

BERMUDA
PROCEEDINGS OF THE SENATE
SESSION OF 2022 - 2023

No. 8

MONDAY, 27th MARCH 2023

PRESENT:

Senator the Hon. Mrs. J.E. DILLAS-WRIGHT,
M.B.E., J.P. - PRESIDENT
Senator R.J. WIGHT
Senator the Hon. O.K. DARRELL, J.P.
Senator Ms. A.J.L. HODGSON
Senator Rev. Dr. E.G.A. DILL
Senator Ms. L.K. SIMMONS
Senator Ms. L.L. ROBINSON, J.P.
Senator B.A. SMITH, J.P.
Senator Mrs. R.S. TUCKER
Senator Dr. D.S.J. DeCOUTO, J.P.

ABSENT:

Senator Ms. K.J. BELL, J.P. – VICE PRESIDENT

**[This meeting of Senate was conducted in
the Senate Chamber at Veritas Place.]**

10:02a.m.

On the motion of Senator R.J. Wight, the minutes of the meetings of Monday, 20th March and Wednesday, March 22nd 2023 were taken as read and confirmed; and consideration of the minutes of the meeting of Thursday, 23rd March 2023 was deferred.

Announcements

10:03a.m.

Senator the Hon. President announced that in accordance with the provisions of section 13 of the Audit Act 1990, a “Public Interest Report by the Auditor General on the Government of Bermuda’s Response to COVID-19: Travel Authorisation” dated March 2023,

has been produced by the Office of the Auditor General and submitted to the Honourable House of Assembly, and that the said report is hereby tabled in the Senate for the information of Senators.

10:04a.m.

Senator A.J.L. Hodgson presented for the information of Senate the “Annual Report of the Bermuda Hospitals Board for the fiscal year ended 31st March 2019”.

Notices of Motion

10:05a.m.

Senator L.K. Simmons presented for the consideration of Senate the draft Regulations entitled the “Electronic Communications (Regulatory Authority Fees) Amendment Regulations 2023”, proposed to be made by the Minister responsible for telecommunications under the provisions of sections 6 and 11 of the Electronic Communications Act 2011, as read with section 44 of the Regulatory Authority Act 2011; and gave notice that at a later point in the meeting she would move that the said draft Regulations be approved.

10:05a.m

Senator L.K. Simmons presented for the consideration of Senate the draft Regulations entitled the “Electricity (Regulatory Authority Fees) Amendment Regulations 2023”, proposed to be made by the Minister responsible for energy, for the purpose of establishing Regulatory Authority Fees for the electricity sector pursuant to the Electricity Act 2016, in exercise of powers conferred by section 44 of the Regulatory Authority Act 2011; and gave notice that at a later point in the meeting she would move that the said draft Regulations be approved.

10:07a.m.

Senator Rev. Dr. E.G.A. Dill presented for the consideration of Senate the draft Regulations entitled the “Merchant Shipping (Fees) Regulations 2023”, proposed to be made by the Minister responsible for Maritime Administration under the provisions of section

250 of the Merchant Shipping Act 2022; and gave notice that at a later point in the meeting she would move that the said draft Regulations be approved.

10:08a.m

The following Public Bills were brought up from the Honourable House of Assembly, and given their First Reading in the Senate:-

The "Stamp Duties Amendment (No, 2) Act 2023";

The "Miscellaneous Fees and Penalties Act 2023";

The "Gaming Amendment Act 2023";

The "Vacation Rentals (Application and Registration) Fees Act 2023"; and

The "Fairmont Southampton Hotel Act 2023".

Orders of the Day

10:09a.m.

Senator A.J.L. Hodgson moved that the provisions of Standing Order 25 be granted so that Senate may now proceed with the Second Reading of each of the 5 Public Bills introduced for First Reading earlier – which was agreed to.

10:10a.m

Senator A.J.L. Hodgson moved that the Public Bill entitled the "Stamp Duties Amendment (No, 2) Act 2023" be now read the second time.

