, 2017**

Members Present: His Honour the Speaker, Jeanne Atherden, Kenneth L. Bascome, David E. Burt, V. L. Craig Cannonier, Shawn G. Crockwell, Rolfe P. Commssiong, 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, Everard T. Richards, Sylvan D. Richards, Diallo V.S. Rabain, Walter H. Roban, Ms. Leah K. Scott, Michael J. Scott, R. Wayne E. Scott, W. Lawrence Scott, J.S. Simmons, N.H. Cole Simons, Glenn C. Smith, Jeff Sousa, Neville S. Tyrrell, Kim N. Wilson.

**10:03 a.m.**

Prayers

*Minutes of the Meeting of the 15<sup>th</sup> 17<sup>th</sup> and 20<sup>th</sup> March-confirmed.*

**Papers and Communications:**

Hon. N.H.C. SIMONS read the following communication 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 College Financial Statements March 31, 2015”.

Hon. N.H.C. Simons  
Minister of Education

Sessions House  
12 May 2017

**10:07am**

**Petitions:**

MR.R.W.SCOTT read the following Petition:

The Petition by The Worldwide Church of God Bermuda requesting that legislation may be enacted to amend its incorporating Act, “The Worldwide Church of God (Bermuda) Act 1994, to “The Worldwide Church of God (Bermuda) (Change of Name and Amendment Act 2017” as set out in the Bill.

The said petition is referred to the Joint Select Committee on Private Bills for Consideration and report.

**10:07am**

**Statements by Ministers and Junior Ministers:**

Hon. E.T. Richards read a Ministerial Statement regarding the “Government Guarantee - Desarrollos Hotelco Bermuda Ltd”.

Hon. N.H. C. Simons read a Ministerial Statement regarding the “Bermuda College Audited Financial Statements 2015”.

10:23am

**Question Period:**

MR.M.H.DUNKLEY to provide written responses to parliamentary questions from Mr. W.H. Roban.

Q1. Would the Honourable Minister please inform this Honourable House what was the expenditure for deploying Bermuda Police Service personnel, equipment on the property of and in the vicinity of the Sessions House (House of Assembly) between the 13th March 2016 to 19th March 2016? (answer below)

Q2. Would the Honourable Minister please inform this Honourable House what was the expenditure for deploying Bermuda Police Service personnel, equipment on the property of and in the vicinity of the Sessions House (House of Assembly) between the 2nd December 2016? (answer below)

Q3. Would the Honourable Minister please inform this Honourable House what was the expenditure for deploying Bermuda Police Service personnel, equipment on the property of and in the vicinity of the Sessions House (House of Assembly) on 3rd February 2017 and 10th February 2017? (answer below)

| Date                    | Total      |
|-------------------------|------------|
| March 13 - 19 2016      | 46,363.28  |
| February 3-10, 2017     | 155,496.80 |
| December 2, 2016        | 42,571.47  |
| <br>                    |            |
| Total (personnel)       | 244,431.56 |
| <br>                    |            |
| Rental of cameras - HoA | 7,225.00   |
| Ear pieces - HoA        | 11,831.92  |
| <br>                    |            |
| Total (Equipment)       | 19,056.92  |
| <br>                    |            |
| Overall Total           | 263,488.48 |

MR.E.T.RICHARDS to provide written and oral responses to parliamentary questions from Mr. E.D.G. Burt.

1. Will the Honourable Minister please inform this Honourable House the percentage of Government Contracts awarded to small business during the 2017 fiscal year?

At this time the Ministry is unable to answer this question.

2. Would the Honourable Minister please inform this Honourable House the total amount of funds paid to any contractor/consultant by the Government of Bermuda in connection with the Airport Redevelopment Project during fiscal years 2015, 2016 and 2017?

The total amount of funds paid to any contractor/consultant by the Government of Bermuda in connection with the Airport Redevelopment Project during fiscal years 2015, 2016 and 2017 was \$8,506,571.98.

3. Would the Honourable Minister please list by contractor/vendour the total amount of funds paid by the Government of Bermuda in connection with the Airport Redevelopment Project during fiscal years 2015, 2016 and 2017; and the purpose for the expenditure?

