



BERMUDA HOUSE OF ASSEMBLY

Official House Minutes

July 13, 2012

Electronic Version

Hon. Stanley W. Lowe, OBE, JP, MP
Speaker

Disclaimer: The electronic version of these *Official House Minutes* is for informational purposes only.

No. 30**Friday, 13th July, 2012**

Members Present: His Honour the Speaker, Mr. M.A.R. Bean, Mr. G.A. Blakeney, Mr. D.V. Burgess, Ms. D.N.I. Butterfield, Mr. L.C. Cannonier, Ms. P.A. Cox, Mr. S.D.G. Crockwell, Mr. Z.J.S. DeSilva, Mr. A.E. DeVent, Ms. L.F. Foggo, Mr. W.L. Furbert, Dr. E.G. Gibbons, Mrs. P.J. Gordon Pamplin, Mr. K.H.R. Horton, Mr. D.O. Hunt, Mrs. L.A. Jackson, Mr. D.P. Lister, Mr. T.E. Lister, Mr. W.M. Lister, Mrs. P.K. Minors, Mr. T.G. Moniz, Mr. C.F.B. Swan, Mr. H.K.E. Swan, Mr. D.D.M. Tucker, Mr. M.A. Weeks.

10:05 a.m.

The Minutes of the meeting of 13th July, 2012 were confirmed.

His Honour the speaker thanked Mr. K.H.R. Horton for standing in as Acting Speaker last week while he was attending the Tynwald Day Ceremony in Isle of Man.

10:10 a.m.

Mr. W.N.M. PERINCHIEF made a Ministerial Statement on Border control.

Mr. Z.J.S. DeSILVA, Minister of Health, answered in writing to written questions addressed to him by Mrs. L.A. Jackson as follows:

Q1. Would the Honourable Minister please inform this Honourable House as to the indebtedness of the Bermuda Hospitals Board as of May 31st, 2012, excluding any debt to government, but including any debt that is guaranteed by government?

A1. The last audited financial statements for the Bermuda Hospitals Board tabled in the Legislature were for the fiscal year ended 31st March, 2010. The answer provided is based on those audited financial statements. The Bermuda Hospitals Board's outstanding debt at 31st, March, 2012 was \$9,223,738.

His Honour the SPEAKER acknowledged the presence of three summer law students - Matthew Johnson, Kevon Simons and Melique Cox - who were sitting in the Public Gallery.

10:14 a.m.

Mr. Z.J.S. DeSILVA made a Ministerial Statement on Confidentiality of Medical Information.

10:20 a.m.

Mr. C.F.B. SWAN asked Mr. W.N.M. PERINCHIEF questions regarding his Statement.

10:23 a.m.

Mr. G.A. BLAKENEY congratulated the Bermuda Athletes who participated in the CAC Games in El Salvador; congratulated Long Jumper Tyrone Smith and Flora Duffy.

Mr. K.H.R. HORTON associated himself with previous comments; congratulated Rochelle Minors on winning the Miss Bermuda Pageant last weekend; associated Mr. D.P. Lister with these remarks.

Dr. E.G. GIBBONS congratulated students winners of the ACE Education Awards, Isaac James and Juliette Dunn; congratulated ACE on a job well done in supporting students in their educational endeavours; congratulated Tom Conyers on his retirement; associated himself with congratulatory remarks to athletes who represented themselves well in recent competitions; associated himself with congratulatory remarks to Rochelle Minors.

Mr. C.F.B. SWAN expressed condolences to the families of Ms. Ursala Hamey and Mr. Gary Hines; associated himself with congratulatory remarks to Rochelle Minors; associated himself with congratulatory remarks to the CAC Team and Mr. Michael Sims.

Mr. M.A. WEEKS expressed condolences to the family of Mr. Tumaini Steede; associated Mr. W.N.M. Perinchief with these remarks Mrs. P.J. GORDON PAMPLIN associated herself with obituary remarks for the Steede family; associated herself with congratulatory remarks to Ms. Rochelle Minors.

