



BERMUDA HOUSE OF ASSEMBLY

Official House Minutes

September 20, 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**

No. 23

Friday, September 20th, 2013

Members Present: His Honour the Speaker, Jeanne J. Atherden, Kenneth L. Bascome, Glenn A. Blakeney, Walton D. Brown, David G. Burt, L. Craig Cannonier, Rolfe P. Commissiong, Shawn G. Crockwell, Michael H. Dunkley, Lovitta F. Foggo, 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, Michael A. Weeks, Kim N. Wilson.

10:00 a.m. Prayer

MR. E. T. RICHARDS Minister of Finance, answered orally in the House and in writing to written questions addressed to him by Shadow Minister of Finance Mr. E. D. G. Burt.

Confirmation of Minutes:

Minutes to the meeting of September 13th, 2013 were confirmed.

Q1."Will the Minister of Finance advise this Honourable House what actions the Government has taken in light of the Republic of France adding Bermuda to their list of uncooperative tax havens; and if he will make a statement?"

10:01 a.m.

Announcements by the Speaker:

A1. Ministry of Finance officials have contacted counterparts within the French Ministry of Finance to seek clarification regarding this action as we seek an early resolution to this matter.

His Honour the Speaker announced the absence of the following Members:- Mr. Zane DeSilva, Mr. Wayne L. Furbert, and Mr. Jefferson C. Sousa, Mr. Marc A. R. Bean, and Mr. Derrick V. Burgess.

The Government of Bermuda is surprised by reports that we are to be included in France's list of offshore financial centers with which France has issues, particularly as Bermuda has an existing exchange of information agreement (TIEA) with France. We currently have 39 bilateral transparency agreements, which includes 90% of the G20 countries.

10:05 a.m.

Statements by Ministers and Junior Ministers:

The Government is also concerned in the manner in which this matter was announced to the international media without any initial consultation with the UK and not going through the proper channels that exist between the UK and France.

MR. L. C. CANNONIER made a Ministerial Statement regarding the "Meeting with Heads of Overseas Territories", held in Gibraltar.

MR. M. H. DUNKLEY made a Ministerial Statement regarding the "Bridging the Gap VII: Community Reintegration Fair".

MR. S. G. CROCKWELL made a Ministerial Statement regarding the "Entertainment Ship Partnership – Royal Caribbean Cruise Lines".

With the support of His Excellency, the Governor, we have secured the involvement of the UK Government which is also engaging the French authorities at the diplomatic level as we seek answers on this matter.

10:29 a.m.

Question Period:

I can advise that Ministry of Finance officials have arranged meetings with their French counterparts to

take place in the very near future to resolve France concerns.

I will update this Honourable House and Bermuda via a press statement when there is additional news to report on this matter, which I anticipate to be before the next legislative House Session.

MR. W. H. ROBAN asked Mr. L. C. Cannonier a question regarding his Ministerial Statement on his Meeting with Heads of Overseas Territories.

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

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

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

MS. L. F. FOGGO asked Mr. L. C. Cannonier a question regarding his Ministerial Statement on his Meeting with Heads of Overseas Territories.

MS. L. F. FOGGO asked Mr. L. C. Cannonier a supplementary question.

MR. C. W. D. BROWN asked Mr. L. C. Cannonier a question regarding his Ministerial Statement on his Meeting with Heads of Overseas Territories.

MR. C. W. D. BROWN asked Mr. L. C. Cannonier a supplementary question.

MR. C. W. D. BROWN asked Mr. L. C. Cannonier a second question.

MR. C. W. D. BROWN asked Mr. L. C. Cannonier a supplementary question.

MR. C. W. D. BROWN asked Mr. L. C. Cannonier a second supplementary question.

MR. C. W. D. BROWN asked Mr. L. C. Cannonier a third question.

MR. C. W. D. BROWN asked Mr. L. C. Cannonier a supplementary question.

MS. L. F. FOGGO asked Mr. L. C. Cannonier a supplementary question.

10:45 a.m.

MS. K. N. WILSON asked Mr. L. C. Cannonier a supplementary question.

MS. K. N. WILSON asked Mr. L. C. Cannonier a second supplementary question.

MS. K. N. WILSON asked Mr. L. C. Cannonier a supplementary question.

MS. K. N. WILSON asked Mr. L. C. Cannonier a supplementary question.

MS. K. N. WILSON asked Mr. L. C. Cannonier a supplementary question.

MR. E. D. G. BURT asked Mr. L. C. Cannonier a question regarding his Ministerial Statement on his Meeting with Heads of Overseas Territories.