The list by contractor/vendour of the total amount of funds paid by the Government of Bermuda in connection with the Airport Redevelopment Project during fiscal years 2015, 2016 and 2017; and the purpose for the expenditure is as follows:

HNTB

Amount Paid: \$803,301.69

Scope of Services: HNTB has provided continuous oversight and support during the design and development stages of the Airport Re-development Project, through reviews of the design documents prepared by the design consultant team commissioned by the Canadian Commercial Corporation (CCC) and its primary contractor, Aecon Limited.

Additionally, the design review process included but not limited to an assessment of; Engineering and Architectural Requirements, Standards and Disciplines; Aesthetics; Building and Finishing Materials; Renderings; Project Timelines and Schedules; and Project Definition Documents. This scope of work ensured that the building specifications defined by Bermuda for the new Terminal development were realized.

Leigh Fisher

Amount Paid: \$274,408.18

Scope of Services: Provision of technical and traffic advisory services during the contract negotiations and project scope, financial modeling and design work through to Financial Close, for the proposed Airport Redevelopment Project. LeighFisher's scope of work was segmented into two deliverables. The first task involved the firm outlining a business case development that helped to address the gaps highlighted in the Deloitte Report, specifically, to demonstrate that Bermuda's chosen procurement approach met organizational needs as well as delivered value for money. The firm reviewed the business model and travel forecast prepared by AECON's financial advisor and ascertained the potential cash flows to and from the Government arising from the P3 approach. Task order 2 ensured that Bermuda had adequate assurance that the proposed P3 would address our needs and aspirations. Specifically, the firm worked with Bermuda's team of advisors in drafting and providing input on the concession agreement; provide advice on the staffing structure of both the Quango (i.e. Airport Authority) and Project Co. (i.e. Special Purpose Company); and assist the Government in its negotiations.

KPMG

Amount Paid: \$1,329,619.83

Scope of Services: Provision of project management services during the contract negotiations and project scope, financial modeling and design work through to Financial Close, for the Airport Redevelopment Project.

KPMG provided professional project management services which supported and coordinated the setting up of governance and organizational processes which enabled Bermuda to advance the project through to Financial Close. KPMG was responsible for the day-to-day programming, scheduling, and achievement of Bermuda's commitments as defined in the ADA schedule of deliverables. This required KPMG to work closely with the DAO and its advisors reporting directly to Bermuda's Project Sponsor and the Cabinet Project Board.

KPMG were directly involved in negotiations and developed the Government review and approvals process plan and supported the execution of that plan to help ensure the successful delivery of the project. Of equal significance, the firm established the governance structure to help ensure oversight of the Project and the internal project management structure. Its coordination and support of the project management of multiple Government departments and its assistance in the development and amendment of legislation was critical to the Airport Redevelopment project.

KPMG also assisted with the development and coordination of the entrustment reports required by the FCO

CIBC

Amount Paid: \$1,303,070.30

Scope of Services: The purpose of CIBC's engagement was to provide financial advice to the Bermuda Government in connection with the L.F. Wade International Airport Redevelopment Project and to perform the financial advisory services set out below:

Scope of Work

Phase 1: Preliminary Due Diligence, Project Scoping and Airport Project Concept

- Provide general financial advice and assistance in developing feasible structuring, financing and

payment options for the development, construction and operations of the Project

- Assist Bermuda in the selection and coordination of various advisors including legal counsel
  - Provide preliminary views on debt and equity financing options for the Project
  - Provide ongoing support to Bermuda in the review and development of the Airport and Causeway Project Concept and plan of finance including an analysis of various payment sources for the Project and the financial capacity and economic viability of the Project
  - Assist Bermuda in discussions with the CCC Team on any financing related matters during the collaborative planning and design workshops; participate in the workshops as required
  - Comment upon and provide advice on key financing risks associated with the Airport Project Concept and the plan of finance and the appropriate allocation of such risks between the parties
  - Development of a preliminary financial model for the Project (the “Financial Model”)
  - Work with advisors to agree on pragmatic demand scenarios
  - Provide advice on the relevant financial assumptions to be incorporated into the Financial Model
  - Include functionality to run different scenarios and sensitivities for various organizational structures, capital cost estimates and sources of financing
  - Provide input on affordability of different project scope options
  - Complete a preliminary risk assessment to complement the financial scenarios
  - Provide recommendations and support to Bermuda in order to arrive at a “Go-No-Go” decision for the Airport Project
- Phase 2: Airport Development Plan to Concession Contract
- Provide strategic advice and financial advisory support to Bermuda in the negotiation and finalization of the Airport Development Agreement