Mrs. P.K. MINORS associated herself with obituary remarks to the family of Mr. Tumaini Steede; congratulated Dr. John Ducan on receiving his Doctorate in Education recently; associated herself with congratulatory remarks to Ms. Rochelle Minors; congratulated the Argo Foundation on hosting the theatrical production "The Bermuda Glee".

10:42 a.m.

Mr. S.D.G. CROCKWELL expressed condolences to the family of Mr. Peter Longworth; congratulated Mr. David Dodwell on the Reefs Hotel being ranked the Top Resort in the Caribbean, Bermuda and Bahamas Region for 2012 by Travel Leisure Magazine; associated himself with congratulatory remarks to Dr. John Duncan.

Dame JENNIFER SMITH associated herself with all congratulatory remarks thus far; congratulated musician, Mr. Eddie Ming, on the production of four music books that will be distributed in Cuba; congratulated ChewSLAM, a theatrical organization that will be participating in a festival in Chile; congratulated the Denton Hurdle Memorial winners; congratulated Clinton McDonald Smith.

Mr. H.K.E. SWAN expressed condolences to the family of Ms. Dorothy Winnick; associated herself with obituary remarks to the families of Mr. Sinclair James and Mr. Gary Hines; congratulated Rev. Cyril Simmons on being ordained as Minister at Ebenezer Methodist Church; associated himself with congratulatory remarks to Mr. Michael Sims and The Bermuda Glee.

Mr. W.M. LISTER associated himself with obituary remarks to the family of Mrs. Ursala Harney, associated himself with congratulatory remarks to Mr. David Dodwell; congratulated the participants in the Police Rowing Contest at Sandys 360°.

Mr. W.H. ROBAN associated himself with congratulatory remarks to Mr. David Dodwell, Mr. Eddie Ming, Mr. Tom Conyers and Dr. John Duncan; congratulated the West Indian Association on its International Foods Festival held at the Bermuda College recently.

10:56 a.m.

Mr. D.D.M. TUCKER congratulated the Hamilton Parish Youth Football Team on its participation in an overseas Football Tournament.

Mr. M.J. SCOTT associated himself with obituary remarks to the family of Mrs. Ursala Harney; congratulated Mr. and Mrs. Braxton of the Bermuda Perfumery on their perfume "Lili Perfume" being featured on the ABC Talk Programme "The View".

Mr. T.E. LISTER associated himself with obituary remarks to the families of Mrs. Ursala Harney and Mr. Tumsini Steede; associated himself with congratulatory remarks to Rev. Cyril Simmons; congratulated Members of the

Bermuda Olympic Team who qualified in the Olympics; congratulated the participants in the recent HISCOX Cricket Competition.

Mr. M.A.R. BEAN associated himself with obituary remarks to the family of Mr. Tumaini Steede; associated himself with congratulatory remarks to Ms. Rochelle Minors.

Mr. Z.J.S. DeSILVA associated himself with obituary remarks to the family of Mr. Peter Longworth; associated himself with congratulatory remarks to Mr. Michael Sims and Mr. David Dodwell.

Mr. W.L. FURBERT associated himself with congratulatory remarks to Mr. David Dodwell on receiving distinguished awards from Travel and Leisure Magazine.

Ms. L.F. FOGGO associated herself with congratulatory remarks to Rev. Cyril Simmons, the West Indian Association and Ms. Rochelle Minors.

11:15 a.m.

Mr. W.N.M. PERINCHIEF that moved that the Bill entitled the "Bermuda Immigration and Protection Amendment Act 2012" be now read a second time.

11:25 a.m. - Mr. T.G. MONIZ
 11:43 a.m. - Mr. K.H.R. HORTON
 11:45 a.m. - Mr. C.F.B. SWAN
 11:50 a.m. - Mr. S.D.G. CROCKWELL
 12:01 p.m. - Dr. E.G. GIBBONS
 12:06 p.m. - Mr. E.T. RICHARDS
 12:10 p.m. - Mr. H.K.E. SWAN
 12:19 p.m. - Mr. W.N.M. PERINCHIEF

The Bill was committed.

