



SENATE OF BERMUDA

Official Senate Minutes

June 18, 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. 14

WEDNESDAY, 18th 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, 11th June 2014 was deferred.

Senator the Hon. M.M. Fahy presented for the consideration of Senate the following draft Agreements relating to the Corporation of Hamilton, proposed to be approved under the provisions of section 20 and section 37 of The Municipalities Act 1923:-

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");

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"); 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")'

-- and he gave notice that at the next day of meeting, he would move that the said draft Agreements be approved.

10:04a.m.

Senator the Hon. M.M. Fahy, as Minister of Home Affairs, made a Ministerial Statement regarding the "Monitoring of Food Prices in Grocery Stores – Second Quarter Findings".

Senator Mrs. L.A. Woolridge, as Junior Minister for Health, Seniors and Environment, made a Ministerial Statement on "HIV Awareness Month" in Bermuda.

The following Public Bill was brought up from the House of Assembly and given its First Reading in the Senate:-

"The Protected Species Amendment Act 2014".

Questions/Question Period

10:15a.m.

Senator Ms. R.D.L. Ming asked Senator the Hon. M.M. Fahy a question regarding the Monitoring of Food Prices in Grocery Stores.

Senator Fahy replied.

Senator Ming asked a second question. Senator Fahy replied.

Orders of the Day

10:19a.m.

Senator the Hon. M.M. Fahy moved that the Senate do now take under consideration the draft Regulations entitled "The Government Fees Amendment (No. 2) Regulations 2014" -- which was agreed to.

Senator Fahy spoke on the Regulations.

- 10:23a.m. Senator D.V.S. Rabain.
- 10:26a.m. Senator Mrs. J.E. Dillas-Wright.
- 10:26a.m. Senator Fahy replied.

Senator the Hon. M.M. Fahy moved that the said draft Regulations be approved, and that the following message be sent to His Excellency the Governor:

"MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration the draft Regulations entitled "The Government Fees Amendment (No. 2) Regulations 2014", proposed to be made by the Minister of Finance under the provisions of Section 2 of The Government Fees Act 1965, has the honour to inform Your Excellency that the Senate has approved the said draft Regulations."

-- which was agreed to and ordered accordingly.

10:30a.m.

Senator J.C. Baron moved that the Public Bill entitled "The Life Insurance Amendment Act 2014" be now read a second time -- which was agreed to.

The Bill was accordingly read a second time.

Senator J.C. Baron moved that Standing Order 26 be suspended in respect of this Bill -- which was agreed to.

Senator J.C. Baron moved that the Bill be now read a third time -- which was agreed to.

The Bill was accordingly read a third time.

Senator J.C. Baron moved that the Bill entitled "The Life Insurance 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 J.C. Baron moved that the Public Bill entitled "The Companies Amendment (No. 2) Act 2014" be now read a second time -- which was agreed to.

The Bill was accordingly read a second time.

Senator J.C. Baron moved that Standing Order 26 be suspended in respect of this Bill -- which was agreed to.

Senator J.C. Baron moved that the Bill be now read a third time -- which was agreed to.

The Bill was accordingly read a third time.

Senator J.C. Baron moved that the Bill entitled "The Companies Amendment (No. 2) 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.

10:43a.m.

Senator J.C. Baron moved that the Senate do now take under consideration the draft Regulations entitled "The Electronic Communications (Regulatory Authority Fees) Regulations 2014" -- which was agreed to.

Senator Baron spoke on the Regulations.

10:48a.m. Senator J.S. Jardine.
10:48a.m. Senator Baron replied.

Senator J.C. Baron moved that the said draft Regulations be approved, and that the following message be sent to His Excellency the Governor:

"MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration draft Regulations entitled "The Electronic Communications (Regulatory Authority Fees) Regulations 2014", proposed to be made by the Minister responsible for telecommunications under the provisions of sections 6 and 11 of The Electronic Communications Act 2011, 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."

-- which was agreed to and ordered accordingly.

10:49a.m.

Senator J.C. Baron moved that the Senate do now take under consideration the draft Regulations entitled the "Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Amendment Regulations 2014" --- which was agreed to.

Senator Baron spoke on the Regulations.

Senator J.C. Baron moved that said draft Regulations be approved, and that the

following Message be sent to His Excellency the Governor:

"MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration draft Regulations entitled the "Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Amendment Regulations 2014", proposed to be made by the Minister responsible for legal affairs under the provisions of section 49(3) of the Proceeds of Crime Act 1997 and section 12A of the Anti-Terrorism (Financial and Other Measures) Act 2004, has the honour to inform Your Excellency that the Senate has approved the said draft Regulations."

-- which was agreed to and ordered accordingly.

10:53a.m.