Senator Hodgson spoke on the Bill.

10:13a.m. – Senator Dr. D.S.J. DeCouto

10:14a.m. – Senator A.J.L. Hodgson replied.

The Bill was accordingly read a second time.

Senator A.J.L. Hodgson moved that Standing Order 26 be suspended in respect of this Bill – which was agreed to.

Senator A.J.L. Hodgson moved that the Bill be now read a third time – which was agreed to.

The Bill was accordingly read a third time.

Senator A.J.L. Hodgson moved that the Bill entitled the "Stamp Duties Amendment (No, 2) Act 2023" do now pass -- which was agreed to.

The Bill was accordingly passed and ordered to be laid before Her Excellency the Governor for Her Excellency's assent.

10:16a.m

Senator A.J.L. Hodgson moved that the Public Bill entitled the "Miscellaneous Fees and Penalties Act 2023" be now read the second time.

Senator Hodgson spoke on the Bill.

10:18a.m. – Senator Dr. D.S.J. DeCouto

10:18a.m. – Senator A.J.L. Hodgson replied.

The Bill was accordingly read a second time.

Senator A.J.L. Hodgson moved that Standing Order 26 be suspended in respect of this Bill – which was agreed to.

Senator A.J.L. Hodgson moved that the Bill be now read a third time – which was agreed to.

The Bill was accordingly read a third time.

Senator A.J.L. Hodgson moved that the Bill entitled the "Miscellaneous Fees and Penalties Act 2023" do now pass -- which was agreed to.

The Bill was accordingly passed and ordered to be laid before Her Excellency the Governor for Her Excellency's assent.

10:19a.m

Senator L.K. Simmons moved that Standing Order 71(2) be suspended so that Senate may now proceed with consideration of the "Electronic Communications (Regulatory Authority Fees) Amendment Regulations 2023" and the "Electricity (Regulatory Authority Fees) Amendment Regulations 2023" – which was agreed to.

10:19a.m

Senator L.K. Simmons moved that Senate do now take under consideration of the draft Regulations entitled the “Electronic Communications (Regulatory Authority Fees) Amendment Regulations 2023” and the “Electricity (Regulatory Authority Fees) Amendment Regulations 2023” – which was agreed to.

Senator Simmons spoke on the Regulations.

10:23a.m. – Senator R.S. Tucker

10:25a.m. – Senator L.K. Simmons replied.

Senator L.K. Simmons moved that the said draft Regulations be approved, and that the following messages be sent to Her Excellency the Governor:

(No. 8)

“MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration the draft Regulations “Electronic Communications (Regulatory Authority Fees) Amendment Regulations 2023”, made by the Minister responsible for telecommunications, in exercise of the power conferred by sections 6 and 11 of the Electronic Communications Act 2011, as read with section 44 of the Regulatory Authority Act 2011, has the honour to inform Your Excellency that the Senate has approved the said draft Regulations.”

and

(No. 9)

“MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration the draft Regulations entitled the “Electricity (Regulatory Authority Fees) Amendment Regulations 2023”, made by the Minister responsible for energy, for the purpose of establishing Regulatory Authority fees for the electricity sector pursuant to the Electricity Act 2016, in exercise of the power conferred by section 44 of the Regulatory Authority Act 2011, has the honour to inform Your

Excellency that the Senate has approved the said draft Regulations.”

-- which was agreed to and ordered accordingly.

10:27a.m.

Senator Rev. Dr. E.G.A. Dill moved that Standing Order 71(2) be suspended so that Senate may now proceed with consideration of the “Merchant Shipping (Fees) Regulations 2023” – which was agreed to.

Senator Rev. Dr. E.G.A. Dill moved that Senate do now take under consideration of the draft Regulations entitled the “Merchant Shipping (Fees) Amendment Regulations 2023” – which was agreed to.

