



# BERMUDA HOUSE OF ASSEMBLY

## Official House Minutes

*December 06, 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. 5**

**Friday, December 6th, 2013**

**Members Present:** His Honour the Speaker, Jeanne J. Atherden, Kenneth L. Bascome, Marc A. R. Bean, Walton D. Brown, Derrick V. Burgess, David G. Burt, L. Craig Cannonier, Rolfe P. Commissiong, Zane J. S. DeSilva, Michael H. Dunkley, Lovitta F. Foggo, Wayne L. Furbert, Dr. Edmund G. Gibbons, Patricia J. Gordon-Pamplin, Suzann Roberts-Holshouser, Dennis P. Lister, Terry E. Lister, Trevor G. Moniz, Nandi S. Outerbridge, Mark J. Pettingill, Everard T. Richards, Sylvan D. Richards, Walter H. Roban, 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.

**10:06 a.m.** Prayer

**Confirmation of Minutes:**

Minutes to the Meeting of 22nd November, 2013, was confirmed.

Minutes of the Meeting of the 29th November, 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:-

Shawn G. Crockwell, and Susan E. Jackson,

His Honour the Speaker announced the death of the former President of South Africa Mr. Nelson Mandela who passed away at 95years old. His Honour the Speaker requested that the House observe two moments of silence for such an iconic and significant loss to society.

**10:10 a.m.**

**Papers and other Communications to the House:**

MR. M. J. PETTINGILL 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 following:-

“Criminal Code Act (Extended Duration of Sections 110A to 110C) Notice 2013” and the Firearms Act (Extended Duration of Sections 29A to 29C) Notice 2013.

MR. M. J. PETTINGILL  
Attorney General and Minister of Legal Affairs

Sessions House,  
December 6th, 2013

**10:11 a.m.**

**Statements by Ministers and Junior Ministers:**

MR. T. G. MONIZ made Ministerial Statements regarding the Update on the Palmetto Road Lane Closure, LED Streetlights Pilot Project, and Reduction in Rent Expenditure.

DR. E. G. GIBBONS made a Ministerial Statement regarding the Shops to Open on Sundays in December 2013.

MR. M. H. DUNKLEY made a Ministerial Statement regarding the Firearms Act (Extended Duration) Notice 2013 & Criminal Code (Extended Duration) Notice 2013.

**Reports of Committee:**

MS. S. ROBERTS-HOLSHOUSER presented a Report from the Joint Select Committee on Private Bills Relating to the "Beechwood Bermuda International Ltd. Act 2013" the "St. George's

Limited Act 2013" and the "Bridge Re Limited Amendment Act 2013".

Mr. Speaker announced that Minister Crockwell had given an undertaking to provide answers to

parliamentary questions for Mr. W. L. Furbert at the next meeting.

**10:41 a.m.**

**Question Period:**

MR. E. D. G. BURT asked Mr. L. C. Cannonier a question regarding his oral response to a written question asked by Mr. E. D. G. Burt.

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

MR. M. A. WEEKS asked Mr. T. G. Moniz a question on his Ministerial Statement regarding the Update on the Palmetto Road Lane Closure.

MR. M. A. WEEKS asked Mr. T. G. Moniz a supplementary question.

MR. T. E. LISTER asked Mr. T. G. Moniz a supplementary question.

MR. D. V. BURGESS asked Mr. T. G. Moniz a question regarding the LED Streetlights Pilot Project.

MR. D. V. BURGESS asked Mr. T. G. Moniz a second question.

MR. D. V. BURGESS asked Mr. T. G. Moniz a third question.

MR. T. E. LISTER asked Mr. T. G. Moniz a supplementary question.

MR. M. A. WEEKS asked Mr. T. G. Moniz a supplementary question.

MR. D. V. BURGESS asked Mr. T. G. Moniz a third supplementary question.

MR. Z. J. S. DESILVA asked Mr. T. G. Moniz a third supplementary question.

MR. T. E. LISTER asked Mr. T. G. Moniz a question regarding his Ministerial Statement on Reduction of Rent Expenditures.

MR. T. E. LISTER asked Mr. T. G. Moniz a second question.

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

**11:41 a.m.**

**Congratulations and Obituary Speeches:**

MR. L. C. CANNONIER paid tribute to the late Mr. Nelson Mandela, a great man who was truly touched by God.

MR. M. A. R. BEAN expressed condolences to Assistant Clerk Mrs. Sherleeta Talbot and the Talbot family on the passing of a brilliant young man Mr. Uthmani Talbot; paid tribute to the late Mr. Nelson Mandela, a Freedom Fighter.

