



BERMUDA HOUSE OF ASSEMBLY

Official House Minutes

December 11, 2013

Electronic Version

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

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

No. 6

Wednesday, December 11th, 2013

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

10:04 a.m. Prayer

Confirmation of Minutes:

Minutes to the Meeting of 29th November, 2013, were confirmed.

Minutes of the Meeting of 6th December, 2013 were deferred.

10:09 a.m.

Announcements by the Speaker:

His Honour the SPEAKER announced the following Members will be absent from the House today: - Zane J. S. DeSilva and Marc A. R. Bean.

10:24 a.m.

Question Period:

MR. W. L. A. SCOTT asked Mr. L. C. Cannonier a question on his Ministerial Statement regarding Cabinet Assignments.

MR. E. D. G. BURT asked Mr. L. C. Cannonier a question.

MR. E. D. G. BURT asked Mr. L. C. Cannonier a second question.

MR. R. P. COMMISSIONG asked Mr. L. C. Cannonier a question.

MR. W. L. FURBERT asked Mr. L. C. Cannonier a question.

MR. W. H. ROBAN asked Mr. L. C. Cannonier a supplementary question.

MR. W. L. A. SCOTT asked Mr. L. C. Cannonier a supplementary question.

MR. E. D. G. BURT asked Mr. L. C. Cannonier a supplementary question.

MR. W. L. FURBERT asked Mr. L. C. Cannonier a question.

10:39 a.m.

Congratulations and Obituary Speeches:

MR. K. L. BASCOME expressed sympathy for the passing of the late Mr. Brian Oatley; associated Ms. L. F. Foggo.

MS. L. F. FOGGO associated herself with condolences for the late Mr. Brian Oatley; congratulated St. David's Primary School on their outstanding Christmas Concert.

MR. T. G. MONIZ expressed condolences on the passing of Mr. Essai Moniz; associated himself with condolences to the family of the late Mr. Brian Oatley.

MR. T. E. LISTER congratulated the Emancipation Players who were performing overseas; expressed condolences to the family of the late Ms. Louella Douglas.

MS. J. J. ATHERDEN congratulated the organizer of the Gosling Golf Tournament.

MR. M. J. SCOTT sent congratulations to Ms. Judith Gill, President of the Barbados Association and recent awardees; associated himself with tributes to the Douglas family; associated himself with condolences for the family of Mr. Kenneth Bassett.

DR. E. G. GIBBONS expressed condolences to the family of the late Mr. Richard Pearman; associated himself with condolences to the family of the late Mr. Brian Oatley; associated himself with congratulations for St. David's Primary School.

MR. D. V. BURGESS congratulated and thanked Mr. Keith DeShields who provides pedestrian crossing access for persons in his neighborhood.

MR. R. W. E. SCOTT congratulated Tyler Butterfield and congratulations to Antoine Russell for scoring a hattrick in a soccer match; associated Mr. M. Weeks with these comments.

MS. K. N. WILSON associated herself with condolences on the passing of the late Ms. Louella Douglas; associated herself with the tribute to Mr. Kenneth Bassett.

MS. S. ROBERTS-HOLSHOUSER congratulated the young artist Mr. Dejon Simmons who is currently painting a mural of Nelson Mandela on Court Street; congratulations to Mr. Rick Spalding on his extravagant Christmas decorations at Carter House.

MR. D. P. LISTER associated himself with condolences to the family of the late Ms. Louella Douglas.

MR. J. C. SOUSA sent congratulations to the Bermuda Martial Arts Team who won medals at the recent tournament held in Mexico.

MR. M. A. WEEKS associated himself with remarks relating to the martial arts tournament and to Mr. Tyler Butterfield; sent congratulations to Shelby Weldon for his latest accomplishments in the insurance industry.

MR. M. H. DUNKLEY associated himself with tributes to the Oatley and the Pearman family; he expressed sympathy on the passing of the late Mrs. Lucille Jones; associated Members of the House with these remarks; he also expressed sympathy on the passing of Ms. Sharise Kelly Cann.

MR. N. H. C. SIMONS expressed sympathy on the passing of Ms. Janet Martin; associated himself with congratulations to Mr. Rick Spurling, and Tyler

Butterfield; associated himself with condolences for Mr. Edgar Browne and Mr. Richard Pearman; associated himself with comments to Shelby Weldon.

MR. E. D. G. BURT expressed condolences on the passing of Ms. Lisa Simmons; condolences to the family of the late Mrs. Kennedy; associated himself with remarks to Avon Dalton "Hooks" Burgess; he associated himself with remarks for the Bermuda Martial Arts Team; congratulations and thank you to West Pembroke Pentecostal Assembly on their recent Christmas service.

11:10 a.m.

Orders of the Day:

MR. M. H. DUNKLEY moved that the House do now take under consideration the "Purchase Agreement between The Corporation of the City of Hamilton and parties relating to Porch at No. 68 North Street", which was agreed to.

11:18 a.m. - MR. W. H. ROBAN

The said Purchase Agreement was approved, with the Opposition abstaining from the vote.