10:34a.m. – Senator Dr. D.S.J. DeCouto

10:35a.m. – Senator R.J. Wight

10:36a.m. – Senator Rev. Dr. E.G.A. Dill replied.

Senator Rev. Dr. E.G.A. Dill moved that the said draft Regulations be approved and the following message be sent to Her Excellency the Governor:

(No. 10)

“MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration the draft Regulations “Merchant Shipping (Fees) Regulations 2023” made by the Minister responsible for maritime administration, in exercise of the power conferred by section 250 of the Merchant Shipping Act 2002, has the honour to inform Your Excellency that the Senate has approved the said draft Regulations.”

-- which was agreed to and ordered accordingly.

10:37a.m.

Senator the Hon. O.K. Darrell moved that the Public Bill entitled the “Gaming Amendment Act 2023” be now read the second time.

Senator Darrell spoke on the Bill.

10:45a.m. – Senator Dr. D.S.J. DeCouto

10:48a.m.

Madam President acknowledged the presence of the Acting Financial Secretary, Ms. Cheryl Lister, in the Chamber.

10:48a.m. – Senator Dr. D.S.J. DeCouto

10:55a.m. – Senator R.J. Wight

10:57a.m. – Senator L.K. Simmons

10:59a.m. – Senator B.A. Smith

11:00a.m. – Senator L.L. Robinson

11:03a.m. – Senator A.J.L. Hodgson

11:04a.m. – Senator the O.K. Darrell replied.

The Bill was accordingly read a second time.

Senator the Hon. O.K. Darrell moved that Standing Order 26 be suspended in respect of this Bill – which was agreed to.

Senator the Hon. O.K. Darrell moved that the Bill be now read a third time – which was agreed to.

The Bill was accordingly read a third time.

Senator the Hon. O.K. Darrell moved that the Bill entitled the “Gaming Amendment Act 2023” do now pass -- which was agreed to.

The Bill was accordingly passed and ordered to be laid before Her Excellency the Governor for Her Excellency’s assent.

11:10a.m.

Senator the Hon. O.K. Darrell moved that the Public Bill entitled the “Vacation Rentals (Application and Registration) Fees Act 2023” be now read the second time.

Senator Darrell spoke on the Bill.

11:15a.m. – Senator Dr. D.S.J. DeCouto

11:20a.m. – Senator R.J. Wight

11:20a.m. – Senator R.S. Tucker

11:23a.m. – Senator B.A. Smith

11:27a.m. – Senator Rev. Dr. E.G.A. Dill

11:29a.m. – Senator L.L. Robinson

11:31a.m. – Senator A.J.L. Hodgson

11:34a.m. – Senator the Hon. O.K. Darrell replied.

The Bill was accordingly read a second time.

Senator the Hon. O.K. Darrell moved that Standing Order 26 be suspended in respect of this Bill – which was agreed to.

Senator the Hon. O.K. Darrell moved that the Bill be now read a third time – which was agreed to.

The Bill was accordingly read a third time.

Senator the Hon. O.K. Darrell moved that the Bill entitled the “Vacation Rentals (Application and Registration) Fees Act 2023” do now pass -- which was agreed to.

The Bill was accordingly passed and ordered to be laid before Her Excellency the Governor for Her Excellency’s assent.

11:39a.m.

Senator the Hon. O.K. Darrell moved that the Public Bill entitled the “Fairmont Southampton Hotel Act 2023” be now read the second time.

Senator Darrell spoke on the Bill.

11:43a.m. – Senator Dr. D.S.J. DeCouto

11:46a.m.

Madam President acknowledged the presence of the Minister of Tourism and the Cabinet Office, the Hon. Vance Campbell, JP, MP and the Permanent Secretary for the Cabinet Office, Lt. Col. Edward Lamb, in the Public Gallery. 11:51a.m. – Senator R.J. Wight

11:54a.m. – Senator A.J.L. Hodgson

11:57a.m. – Senator L.K. Simmons

11:59a.m. – Senator B.A. Smith

12:01p.m. – Senator R.S. Tucker

12:03p.m. – Senator Rev. Dr. E.G.A. Dill

12:06p.m. – Senator L.L. Robinson

12:11p.m. – Senator the Hon. O.K. Darrell replied.