MR. M. H. DUNKLEY paid tribute to the late Mr. Nelson Mandela, a great example of selflessness and courageous leadership.

His Honour the Speaker recognized the presence in the public Gallery of the P4 class students from Port Royal Primary School and their teacher Ms. Zenique James.

MR. D. V. BURGESS sent condolences to the family of the late Mr. Dalton "Hooks" Burgess a well known figure in the community; paid tribute to the late Mr. Nelson Mandela,

MR. M. J. PETTINGILL paid tribute to the late Mr. Nelson Mandela, the greatest human being of our generation.

MR. C. W. D. BROWN paid tribute to the late Mr. Nelson Mandela, a man of great vision, courage and leadership.

MR. S. D. RICHARDS associated himself with condolences to the family of the late Mr. Uthmani Talbot, an outstanding young man a qualified accountant, and an outstanding footballer; paid tribute to the late Mr. Nelson Mandela who is now truly free.

MR. M. A. WEEKS associated himself with condolences to the family of the late Mr. Uthmani Talbot; paid tribute to the late Mr. Nelson Mandela.

MR. E. T. RICHARDS paid tribute to the late Mr. Nelson Mandela.

**11:48 a.m.**

MS. L. F. FOGGO associated herself with condolences for the late Mr. Uthmani Talbot a very personable, talented and extremely bright young man; paid tribute to the late Mr. Nelson Mandela.

MR. R. W. E. SCOTT paid tribute to the late Mr. Nelson Mandela.

MR. W. H. ROBAN associated himself with condolences for the late Mr. Uthmani Talbot; paid tribute to the late Mr. Nelson Mandela, the first democratically elected President of South Africa.

MS. S. ROBERTS-HOLSHOUSER paid tribute to the late Mr. Nelson Mandela.

MR. W. L. FURBERT paid tribute to the late Mr. Nelson Mandela.

MS. P. J. GORDON-PAMPLIN paid tribute to the late Mr. Nelson Mandela.

MR. D. P. LISTER paid tribute to the late Mr. Nelson Mandela.

DR. E. G. GIBBONS paid tribute to the late Mr. Nelson Mandela; and associated himself with condolences to the family of the late Mr. Uthmani Talbot.

MR. E. D. G. BURT paid tribute to the late Mr. Nelson Mandela.

**12:30 p.m.**

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

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

**2:00 p.m.**

The House resumed.

2:01 p.m. - MR. N. H. C. SIMONS paid tribute to the late Mr. Nelson Mandela, describing him as the father of the nation, wise with age and the ideal role model for all fathers universally.

MR. K. L. BASCOME paid tribute to the late Mr. Nelson Mandela, we've lost an icon.

MR. R. P. COMMISSIONG paid tribute to the late Mr. Nelson Mandela; expressed that remnants of apartheid still exist outside of South Africa.

MR. J. C. SOUSA paid tribute to the late Mr. Nelson Mandela, one of the greatest man who walked the earth.

MR. T. E. LISTER paid tribute to the late Mr. Nelson Mandela who has shown the world that one man can make a difference; the greatest man of our time.

MR. G. C. SMITH paid tribute to the late Mr. Nelson Mandela; he was a man of love, forgiveness and a politician who could admit his mistakes.

**Orders of the Day:**

**2:29 p.m.**

**Introduction of Bills:**

DR. E. G. GIBBONS introduced and read for the first time by its title a Bill entitled the "Public Holidays Amendment Act 2013".

MR. E. T. RICHARDS introduced and read for the first time by its title a Bill entitled the "Insurance Amendment (No.2) Act 2013".

**2:35 p.m.**

**Notices of Motions:**

MR. Z. J. S. DESILVA gave notice that at the next day of meeting he proposed to move the following motion:

"That this Honourable House take note of the escalation of healthcare and insurance costs and the need to ensure that accessible and affordable healthcare is available for every member of our community".

**2:40 p.m.**

**Orders of the Day:**

On the motion of MR. M. H. DUNKLEY the Bill entitled the "National Drug Control Act 2013" was then read a second time.

2:45 p.m. - MS. K. N. WILSON

2:55 p.m. - MR. T. E. LISTER

3:10 p.m. - MR. R. W. E. SCOTT

3:21 a.m. - MR. C. W. D. BROWN

3:29 a.m. - MS. P. J. GORDON-PAMPLIN

3:41 p.m. - MR. M. J. SCOTT

3:55 p.m. - MR. J. C. SOUSA

4:00 p.m. - MS. J. J. ATHERDEN

4:10 p.m. - MR. E. D. G. BURT  
 4:11 p.m. - MR. M. H. DUNKLEY

The Bill was committed.

