



SENATE OF BERMUDA

Official Senate Minutes

June 25, 2014

Electronic Version

Senator the Hon. Carol A.M. Bassett, JP

President

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BERMUDA

PROCEEDINGS OF THE SENATE

SESSION OF 2013-2014

No. 15

WEDNESDAY, 25th JUNE, 2014

PRESENT:

Senator the Hon. Mrs. C.M. BASSETT, J.P.,
PRESIDENT
Senator Mrs. J.E. DILLAS-WRIGHT,
M.B.E., J.P., VICE-PRESIDENT
Senator J.S. JARDINE, J.P.
Senator the Hon. M.M. FAHY, J.P.
Senator N.S. BRANGMAN, J.P.
Senator Mrs. L.A. WOOLRIDGE, J.P.
Senator Ms. A.L. SWAN, J.P.
Senator J.C. BARON, J.P.
Senator D.V.S. RABAIN, J.P.
Senator Ms. R.D.L. MING, J.P.
Senator M.G. DANIELS, J.P.

10:02a.m.

On the motion of Senator Mrs. J.E. Dillas-Wright, consideration of the minutes of the meeting of Wednesday, 18th June 2014 was deferred; and the minutes of the meeting of Wednesday, 11th June 2014 were taken as read and confirmed.

Senator J.C. Baron, as Junior Minister for National Security, made a Ministerial Statement providing an "Update re The Closure of Three Sub-Post Offices", effective on 1st November 2014.

Questions/Question Period

10:07a.m.

Senator Ms. R.D.L. Ming asked Senator J.C. Baron a question regarding the Closure of Three Sub-Post Offices.

Senator Baron replied.

Senator Ming asked a second question. Senator Baron replied.

Senator Mrs. J.E. Dillas-Wright asked Senator Baron a question. Senator Baron replied.

Senator M.G. Daniels asked Senator Baron a question. Senator Baron replied.

Senator Daniels asked a supplementary question.

Senator Daniels asked a second question. Senator Baron gave an undertaking to provide answers at a later time.

Senator Daniels asked a supplementary question.

Senator Daniels asked a third question. Senator Baron replied.

Senator Daniels asked a supplementary question. Senator Baron replied.

Senator D.V.S. Rabain asked Senator Baron a question. Senator Baron replied.

Senator Ms. R.D.L. Ming asked Senator Baron a third question. Senator Baron replied.

Senator D.V.S. Rabain asked Senator Baron a second question. Senator Baron replied.

Senator Rabain asked a third question. Senator Baron replied.

Orders of the Day

10:21a.m.

Senator Mrs. L.A. Woolridge moved that the Public Bill entitled "The Protected Species Amendment Act 2014" be now read a second time -- which was agreed to.

10:31a.m. Senator D.V.S. Rabain spoke on the Bill.
 10:34a.m. Senator J.S. Jardine.
 10:35a.m. Senator Woolridge replied.

The Bill was accordingly read a second time.

Senator Mrs. L.A. Woolridge moved that Standing Order 26 be suspended in respect of this Bill -- which was agreed to.

Senator Mrs. L.A. Woolridge moved that the Bill be now read a third time -- which was agreed to.

The Bill was accordingly read a third time.

Senator Mrs. L.A. Woolridge moved that the Bill entitled "The Protected Species Amendment Act 2014" do now pass -- which was agreed to.

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

10:38a.m.

Senator the Hon. M.M. Fahy proposed that Order numbers 2 to 4 on the Order Paper be considered simultaneously by the Senate, as they all pertained Agreements involving the Corporation of Hamilton and the Par-la-Ville Hotel and residences Ltd. - which was agreed to.

Senator the Hon. M.M. Fahy moved that the Senate do now take under consideration the following draft Agreements:-

The "Deed of Surrender between Par-la-Ville Hotel and Residences Ltd. ("the Tenant"), the Corporation of Hamilton ("the Landlord") and Mexico Infrastructure Finance LLC ("the Mortgagee")", as set out in the draft of the Deed of Surrender;

The "Mortgage Deed between Mexico Infrastructure Finance LLC ("the Lender"), Par-la-Ville Hotel and Residences Ltd. ("the Borrower") and the Corporation of Hamilton ("the Mortgagor")", as set out in the draft of the Mortgage Deed; and

The "Guaranty by the Corporation of Hamilton ("the Guarantor") in respect of the Loan by Mexico Infrastructure Finance LLC ("the Lender") to Par-la-Ville Hotel and Residences Ltd. ("the Borrower")", as set out in the draft of the Guaranty agreement

--- which was agreed to.

Senator Fahy spoke on the draft Agreements.