MR. M. H. DUNKLEY moved that the following message be sent to His Excellency the Governor:

(No.4)

TO HIS EXCELLENCY THE GOVERNOR:

The House of Assembly, having had under consideration the "Purchase Agreement between The Corporation of the City of Hamilton and parties relating to Porch at No. 68 North Street" has the honour to inform Your Excellency that the House has approved the said Purchase Agreement in accordance with section 14(4) of the Municipalities Amendment Act 2013.

- which was agreed to.

Order numbers 2 and 3 were carried over to the next meeting day.

MR. M. H. DUNKLEY moved that the House do now take under consideration the "Ground Lease between the Corporation of Hamilton and Par-la-Ville Hotel and Residence Ltd. in respect of Par-la-Ville Hotel, City of Hamilton", which was agreed to.

11:29 a.m. - MR. W. H. ROBAN
 11:30 a.m. - MR. C. W. D. BROWN

- which, on division, was affirmed with the Opposition abstaining from the vote, 17 Ayes and 11 abstentions.

Ayes

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

Abstentions

1. Mr. C. W. D. Brown
2. Mr. D. V. Burgess
3. Mr. E. D. G. Burt
4. Mr. R. P. Commissiong
5. Ms. L. F. Foggo
6. Mr. W. L. Furbert
7. Mr. D. P. Lister
8. Mr. W. H. Roban
9. Mr. M. J. Scott
10. Mr. W. L. A. Scott
11. Ms. K. N. Wilson

MR. M. H. DUNKLEY moved that the following message be sent to His Excellency the Governor:

(No.6)

TO HIS EXCELLENCY THE GOVERNOR:

The House of Assembly, having had under consideration the "Ground Lease between the Corporation of Hamilton and Par-la-Ville Hotel and Residence Ltd. in respect of Par-la-Ville Hotel, City of Hamilton" has the honour to inform Your Excellency that the House has approved the said

Ground Lease in accordance with section 14(4) of the Municipalities Amendment Act 2013.

- which was agreed to.

11:48 a.m.

MR. M. H. DUNKLEY moved that the House do now take under consideration the "Development Agreement and Agreement for Lease in respect of redevelopment of the Par-la-Ville Road Car Park, City of Hamilton between the Corporation of Hamilton and Par-la-Ville Hotel and Residence Ltd.", which was agreed to.

11:50 a.m. - MR. W. H. ROBAN

The said Development Agreement and Lease Agreement was Approved with the Opposition abstaining from the vote.

MR. M. H. DUNKLEY moved that the following message be sent to His Excellency the Governor:

(No.5)

TO HIS EXCELLENCY THE GOVERNOR:

The House of Assembly, having had under consideration the "Development Agreement and Agreement for Lease in respect of redevelopment of the Par-la-Ville Road Car Park, City of Hamilton between the Corporation of Hamilton and Par-la-Ville Hotel and Residence Ltd." has the honour to inform Your Excellency that the House has approved the said Development Agreement in accordance with section 14(4) of the Municipalities Amendment Act 2013.

- which was agreed to.

Order number 6 was carried over to the next meeting day.

11:52 a.m.

On the motion of MR. E. T. RICHARDS the Bill entitled the "Customs Tariff Amendment (No. 3) Act 2013" was then read a second time.

12:00 p.m. - DR. E. G. GIBBONS

The Bill was committed.

MS. S. ROBERTS-HOLSHOUSER in the Chair

- which was agreed to.

MR. E. T. RICHARDS moved clauses 1-2 of the Bill.

2:40p.m.

12:07 p.m. - MR. E. D. G. BURT
 12:07 p.m. - MR. E. T. RICHARDS
 12:10 p.m. - MR. E. D. G. BURT
 12:11 p.m. - DR. E. G. GIBBONS

MR. N. H. C. SIMONS moved that the following petition, together with the Report of the Joint Select Committee on Private Bills which was presented on December, 6th, 2013 be now considered:-

Clauses 1-2, as printed, were agreed to.
 The Preamble was agreed to.

The petition of Reid Finance Limited. requesting flexibility in certain respects when structuring its long-term insurance policies as appears in the Bill entitled "Beechwood Bermuda International Ltd. Act 2013" which accompanies this petition.

The Committee rose.

MR. N. H. C. SIMONS moved for leave to introduce and read the first time by its title the following Private Bill:

The House resumed.

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

"Beechwood Bermuda International Ltd. Act 2013".

Order numbers 8-10 were carried over to the next meeting day.

12:12 p.m.

MR. N. H. C. SIMONS moved that the prayers of the petitioners be granted and, to give effect thereto, that without prejudice leave be granted to bring in the proposed Bill reprinted to accord with the recommendations of the Joint Select Committee on Private Bills for the amendment thereof, which was agreed to.

MR. M. H. DUNKLEY moved the following motion, notice of which was given on November 29, 2013:-

“That this Honourable House authorise, in accordance with section 37(1) of the Municipalities Act 1923, the giving of a guarantee up to a maximum of \$18M by the Corporation of Hamilton, for the purpose of developing a hotel on the site of the Par-la-Ville car park.”

His Honour the SPEAKER stated that the necessary certificates had been furnished.