- Assist Bermuda in liaising and coordinating with its various other advisors to the extent there are finance related implications
- Participate alongside Bermuda in meetings and negotiations with the CCC Team and CCC Developer in connection with the Project, including the negotiation of the Concession Contract
- Assist Bermuda in assessing the impact of various terms and conditions of the Concession Contract on the financing capacity of the Project, including implications for lenders, underwriters and rating agencies
- Develop a proposed financing strategy for both the Airport and Causeway components of the project
- Assist Bermuda in the identification of risks associated with the Project and provide recommendations to improve the structure, marketability or value of the transaction
- Provide ongoing support to Bermuda in reviewing and evaluating the plan of finance including various debt solutions, views on pricing, structure and execution certainty and provide recommendation on a financing solution that is optimal given the needs of Bermuda
- Develop a preliminary marketing and capital raising plan, and test market interest by contacting a small number of prospective investors
- Provide advice on any financing or capital markets issues raised by prospective lenders
- Development and updating of a comprehensive Financial Model to determine the optimal financing structure and debt capacity to support a credit rating for the Project. The Financial Model will need to be sufficiently flexible to accommodate commercial and financial adjustments, various stress tests and detailed sensitivity analysis.

Phase 3: Financing Phase to Financial Close

- Provide financial advisory support to Bermuda throughout the review and negotiation of financing and project documentation including any marketing and offering documentation associated with the financing solution

- Assist Bermuda and the CCC Team in securing a credit rating for the debt financing facility(ies)
- Launch marketing effort to attract prospective investors
- Coordination with the lenders/bond underwriters on the closing and pricing process including the execution of any potential hedging strategy
- Assist Bermuda in the finalization of its financial due diligence
- Assist Bermuda with the closing process including ensuring satisfaction of CPs under the financing documentation

Bennett Jones

Amount Paid: \$4,368,464.98  
 Scope of Services: Provision of highly specialized legal services with regard to the Airport Redevelopment Project

MJM

Amount Paid: \$427,707.00  
 Scope of Services: Provision of legal services.

**10:24am**

MRS. P.J. GORDON-PAMPLIN to provide written responses to parliamentary question from Mr. D.V.S. Rabain.

1. Will the Honourable Minister please provide the number of work permits issued and those that have been applied for and not decided on with employment categories (for issued and applied for) that are directly related to the America's Cup?

Answer:  
 Work Permits Issued: to date, there have been 1,028 work permits issued – see attached list.  
 Work Permits Applied for, but no decision: to date, there have been 13 work permits applied for but there is no decision as yet – see attached list.

2. Will the Honourable Minister please provide the number of work permits issued and those that have

been applied for and not decided on, with employment categories (for issued and applied for) that are directly related to the Aecon, Skyport, Aecon Concessions, or any other company involved with the airport development?

Answer:  
 Work Permits Issued: to date, there have been 59 work permits issued – see attached list.

Work Permits Applied for, but no decision: there are currently no work permits that have been applied for and which have no decision as yet.

Note: Of the responses to questions 1 and 2, if other works permits have been applied for/issued or are in process and they relate to either America's Cup or the Airport Development Project and were not specifically identified as such at the time of submission, the responses herein enclosed do not reflect those applications. In order to capture that data, the Department of Immigration would need to know the specific names of the employers/local host entities who applied for the work permits.

3. Will the Honourable Minister please provide an update as to how many work permit holders with employment within an occupation that requires National Certification (Electricians, Welders, Motor Mechanics and Landscape Gardeners) have obtained National Certification and how many that have not obtained National Certification and how long have they had a Work Permit without obtaining National Certification?