Mr. D.P. LISTER in the Chair.

Mr. W.N.M. PERINCHIEF moved Clauses 1 - 5.

Clauses 1 - 5, as printed, were agreed to.

The Preamble was agreed to.

The House resumed.

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

12:23 p.m.

Mr. W.N.M. PERINCHIEF moved that the House do now recess for lunch, which was agreed to.

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

2:01 p.m.

The House resumed.

Item numbers 2 - 5 on the Order Paper were carried over to the next day of meeting.

2:02 p.m.

Mr. W.H. ROBAN moved that the Bill entitled the "Motor Car Amendment Act 2012" be now read a second time.

- 2:07 p.m. - Mrs. P.J. GORDON PAMPLIN
- 2:24 p.m. - Mr. C.F.B. SWAN
- 2:27 p.m. - Mr. Z.J.S. DeSILVA
- 2:29 p.m. - Mr. W.M. LISTER
- 2:33 p.m. - Mr. W.H. ROBAN

The Bill was Committed.

Mr. K.H.R. HORTON in the Chair.

Mr. W.H. ROBAN moved Clauses 1 - 6.

- 2:44 p.m. - Mrs. P.J. GORDON PAMPLIN
- 2:46 p.m. - Mr. S.D.G. CROCKWELL
- 2:47 p.m. - Mr. W.H. ROBAN
- 2:50 p.m. - Mr. S.D.G. CROCKWELL
- 2:53 p.m. - Mr. W.H. ROBAN
- 2:54 p.m. - Mrs. P.J. GORDON PAMPLIN
- 2:54 p.m. - Mr. W.H. ROBAN

Clauses 1 - 6, as printed, were agreed to.

The Preamble was agreed to.

The House resumed.

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

His Honour the SPEAKER announced that Mr. D.D. Butler had informed him that he will be absent from today's proceedings.

At the request of Mr. W.L. Furbert, Item number 7 was carried over to the next day of meeting.

2:59 p.m.

Mr. W.L. FURBERT that moved the Bill entitled the "Companies Amendment Act 2012" be now read a second time.

- 3:10 p.m. - Mr. S.D.G. CROCKWELL
- 3:15 p.m. - Mr. E.T. RICHARDS
- 3:26 p.m. - Mr. T.E. LISTER
- 3:34 p.m. - Dr. E.G. GIBBONS
- 3:47 p.m. - Mr. N.H.C. SIMONS
- 3:54 p.m. - Mr. W.L. FURBERT

The Bill was committed.

Mr. K.H.R. HORTON in the Chair.

Mr. W.L. FURBERT moved Clauses 1 - 4.

- 4: 12 p.m. - Mr. E.T. RICHARDS
- 4:17 p.m. - Mr. S.D.G. CROCKWELL
- 4:19 p.m. - Mr. W.L. FURBERT
- 4:20 p.m. - Mr. S.D.G. CROCK WELL
- 4:21 p.m. - Dr. E.G. GIBBONS
- 4:25 P.M - Mr. W.L. FURBERT
- 4:30 p.m. - Dr. E.G. GIBBONS
- 4:35 p.m. - Mr. E.T. RICHARDS
- 4:31 p.m. - Mr. W.L. FURBERT
- 4:40 p.m. - Dr. E.G. GIBBONS

Clauses I - 4, as printed, were agreed to.
The Preamble was agreed to.

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

Item numbers 8 – 10 on the Order Paper were carried over to the next day of meeting.

His Honour the SPEAKER acknowledged summer student, Mr. Dane Simmons, sitting in the Chambers.

4:45 p.m.

Mr. G.A. BLAKENEY moved the following motion, notice of which was given on 29th June, 2012."That this Honourable House take note of the merits of introducing an Equality Act which will establish measures protecting persons from age discrimination, and discrimination based on one's sexual orientation, particularly in circumstances relating to employment, accommodation and the procurement of goods and services."