12:20 p.m. - MR. W. H. ROBAN
 12:25 p.m. - MR. W. L. FURBERT

MR. N. H. C. SIMONS motion was thereupon agreed to and the said private Bill was then read the first time by its title only.

12:30 p.m.

"Beechwood Bermuda International Ltd. Act 2013".

MR. L. C. CANNONIER moved that the House do now recess for lunch, which was agreed to.

MR. N. H. C. SIMONS moved that under the provisions of Standing Order 33 (7) (a) the remaining stages of the said private Bill be taken forthwith, which was agreed to.

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

2:00 p.m.

On the motion of MR. N. H. C. SIMONS, the said private Bill "Beechwood Bermuda International Ltd. Act 2013", was then read the second time in the House by its title only

The House Resumed.

On the motion of MR. N. H. C. SIMONS, the Clauses and the Preamble of the said private Bill was agreed to.

2:02 p.m. - MR. S. G. CROCKWELL
 2:35 p.m. - MR. E. T. RICHARDS
 2:38 p.m. - MR. M. H. DUNKLEY

MR. M. H. DUNKLEY moved that the said motion be approved:

On the motion of MR. N. H. C. SIMONS, the said private Bill "Beechwood Bermuda International Ltd. Act 2013", was then read the third time in the House by its title only and passed.

MR. N. H. C. SIMONS moved that the following petition, together with the Report of the Joint Select Committee on Private Bills which was presented on December, 6th, 2013 be now considered:-

The petition of Reid Finance Limited. requesting flexibility in certain respects when structuring its long-term insurance policies as appears in the Bill entitled "St. George's Limited Act 2013" which accompanies this petition.

MR. N. H. C. SIMONS moved for leave to introduce and read the first time by its title the following Private Bill:

"St. George's Limited Act 2013".

MR. N. H. C. SIMONS moved that the prayers of the petitioners be granted and, to give effect thereto, that without prejudice leave be granted to bring in the proposed Bill reprinted to accord with the recommendations of the Joint Select Committee on Private Bills for the amendment thereof, which was agreed to.

His Honour the SPEAKER stated that the necessary certificates had been furnished.

MR. N. H. C. SIMONS motion was thereupon agreed to and the said private Bill was then read the first time by its title only.

"St. George's Limited Act 2013".

MR. N. H. C. SIMONS moved that under the provisions of Standing Order 33 (7) (a) the remaining stages of the said private Bill be taken forthwith, which was agreed to.

On the motion of MR. N. H. C. SIMONS, the said private Bill "St. George's Limited Act 2013", was then read the second time in the House by its title only

On the motion of MR. N. H. C. SIMONS, the Clauses and the Preamble of the said private Bill was agreed to.

On the motion of MR. N. H. C. SIMONS, the said private Bill "St. George's Limited Act 2013", was then read the third time in the House by its title only and passed.

MR. N. H. C. SIMONS moved that the following petition, together with the Report of the Joint Select

Committee on Private Bills which was presented on December, 6th, 2013 be now considered:-

The petition of Bridge Re Limited. requesting the enactment of amendments to a Private Act as appears in the Bill entitled "Bridge Re Limited Amendment Act 2013" which accompanies this petition.

MR. N. H. C. SIMONS moved for leave to introduce and read the first time by its title the following Private Bill:

"Bridge Re Limited Amendment Act 2013".

MR. N. H. C. SIMONS moved that the prayers of the petitioners be granted and, to give effect thereto, that without prejudice leave be granted to bring in the proposed Bill reprinted to accord with the recommendations of the Joint Select Committee on Private Bills for the amendment thereof, which was agreed to.

His Honour the SPEAKER stated that the necessary certificates had been furnished.

MR. N. H. C. SIMONS motion was thereupon agreed to and the said private Bill was then read the first time by its title only.

"Bridge Re Limited Amendment Act 2013".

MR. N. H. C. SIMONS moved that under the provisions of Standing Order 33 (7) (a) the remaining stages of the said private Bill be taken forthwith, which was agreed to.

On the motion of MR. N. H. C. SIMONS, the said private Bill "Bridge Re Limited Amendment Act 2013", was then read the second time in the House by its title only

On the motion of MR. N. H. C. SIMONS, the Clauses and the Preambles of the said private Bill was agreed to.

On the motion of MR. N. H. C. SIMONS, the said private Bill "Bridge Re Limited Amendment Act 2013", was then read the third time in the House by its title only and passed.

MR. E. T. RICHARDS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Customs Tariff Amendment (No.3) Act 2013" be now read the third time, which was agreed to.

On the motion of MR. E. T. RICHARDS, the Bill entitled the "Customs Tariff Amendment (No.3) Act 2013" was then read the third time and passed.

2:43 p.m.

MR. L. C. CANNONIER moved that the House at its rising adjourn to Friday, December 13, 2013 at 10:00 a.m., which was agreed to.

MR. L. C. CANNONIER moved that the House do now Adjourn, which was agreed to.

2:44 p.m. - MR. W. L. FURBERT

2:55 p.m.

Adjourned to Friday, December 13, 2013