Answer: There are 2 parts to question 3 and we have responded to each part separately:

(a) Please provide an update as to how many work permit holders with employment within an occupation that requires National Certification (Electricians, Welders, Motor Mechanics and Landscape Gardeners) have obtained National Certification

Response: As 31st March 2017, the following work permit holders have obtained National Certification: 5 welders and 1 electrician. There are currently no automotive service technicians or landscape technicians because the standard and syllabus is being developed but is not yet completed. The Occupational Advisory

Committees for these two occupations have been working to complete the standard/ syllabus for the two occupations by June 30, 2017.

Note: There are a total of 166 electricians who are eligible; 20 are work permit holders. 26 in total have begun the process of recertification. 1 out of the 26 is a work permit holder.

(b) How many work permit holders have not obtained National Certification and how long have they had a Work Permit without obtaining National Certification

The number of work permit holders that have not obtained national certification are: 19 Electricians; 4 Welders; 271 landscapers and 47 automotive technicians.

Of the 19 electricians, 6 had work permits issued in 2015 and 13 issued in 2016;

Of the 4 welders, 2 had work permits issued in 2016 and 2 issued in 2017;

Of the 271 landscapers, 4 had work permits issued in 2014; 42 issued in 2015; 192 issued in 2016; and 33 issued in 2017;

Of the 47 automotive technicians, 3 had work permits issued in 2014; 13 issued in 2015; 25 issued in 2016; 6 issued in 2017

Note: Since the Minister released her statement highlighting the work being done on progressing National Certification, and requiring work permit holders to register, as at 31st March 2017, the number of work permit holders that have registered include: 3 welders; 6 electricians; 41 automotive technicians and 199 landscape gardeners.

**ATTACHMENT**

**Question 1**

**Work Permits Issued – America’s Cup**

| <b>CATEGORY</b>            | <b>ACEA</b> | <b>ORACLE</b> | <b>ARTEMIS</b> | <b>JAPAN</b> | <b>ACRM</b> | <b>NEW ZEALAND</b> | <b>LR BAR</b> | <b>FRANCE</b> | <b>TOTAL</b> |
|----------------------------|-------------|---------------|----------------|--------------|-------------|--------------------|---------------|---------------|--------------|
| <b>Sailor/Crew Support</b> | 24          | 28            | 45             | 22           | 25          | 51                 | 18            | 23            | 236          |
| <b>Medical</b>             |             | 2             |                |              |             | 1                  |               | 1             | 4            |
| <b>Retail</b>              | 13          |               |                |              |             |                    |               |               | 13           |
| <b>Hospitality</b>         | 31          | 1             | 4              | 1            |             | 5                  |               | 2             | 44           |
| <b>Professional</b>        | 11          | 6             | 10             | 2            |             |                    | 8             | 1             | 38           |
| <b>Contractor</b>          | 54          |               | 14             |              |             |                    | 11            |               | 79           |
| <b>Media/Broadcasting</b>  | 38          | 2             |                | 1            |             | 2                  | 1             | 1             | 45           |
| <b>Technical</b>           | 41          | 47            | 52             | 8            |             | 21                 | 36            | 20            | 225          |
| <b>Administration</b>      | 230         | 18            | 26             | 19           |             | 13                 | 31            | 7             | 344          |
| <b>Total</b>               | <b>442</b>  | <b>104</b>    | <b>151</b>     | <b>53</b>    | <b>25</b>   | <b>93</b>          | <b>105</b>    | <b>55</b>     | <b>1028</b>  |

**Work Permits Applied For (But No Decision) – America’s Cup**

| CATEGORY            | ACEA | ORACLE | ARTEMIS | JAPAN | ACRM | NEW ZEALAND | LR BAR | FRANCE | TOTAL |
|---------------------|------|--------|---------|-------|------|-------------|--------|--------|-------|
| Sailor/Crew Support |      |        | 1       |       | 1    | 4           |        |        | 6     |
| Medical             |      |        |         |       |      |             |        |        | 0     |
| Retail              |      |        |         |       |      |             |        |        | 0     |
| Hospitality         |      |        |         |       |      |             |        |        | 0     |
| Professional        |      |        |         |       |      |             |        |        | 0     |
| Contractor          | 2    |        |         |       |      |             |        |        | 2     |
| Media/Broadcasting  |      |        |         |       |      |             |        |        | 0     |
| Technical           |      | 2      | 1       |       |      |             | 2      | 1      | 6     |
| Administration      |      |        |         | 1     |      |             |        |        | 1     |
|                     |      | 2      | 2       | 1     | 1    | 4           | 2      | 1      | 13    |