The Bill was accordingly read a second time.

Senator the Hon. O.K. Darrell moved that Standing Order 26 be suspended in respect of this Bill – which was agreed to.

Senator the Hon. O.K. Darrell moved that the Bill be now read a third time – which was agreed to.

The Bill was accordingly read a third time.

Senator the Hon. O.K. Darrell moved that the Bill entitled the “Fairmont Southampton Hotel Act 2023” do now pass -- which was agreed to.

The Bill was accordingly passed and ordered to be laid before Her Excellency the Governor for Her Excellency’s assent.

Congratulatory and/or Obituary Speeches

12:15p.m.

Senator B.A. Smith offered congratulations to Bermuda’s Carifta Games teams that will be competing next week.

Senator Rev. Dr. E.G.A. Dill congratulated Bermuda’s Parliamentary Prayer Breakfast Group on the Celebratory Luncheon held on Sunday in honour of distinguished gentlemen who have served the community in public service over many years. Some of the honourees were: Mr. Arthur Hodgson, Mr. John Barritt, Mr. Ottiwell Simmons and Mr. Walter Roberts. She offered condolences to the family of the late Mr. John

Simmons, a former Police officer who was active in his church.

Senator L.K. Simmons congratulated and thanked those who helped to renovate the Pig’s Field facilities and playground including Power Girl Patrina Paynter and Minister of Home Affairs, the Hon. Walter Roban, after it was destroyed by a fire.

Senator LL. Robinson congratulated the successful applicants for completing the Bartender Training Programme, sponsored by Bacardi. She also associated herself with the congratulations extended to the Bermuda Parliamentary Prayer Group and its honourees.

Senator R.J. Wight offered condolences to the family of the late Mr. Sinclair White, the Executive Director of the Financial Intelligence Agency.

Senator A.J.L. Hodgson extended condolences to the family of the young man who lost his life this past weekend. She also associated herself with the congratulations extended to the Bermuda Parliamentary Prayer Group and its honourees.

Senator the Hon. O.K. Darrell extended condolences to the family of the late Mr. Colin Basden. He congratulated the Bermuda Motor Sports Club Hall of Fame Induction Ceremony held over the weekend with 20 new members being inducted. Senator Darrell also congratulated Paget Lions on becoming Champions of the BFA Second Division and congratulated Social Club Bluebirds on earning their promotion to the Premier Division. Congratulations were extended to the organisers of the recent Pickle Ball Tournament as well as Bermuda’s National Football Team on a good performance against Guyana.

Madam President associated herself with the congratulations extended to the Bermuda Parliamentary Prayer Group and its honourees.

Adjournment

[Subsequent to the meeting, the Senate adjournment date was moved to Wednesday, 17th May 2023.]

12:33p.m.

Senator the Hon. O.K. Darrell moved that, at its rising, the Senate adjourn to Wednesday, 10th May 2023 – which was agreed to.

Senator the Hon. O.K. Darrell moved that the Senate do now adjourn – which was agreed to.

12:33p.m. – Senator L.K. Simmons

12:42p.m. – Senator R.S. Tucker

12:52p.m. – Senator B.A. Smith

12:57p.m. – Senator Rev. Dr. E.G.A. Dill

1:05p.m. – Senator A.J.L. Hodgson

1:14p.m. – Senator L.L. Robinson

1:17p.m. – Senator the Hon. O.K. Darrell

1:21p.m. – Madam President

1:26p.m.

Senate adjourned until Wednesday, 10th May 2023.

PRESIDENT

ORDERS OF THE DAY

Wednesday – 10th May 2023

NIL