MS. S. ROBERTS-HOLSHOUSER in the chair.

MR. M. H. DUNKLEY moved Clauses 1-7

4:29 p.m. - MR. W. L. A. SCOTT  
 4:29 p.m. - MS. K. N. WILSON  
 4:31 p.m. - MR. M. J. PETTINGILL  
 4:32 p.m. - MR. M. H. DUNKLEY  
 4:35 p.m. - MR. C. W. D. BROWN  
 4:38 p.m. - MS. K. N. WILSON  
 4:39 p.m. - MR. M. H. DUNKLEY  
 4:40 p.m. - MS. K. N. WILSON  
 4:43 p.m. - MR. M. J. PETTINGILL  
 4:44 p.m. - MR. M. J. SCOTT  
 4:48 p.m. - MR. M. H. DUNKLEY  
 4:50 p.m. - MS. K. N. WILSON  
 4:51 p.m. - MR. M. J. SCOTT  
 4:54 p.m. - MR. M. H. DUNKLEY  
 4:55 p.m. - MS. K. N. WILSON  
 4:58 p.m. - MR. M. J. PETTINGILL

MR. M. H. DUNKLEY moved Clauses 8-14

5:02 p.m. - MS. K. N. WILSON

MR. M. H. DUNKLEY moved Clauses 15-21

5:10 p.m. - MR. M. J. SCOTT

MR. C. W. D. BROWN moved an amendment to delete clause 2(e) of the Bill and renumber successive provisions.

5:12 p.m. - MR. C. W. D. BROWN  
 5:15 p.m. - MR. M. J. SCOTT  
 5:16 p.m. - MS. K. N. WILSON  
 5:17 p.m. - MR. M. J. PETTINGILL

- On division the amendment was defeated 13 Ayes and 16 Noes.

**Noes**

1. Mr. J. C. Sousa  
 2. Mr. N. H. C. Simons  
 3. Mr. G. C. Smith  
 4. Ms. M. L. K. Scott  
 5. Mr. R. W. E. Scott  
 6. Mr. E. T. Richards  
 7. Mr. M. J. Pettingill  
 8. Mr. M. H. Dunkley  
 9. Ms. N. S. Outerbridge

10. Dr. E. G. Gibbons  
 11. Mr. C. L. Cannonier  
 12. Ms. Jeanne. J. Atherden  
 13. Mrs. Patricia J. Gordon-Pamplin  
 14. Mr. G. C. Smith  
 15. Mr. T. G. Moniz  
 16. Mr. S. D. Richards

**Ayes**

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

MR. M. H. DUNKLEY moved Clauses 1-21 be approved.

-which was agreed to

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

5:28 p.m. - HIS HONOUR THE SPEAKER in the chair.

Order numbers 2-12 were carried over to the next day of business.

**5:29 p.m.**

DR. E. G. GIBBONS moved the following motion, notice of which was given on November 8, 2013:-

“That this Honourable House take note of the Discussion Paper entitled “Inclusive and Special Education 2013: Getting it Right for Every Child.”

5:59 a.m. - MR. C. W. D. BROWN  
 6:25 a.m. - MS. L. F. FOGGO  
 6:55 a.m. - MR. MR. G. C. SMITH

7:02 a.m. - MR. W. L. FURBERT

7:02 pm. -MS. S. ROBERTS-HOLSHOUSER in the chair.

7:08 a.m. - MS. P. J. GORDON-PAMPLIN

- The House took note.

Order number 14 was carried over to the next day of business.

**7:17 p.m.**

MR. T. E. LISTER moved the following motion, notice of which was given on November 22, 2013:-

“That this Honourable House take note of the Annual Report of the Registry General for the year ended 31<sup>st</sup> December, 2012 which was laid on 22 November, 2013.”

7:31p.m. - His Honour the Speaker in the chair.

7:40 p.m. - DR. E. G. GIBBONS

7:51 a.m. - MR. C. W. D. BROWN

- The House took note.

**8:01 p.m.**

MR. M. H. DUNKLEY moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "National Drug Control Act 2013" be now read the third time, which was agreed to.

On the motion of MR. M. H. DUNKLEY, the Bill entitled the “National Drug Control Act 2013” was then read the third time and passed.

**8:02 p.m.**

MR. L. C. CANNONIER moved that the House do adjourn to Wednesday, 11th December, 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.

8:08 p.m. - MR. D. P. LISTER

**8:13 p.m.**

Adjourned to Wednesday, 11th December, 2013.