**10:26am**

**Question 2**

**Work Permits Issued – Airport Development Project**

1. Project Director – Aecon Airport Construction Limited
2. Utility Locator – Aecon Airport Construction Limited
3. Utility Locator – Aecon Airport Construction Limited
4. Utility Locator – Aecon Airport Construction Limited
5. Project Manager – Aecon Airport Construction Limited
6. Pile Driver Operator – Aecon Airport Construction Limited

7. Supervisor – Aecon Airport Construction Limited
8. Project Coordinator – Aecon Airport Construction Limited
9. Loader Operator – Aecon Airport Construction Limited
10. Loader Operator – Aecon Airport Construction Limited
11. Loader Operator – Aecon Airport Construction Limited
12. Piling Specialist – Aecon Airport Construction Limited
13. Project Coordinator – Aecon Airport Construction Limited
14. Technical Analyst – Aecon International Management Services Limited
15. Aviation Security Advisor – Department of Airport Operations (Aecon)
16. Representative - Support and Test Personnel – Department of Airport Operations (Aecon)
17. Representative to undertake the preliminary survey design and development of documentation and drawings to address phase 11 – Department of Airport Operations (Aecon)
18. Representative to update the critical structural & navigational equipment to come on line with the products used on the mainland – Department of Airport Operations (Aecon)
19. Executive Advisor/Infrastructure – Department of Airport Operations (Aecon)
20. Logistics Manager Phase 11 Environmental Site Assessment – Department of Airport Operations (Aecon)
21. Senior Hydro-Geologist – Department of Airport Operations (Aecon)
22. Environmental Health And Safety Advisor – Department of Airport Operations (Aecon)
23. Utility Locator – Department of Airport Operations (Aecon)
24. Utility Locator – Department of Airport Operations (Aecon)
25. Utility Locator – Department of Airport Operations (Aecon)

26. Project Manager – Department of Airport Operations (Aecon)
  27. Project Coordinator – Department of Airport Operations (Aecon)
  28. Project Manager - Drilling Team – Department of Airport Operations (Aecon)
  29. Aviation Consultant – Department of Airport Operations (Aecon)
  30. Departmental Comptroller – Department of Airport Operations (Aecon)
  31. Representative - to conduct runway friction & braking action testing – Department of Airport Operations (Aecon)
  32. Representative - to provide assurance of correct relocation of fuel pipeline; infrastructure developments – Department of Airport Operations (Aecon)
  33. Representatives - to set-out and luminary alignment installation of new high mast lighting for general aviation operations – Department of Airport Operations (Aecon)
  34. Representative - To Undertake Comprehensive Surveys – Department of Airport Operations (Aecon)
  35. Document/Data Recording To Address Mandated Requirements – Department of Airport Operations (Aecon)
  36. Director - Commercial – Department of Airport Operations (Aecon)
  37. Finance Manager – Department of Airport Operations (Aecon)
  38. Field Support Technician – Department of Airport Operations (Aecon)
  39. Business Transformation Analyst/Project Manager – Department of Airport Operations (Aecon)
  40. Senior Manager, Budget And Financial Analysis – Department of Airport Operations (Aecon)
  41. IT Consultant – Department of Airport Operations (Aecon)
  42. Field Support Technician – Department of Airport Operations (Aecon)
  43. Team Lead, National Field Support – Department of Airport Operations (Aecon)
  44. IT Consultant – Department of Airport Operations (Aecon)
  45. Network Architect – Department of Airport Operations (Aecon)
  46. Representative - to undertake essential repairs and mandated certification of the baggage scales – Department of Airport Operations (Aecon)
  47. President of Aecon Concessions – Department of Airport Operations (Aecon)
  48. Airport Operations Consultant – Department of Airport Operations (Aecon)
  49. Executive Advisor - Infrastructure – Department of Airport Operations (Aecon)
  50. Senior Superintendent – Aecon Airport Construction Limited
  51. Assistant Commercial Manager – Aecon Airport Construction Limited
  52. Senior EHS Advisor – Aecon Airport Construction Limited
  53. Airport Redevelopment Project Oversight – Aecon Airport Construction Limited
  54. Director, Finance And Administration – Aecon Airport Construction Limited
  55. Project Coordinator – Aecon Airport Construction Limited
  56. Technical Director - Airport Project – Aecon International Management Services Limited
  57. Director/Commercial – Department of Airport Operations (Aecon)
  58. President of Aecon Concessions – Department of Airport Operations (Aecon)
  59. Senior Project Manager – Aecon Airport Construction Limited
- MR. E.D.G. BURT asked two question. The third question to be answered by Mr. E.T. Richards was deferred until May 19, 2017.
- MR.E.D.G.BURT asked a supplementary question  
MR.E.D.G.BURT asked a second supplementary question.
- MR.Z.J.DESILVA on behalf of Mr. D.V. Burgess asked Mr. T.G. Moniz a question.  
MR.E.D.G.BURT asked a supplementary question.  
MR.Z.J.DESILVA asked two supplementary questions.  
MR.M.J.SCOTT asked a supplemantry question.