Senator Mrs. L.A. Woolridge moved that the Senate do now take under consideration the draft Lease Agreement between the West End Development Corporation and the National Museum of Bermuda, proposed to be made under the provisions of section 20 of the West End Development Corporation Act 1982 and under the terms and conditions specified in the said Agreement -- which was agreed to.

Senator Woolridge spoke on the Lease Agreement.

11:01a.m. Senator J.S. Jardine.
11:02a.m. Senator N.S. Brangman.
11:02a.m. Senator Woolridge replied.

Senator Mrs. L.A. Woolridge moved that the said draft Lease Agreement be approved -- which was agreed to.

On the motion of Senator the Hon. M.M. Fahy, Order number 7 on the Order Paper was carried over to the next day of meeting.

On the motion of Senator J.C. Baron, Order number 8 on the Order Paper was carried over to the next day of meeting.

11:05a.m.

Senator Mrs. J.E. Dillas-Wright moved that the Senate do now take under consideration the following Motion:-

“That the Senate approves the Report of the Parliamentary Joint Select Committee on the Adoption of a Mandatory Random Drug Testing Policy for Members of the Legislature.”

-- which was agreed to.

Senator Dillas-Wright lead debate on the Motion.

11:36a.m. Senator the Hon. M.M. Fahy spoke on the Motion.

- 11:47a.m. Senator J.S. Jardine.
- 11:54a.m. Senator M.G. Daniels.
- 12:17p.m. Senator J.C. Baron.
- 12:25p.m. Senator Mrs. L.A. Woolridge.
- 12:29p.m. Senator Ms. A.L. Swan.
- 12:32p.m. Senator D.V.S. Rabain.
- 12:53p.m. Senator N.S. Brangman.
- 1:00p.m. Senator Ms. R.D.L. Ming.
- 1:25p.m. Senator the Hon. the President.

1:32p.m. Senator Dillas-Wright and Senator Jardine spoke in reply on the Motion and the questions put by Senators during the debate.

Senator Mrs. J.E. Dillas-Wright moved that the said Motion be approved, which was affirmed on division by 7 votes to 3:-

AYES:

Senator N.S. Brangman, Senator Mrs. L.A. Woolridge, Senator Ms. A.L. Swan, Senator J.C. Baron, Senator J.S. Jardine, Senator Mrs.

J.E. Dillas-Wright and Senator the Hon. the President.

NOES:

Senator D.V.S. Rabain, Senator Ms. R.D.L. Ming and Senator M.G. Daniels.

Congratulatory &/or Obituary Speeches

2:08p.m.

Senator Ms. R.D.L. Ming congratulated the Department of Parks on the outstanding events being held throughout June to mark the 400th Anniversary of Fort St. Catherine in St. George's; and she congratulated the Midland Heights Seventh Day Adventist Church on their recent services in Celebration of Jesus.

Senator Ming congratulated Mr. Stevie Dickinson on winning the 2014 End-to-End Comet Race; and she congratulated the Principal, Teachers and the young Graduates who were celebrated at the St. David's Primary School 2014 Graduation ceremony.

Senator N.S. Brangman congratulated former Senator, Mr. Reginald S. Minors on his retirement as Chairman of the Board at the Ascendant Group after many years of outstanding service on the Board.

Senator Brangman also congratulated the Premier, the Hon. Michael Dunkley, JP, MP on the celebration of his 56th Birthday.

Senator D.V.S. Rabain congratulated the distinguished Ladies of the Delta Sigma Sorority in Bermuda on the recent celebrations of their 25th Anniversary of outstanding community service in Bermuda. Senators Brangman, Ming and Woolridge associated themselves with these remarks.

Senator Rabain also congratulated the distinguished Gentleman of the Hannibal Lodge 224 on their recent Ladies Night

Dinner, which was a very enjoyable event for all.

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

2:12p.m.

Senator N.S. Brangman moved that the Senate do now adjourn – which was agreed to.

- 2:13p.m. Senator Ms. R.D.L. Ming.
- 2:17p.m. Senator D.V.S. Rabain.
- 2:20p.m. Senator J.C. Baron.
- 2:28p.m. Senator N.S. Brangman.

2:30p.m.

Adjourned until Wednesday, 25th June, 2014.

PRESIDENT

ORDERS OF THE DAY

Wednesday – 25th June, 2014

(1) Second Reading: The Protected Species Amendment Act 2014.

(2) Consideration of 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”).

(3) Consideration of 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”).

(4) Consideration of 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”).

(5) Consideration of Motion to be moved by Senator the Hon. M.M. Fahy, notice of which was given on 21st May 2014:- “That this Honourable House take note of Part 1 of the ‘NATIONAL TRAINING PLAN – December 2013 to December 2023’.”

(6) 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.”