10:41a.m. Senator D.V.S. Rabain.
 10:42a.m. Senator J.S. Jardine.
 10:44a.m. Senator Mrs. J.E. Dillas-Wright.
 10:44a.m. Senator Fahy replied.

Senator the Hon. M.M. Fahy moved that the three said draft Agreements be approved, and that the following three Messages be sent to His Excellency the Governor:-

"MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration the proposed "Deed of Surrender between Par-la-Ville Hotel and Residences Ltd. ("the Tenant"), the Corporation of Hamilton ("the Landlord") and Mexico Infrastructure Finance LLC ("the Mortgagee")" as set out in the draft of the Deed of Surrender, has the honour to inform Your Excellency that the Senate has approved the said Agreement in accordance with the provisions of subsections (1A) and (1B) of Section 20 of The Municipalities Act 1923.";

"MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration the proposed "Mortgage Deed between Mexico Infrastructure Finance LLC

("the Lender"), Par-la-Ville Hotel and Residences Ltd. ("the Borrower") and the Corporation of Hamilton ("the Mortgagor"), as set out in the draft of the Mortgage Deed, has the honour to inform Your Excellency that the Senate has approved the said Agreement in accordance with the provisions of subsections (1A) and (1B) of Section 20 of The Municipalities Act 1923."; and

12:46p.m. Senator N.S. Brangman.
 1:04p.m. Senator Mrs. J.E. Dillas-Wright.
 1:30p.m. Senator J.C. Baron.
 1:39p.m. Senator Ms. A.L. Swan.
 1:47p.m. Senator Fahy.

"MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration the proposed "Guaranty by the Corporation of Hamilton ("the Guarantor") in respect of the Loan by Mexico Infrastructure Finance LLC ("the Lender") to Par-la-Ville Hotel and Residences Ltd. ("the Borrower"), as set out in the draft of the Guaranty agreement, has the honour to inform Your Excellency that the Senate has approved the said Agreement in accordance with the provisions of subsections (1A) and (1B) of Section 20 and Section 37(1) of The Municipalities Act 1923."

The Senate took note of the Part 1 of the National Training Plan.

On the motion of Senator J.C. Baron, Order number 6 on the Order Paper was carried over to the next day of meeting.

Congratulatory &/or Obituary Speeches

1:54p.m.

Senator Mrs. L.A. Woolridge congratulated the CARE Learning Centre and Director the Hon. Neletha Butterfield on their 2014 Graduation and Prize-Giving Ceremony, held at St. Paul's A.M.E. Church in the preceding week; and all of the Graduates who had earned their G.E.D. and Computer Training Certificates. All Senators associated themselves with these remarks.

Senator Woolridge congratulated the Bermuda National Trust on their outstanding 2014 Annual Awards Ceremony held in the preceding week at the Elbow Beach Hotel in recognition of the many individuals, groups and schools who have contributed to the preservation of Bermuda's historic lands, buildings, artefacts and native fauna and flora.

Senator Woolridge also congratulated Ms. Sonia Dawes of the Bermuda Institute on being named the 2014 Teacher of The Year by the Learning Disabilities Association of Bermuda, after being nominated by one of her Grade Six students. Senator Brangman associated himself with these remarks.

--- which was agreed to and ordered accordingly

10:47a.m.

Senator the Hon. M.M. Fahy moved that the Senate do now take under consideration the following Motion:-

"That this Honourable House take note of Part 1 of the 'NATIONAL TRAINING PLAN - December 2013 to December 2023'."

-- which was agreed to.

Senator Fahy spoke on the Motion.

11:32a.m. Senator J.S. Jardine.
 11:52a.m. Senator D.V.S. Rabain.
 12:28p.m. Senator Mrs. L.A. Woolridge.

Senator N.S. Brangman congratulated the Green Family on the Opening of the new “1609” Restaurant at the Fairmont Hamilton Princess Hotel. All Senators associated themselves with these remarks.

Senator M.G. Daniels congratulated all of the 2014 Graduates in Schools throughout Bermuda.

Senator the Hon. the President associated herself with the congratulatory remarks of Senators.

1:58p.m.

Senator the Hon. M.M. Fahy moved that the Senate do now adjourn – which was agreed to.

- 1:58p.m. Senator D.V.S. Rabain.
- 2:00p.m. Senator Mrs. L.A. Woolridge.
- 2:02p.m. Senator N.S. Brangman.
- 2:04p.m. Senator M.M. Fahy.

2:08p.m.

Adjourned until Wednesday, 2nd July, 2014.

PRESIDENT

ORDERS OF THE DAY

Wednesday – 2nd July, 2014

(1) Consideration of Motion to be moved by Senator J.C. Baron, notice of which was given on 21st May 2014:- “That the Senate take note of the Cannabis Reform Collaborative Report.”