**10:35am**

MR.Z.J.DESILVA on behalf of Mr. D.V. Burgess asked Mr. L.C. Cannonier a question.

MR.E.D.G.BURT asked Mr. E.T. Richards a question relating to his Ministerial Statement on the Desarrollos Hotelco Bermuda Ltd.

MR.Z.J.DESILVA asked a supplementary question.

MR.Z.J.DESILVA asked a second supplementary question.

MR. W.L.FURBERT asked a supplementary question.

MR.E.D.G.BURT asked a supplementary question.

MR.E.D.G.BURT asked a second supplementary question.

MR. W.L.FURBERT asked a supplementary question.

MR.E.D.G.BURT asked a second supplementary question.

MR.E.D.G.BURT asked a supplementary question.

MR.E.D.G.BURT asked a second supplementary question.

MR.E.D.G.BURT asked a third supplementary question.

MR.E.D.G.BURT asked a supplementary question.

MR.J.S.SIMMONS asked a question.

MR.J.S.SIMMONS asked a supplementary question.

MR.J.S.SIMMONS asked a second supplementary question.

MR.E.D.G.BURT asked a supplementary question.

MR.J.S.SIMMONS asked a supplementary question.

MR.Z.J.DESILVA asked a supplementary question.

MR.M.J.SCOTT asked a supplementary question.

MR.Z.J.DESILVA asked a question.

MR.E.D.G.BURT asked a supplementary question.

MR.Z.J.DESILVA asked a supplementary question.

MR.Z.J.DESILVA asked a supplementary question.

MR.Z.J.DESILVA asked a second supplementary question.

MR. W.L.FURBERT asked a supplementary question.

MR. S.G.CROCKWELL asked a question.

MR.E.D.G.BURT asked a supplementary question.

**Congratulatory and /or Obituary Speeches:**

(Please refer to the House Hansard)

**12:10pm**

**Introduction of Bills:**

MR. E.T.RICHARDS introduced and read for the first time a Bill entitled the “Companies Amendment (No. 2) Act 2017”.

MR. E.T.RICHARDS introduced and read for the first time a Bill entitled the “Payroll Tax Amendment (No. 2) Act 2017”.

MR. E.T.RICHARDS introduced and read for the first time a Bill entitled the “Partnership and Limited Liability Company (Beneficial Ownership) Amendment Act 2017”.

DR.E.G.GIBBONS introduced and read for the first time a Bill entitled the “Electronic Communications Amendment (No.2) Act 2017”.

Mr. T.G. Moniz introduced and read for the first time a Bill entitled the “Fraud Act 2017”.

Mr. T.G. Moniz introduced and read for the first time a Bill entitled the “Misuse of Drugs Amendment Act 2017”.

**12:12pm**

Mr. M.J. Scott raised a point of order

Mr. T.G. Moniz introduced and read for the first time a Bill entitled the “Proceeds of Crime Amendment (No. 2) Act 2017”.