- 5:40 p.m. - Mr. S.D.G. CROCK WELL
- 5:55 p.m. - Mr. D.V. BURGESS
- 6:14 p.m. - Mr. C.F.B. SWAN
- 6:26 p.m. - Mr. M.J. SCOTT
- 6:43 p.m. - Mrs. P.J. GORDON PAMPLIN

6:52 p.m. - Mr. H.K.E. SWAN
 7: 11p.m. - Dame JENNIFER SMITH
 7:20 p.m. - Mr. T.E. LISTER

7:20 p.m. - Mr. D.P. LISTER in the Chair.

7:39 p.m. - Ms. L.F. FOGGO
 7:49 p.m. - Mr. Z.J.S. DeSILVA
 8:00 p.m. - Ms. D.N.1. BUTTERFIELD
 8:07 p.m. - Mr. D.P. LISTER
 8: II p.m. - Mr. M.A.R.BEAN
 8: 12 p.m. - Mr. D.P. LISTER in the Chair.
 8:35 p.m. - Mr. D.D.M. TUCKER
 8:55 p.m. - Mr. W.N.M. PERINCHIEF
 9:15 p.m. - Ms. P.A. COX

9:25 p.m.

Mr. H.K.E. SWAN moved the following motion, notice of which was given on 29th June, 2012: "That this Honourable House take note of the merits of our Parliament adopting a Code of Conduct and the role that a political Ombudsman could play in Bermuda."

10:27 p.m. - Mr. G.A. BLAKENEY

10:27 p.m. - Mr. SPEAKER in the Chair.

11:02 p.m. - Mr. S.D.G. CROCKWELL
 11:21 p.m. - Dame JENNIFER SMITH

11:45 p.m.

The House took note.

Mr. W.N.M. PERINCHIEF moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the "Bermuda Immigration and Protection Amendment Act 2012" be now read the third time, which was agreed to.

On the motion of Mr. W.N.M. Perinchief, the Bill entitled the "Bermuda Immigration and Protection Amendment Act 2012" was then read the third time and passed.

Mr. W.H.ROBAN moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the "Motor Car Amendment Act 2012" be now read the third time, which was agreed to.

On the motion of Mr. W.H. Roban, the Bill entitled the "Motor Car Amendment Act 2012" was then read the third time and passed.

Mr. W.L. FURBERT moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the "Companies Amendment Act 2012" be now read the third time, which was agreed to.

On the motion of Mr. W.L. FURBERT, the Bill entitled the "Companies Amendment Act 2012" was then read the third time and passed.

Mr. M.J. SCOTT, on behalf of Ms. P.A. Cox, moved to withdraw the Bill entitled the "Banks and Deposit Amendment Act 2012", which was agreed to.

Mr. M.J. SCOTT moved that Standing Order 14 be suspended to enable him to introduce a Bill.

Mr. M.J. SCOTT, on behalf of Ms. P.A. Cox, introduced a Bill entitled the "Banks and Deposit Companies Amendment Act 2012".

Mr. M.J. SCOTT, under the provisions of Standing Order 46, moved to withdraw the drawing attached to the proposal for the grant of a 50 year lease of property known as Gym Field, which was tabled last week.

Mr. M.J. SCOTT moved that Standing Order 14 be suspended to enable him to present a new drawing, which was agreed to.

Mr. M.J. SCOTT 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 a new Drawing for the grant of a 50 year lease of the property known as Gym Field, situated on Gymnasium Road in Devonshire, to the Bermuda Football Association under the terms and conditions as set out in the proposed Lease Agreement.

Mr. M.J. SCOTT
 Minister of Government Estates
 and Information Services
 Sessions House,
 13th July, 2012.

11:50 p.m.

Mr. W.N.M. PERINCHIEF moved that the House do now adjourn.

11:50 - Mrs. P.J. GORGON PAMPLIN

Saturday, 14th July, 2012

12:10 a.m. -Mr. H.K.E. SWAN

12:25 a.m. - Mr. M.A.R. BEAN

12:42 A.M. - Mr. W.H. ROBAN

12:52 a.m.

The House adjourned to Friday, 20th July, 2012 at
10:00 a.m.