## **Opposition Bills:**

Mr. M.A. Weeks asked for leave of the House to introduce and read for the first time a Bill entitled the “Public Holidays Amendment Act 2017”.

Ms. K.N. Wilson asked for leave of the House to introduce and read for the first time a Bill entitled the “Protection of Persons In Care Act 2017”.

Mr. W.L. Furbert asked for leave of the House to introduce and read for the first time a Bill entitled the “Rent Increases (Domestic Premises) Control Amendment Act 2017” .

## **Notices of motions:**

Mr. Z.J. Desilva on behalf of Mr. D.V. Burgess gave notice that at the next day of meeting, he proposed to to move the following Motion:

“WHEREAS Article 25 of the European Charter of Fundamental Rights recognizes the rights of Seniors who are likely to come to depend on others for care, to lead a life of dignity and independence and to participate in social and cultural life;

AND WHEREAS age and dependency cannot be a grounds for restrictions on any Human Rights civil liberty in a progressive liberal democracy ;

AND WHEREAS the EU Charter recognizes that the vast majority of the frail and vulnerable older citizens in many communities including Bermuda are women who are over the age of 80 years, often challenged with age, or health conditions including dementia, making them more vulnerable ;

AND WHEREAS Bermuda seeks by all procedural means to adopt the aims of the Charter to make it a reference document setting out the fundamental principles and rights that are needed for the well-being of all persons who are dependent on others for support and care due to age , illness or disability

BE IT RESOLVED that, this House takes note of the Charter principles, rights obligations and responsibilities and declares the resolve to pursue lawful avenues to enshrine into Bermuda laws Article 25 and its principle and rights through all lawful and necessary means at the earliest opportunity”.

**12:26pm**

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

**2:00pm**

The House resumed

Orders number 1 to 3 were carried over

**2:02pm**

## **Orders of the Day**

MRS. J.J. ATHERDEN moved that the Bill entitled the “Health (Miscellaneous) Amendment Act 2017” be now read the second time in the House, which was agreed to.

2:19pm-MS. K.N.WILSON

2:32pm-MRS. S.R.HOLSHOUSER

2:37pm-MR.W.L.FURBERT

2:42pmThe Speaker acknowledged the presence former MP Jon Brunson in the Public gallery.

2:43pm-MRS J.J.ATHERDEN

**2:49pm**

Bill Committeeed

MRS. S.ROBERTS- HOLSHOUSER in the Chair.

**2:50pm**

Mrs. J.J. Atherden moved Clauses 1-3, which was agreed to as printed.

**2:53pm**

Mrs. J.J. Atherden moved Clause 4.

**2:58pm**

Ms. K.N. Wilson moved an amendmendt to Clause 4 which reads as follows:

That the Health (Miscellaneous) Amendment Bill 2017 be amended as follows:

By inserting immediately after

(2E) (a) all claims for the use of haemodialysis facilities when provided by the Bermuda Hospitals Board

With the words “or where provided by any other facility approved by the Bermuda Health Council at a fee to be approved by the Council;”

3:03pm-MRS. J.J. ATHERDEN

**3:05pm**

Ms. K.N. Wilson proposed an amendment to Clause 4, which was agreed to.

Clause 4, as amended was agreed to.

**3:05pm**

Mrs. J.J. Atherden moved Clauses 5-10 as printed which was agreed to.

**3:08pm**

Mrs. J.J. Atherden moved Clause 11 and an amendment, which reads as follows:

Replaces clause 11

1 Clause 11 is deleted and replaced by the following—

“Amends Health Insurance (Maternity Benefit) Regulations 1971

11 The Health Insurance (Maternity Benefit) Regulations 1971 are amended—

(a) in regulation 1, by inserting after the definition of “the Act”—

“ “effective date”, in relation to a contract of health insurance, means the date on which the contract begins to provide the insured person with cover in respect of the standard health benefit;”;

(b) in regulation 2, by deleting “hospital” and substituting “health”;

(c) in regulation 3—

(i) in the heading, by deleting “Suspension” and substituting “Commencement”;

(ii) in paragraph (1), by deleting “Benefit” and substituting “Where the effective date of the contract is before 1 June 2017, benefit”; and

(iii) by inserting after paragraph (1)—

“ (1A) Where the effective date of the contract is 1 June 2017 or later, benefit shall be payable in respect of expenses for maternity treatment incurred by an insured person on or after the effective date of the contract.”;

(d) in regulation 4, by inserting after paragraph (1)—

“(1A) Paragraph (1) does not apply on or after 1 June 2017—

(a) if the contract has an effective date of 1 June 2017 or later; or

(b) in any case where the insured person is covered in respect of the standard health benefit by a current contract.”; and

(e) in regulation 5—

(i) by renumbering the existing provision as paragraph (1); and

(ii) inserting after paragraph (1)—

“(2) Paragraph (1) does not apply on or after 1 June 2017—

(a) if the contract has an effective date of 1 June 2017 or later; or

(b) in any case where the insured person is covered in respect of the standard health benefit by a current contract.”.

3:10am-MS.K.N.WILSON

3:11pm-MRS. J.J.ATHERDEN

Clause 11 as amended was agreed to.

Mrs. J.J. Atherden moved Clauses 12-15 which was agreed to as printed.

**3:13pm**

Mrs. J.J. Atherden moved Clause 16 with an amendment which reads as follows:

Replaces clause 16

2 Clause 16 is deleted and replaced by the following:

“Commencement

16 (1) Subject to subsection (2), this Act shall come into operation on 1 June 2017.

(2) Sections 4(a) and 14 of this Act shall be deemed to have come into operation on 1 April 2017.”.

Clause 16, as amended was agreed to.

The Preamble was agreed to

The Report of Committee, as amended was agreed to.

The House Resumed.

**3:17pm**

Dr. E.G. Gibbons moved Standing Order 48 to have the Bill entitled the “Electronic Communications Amendment Act 2017”, withdrawn and discharged from the Order Paper, which was agreed to.

**3:18pm**

On Motion by Dr. E.G. Gibbons the Bill entitled the “Mortgaging of Aircraft and Aircraft Engines Amendment Act 2017” be read a second time.

The Speaker and Opposition Members indicated their understanding that Order number 6 would be carried over. Dr. Gibbons agreed to carry over the Bill.

Order number 7 carried over

**3:20pm**

On motion by Mr. E.D.G. Burt the Bill entitled the “Statutory Interest Rate Reduction Act 2017” be read a second time.

**3:25pm**

Mr. E.T. Richards noted that the government was not aware that the Opposition intended to proceed with the second reading of the Bill. Mr. Richards asked that Mr. Burt agree to carry over the Bill until next Friday.

The Speaker asked Mr. Burt would he agree to carry over the Bill. Mr. Burt agreed to carry over the Bill.

**3:28pm**

MRS. J.J.ATHERDEN moved that Standing Order 21 be suspended to enable her to move that the Bill entitled the, "Health (Miscellaneous) Amendment Act 2017" be now read a third time, which was agreed to.

On the motion of, MRS. J.J.ATHERDEN moved that the Bill entitled the, "Health (Miscellaneous) Amendment Act 2017" was then read the third time and passed.

**3:29pm**

Mr. M.H. Dunkley moved that, at its next rising, the House adjourn to Friday, 19<sup>th</sup> May 2017, which was agreed to.

3:29pm- MR. R.P. COMMISSIONG

3:42pm-MR. J.C. SOUSA

3:57pm-MR. C.W.D.BROWN

4:10pm-MR.N.S.TYRELL

4:15pm-MRS.S.ROBERTS-HOLSHOUSER

4:25pm-MR.D.V.S.RABAIN

4:30pm-MR.Z.J.DESILVA

4:50pm-DR.E.G.GIBBONS

5:12pm-MR.J.S.SIMMONS

5:25pm-MR.W.H. ROBAN

5:45pm-MR.S.G.CROCKWELL

5:05pm-MRS.P.J.GORDON-PAMPLIN

6:27pm-MR.E.D.G. BURT

6:46pm-MR. E.G.BURT

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

**6:46pm**

The House adjourned until Friday 19<sup>th</sup> May 2017 at 10:00am.