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

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

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

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

10:54 a.m.

MR. R. P. COMMISSIONG asked Mr. L. C. Cannonier a question regarding his Ministerial Statement on his Meeting with Heads of Overseas Territories.

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

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

MR. M. J. SCOTT asked Mr. L. C. Cannonier a question regarding his Ministerial Statement on his Meeting with Heads of Overseas Territories.

MR. W. L. A. SCOTT asked MR. S. G. Crockwell a question regarding his Ministerial Statement on the Entertainment Ship Partnership – Royal Caribbean Cruise Lines.

MR. W. L. A. SCOTT asked MR. S. G. Crockwell a second question.

MR. W. L. A. SCOTT asked Mr. S. G. Crockwell a third question.

MR. E. D. G. BURT asked Mr. E. T. Richards a supplementary question regarding his Oral response to written questions.

MR. E. D. G. BURT asked Mr. E. T. Richards a second supplementary question.

MR. R. P. COMMISSIONG asked Mr. E. T. Richards a second question.

MR. E. T. RICHARDS Minister of Finance, answered in writing as follows to written questions addressed to him by Shadow Minister of Finance Mr. E. D. G. Burt.

At the outset it should be clarified that all amounts reported include official Gazette spends.

Q. Would the Honourable Minister please inform this Honourable House of how much was spent on all Government advertising with the following companies during the period from Jan 1, 2012 to June 30, 2012?

Royal Gazette Limited, Harper Digital Entertainment, LTT Broadcasting Company, Inter Island Communications, Defontes Broadcasting Co Ltd, Bernews Ltd, Bermuda Sun, and the Bermuda Broadcasting Company.

A. The spreadsheet below illustrates how much money was spent on all Government advertising with the mentioned companies during the period from Jan 1, 2012 to June 30, 2012?

BERMUDA GOVERNMENT
PARLIAMENTARY QUESTIONS
GOVERNMENT ADVERTISING SPENT REPORT
2012 & 2013

Supplier Name	1-Jan-12 to 30-Jun-12 \$	1-Jan-13 to 30-Jun-13 \$
ROYAL GAZETTE LIMITED	34,566.05	158,045.42
HARPER DIGITAL ENTERTAINMENT	19,236.39	7,326.00
LTT BROADCASTING COMPANY	2,330.00	5,045.00
INTER ISLAND COMMUNICATIONS	11,734.64	7,257.50
DEFONTES BROADCASTING CO LTD	37,405.25	20,392.50
BERNEWS LTD	1,650.00	2,971.00
BERMUDA SUN	338,909.05	92,164.92
BERMUDA BROADCASTING COMPANY	104,101.84	109,777.15
	549,933.22	402,979.49

MR. M. H. DUNKLEY, Minister of Public Safety, answered in writing as follows to written questions addressed to him by Shadow Minister of Public Safety MR. W. H. ROBAN.

1. Would the Honourable Minister please provide this Honourable House with the number of masons, plumbers and carpenters who are on work permits?

Response: The number of masons, plumbers and carpenters, who are currently on work permits, as at September, 2013 are as follows:

Masons -164 (50 of which were approved prior to January 2013)
Plumbers -30 (17 of which were approved prior to January 2013)
Carpenters -55 (23 of which were approved prior to January 2013)

2. Would the Honourable Minister please provide this Honourable House with the number of masons, plumbers and carpenters who are registered as unemployed?

Response: The number of masons, plumbers and carpenters who are registered as unemployed with the Department of Workforce Development are as follows:

Masons-33
Plumbers -9
Carpenters:
Carpenter and Joiners -8
Carpenter, Form -6

11:06 a.m.

Congratulatory and Obituary Speeches:

MR. W. L. A. SCOTT congratulated Ms. Marion Lemond who will be celebrating her 100th birthday soon.

MR. R. W. E. SCOTT expressed condolences to the family of the late Mr. Raymond Leon Carey.

MR. G. C. SMITH expressed condolences on the passing of Mr. Ernest Geoffrey Griffiths; associated Dr. Gibbons with his remarks.

MR. M. A. WEEKS associated himself with remarks on the passing of Mr. Raymond Carey; associated

Mr. N. H. C. Simons, Mr. M. H. Dunkley, and Ms. K. N. Wilson; condolences to the family of the late Ms. Maria G. Simons.

MS. S. ROBERTS-HOLSHOUSER expressed condolences for the family of the late Ms. Alfreda Ann Lamb; associated Mr. K. L. Bascome and Ms. L. F. Foggo.

MR. M. H. DUNKLEY associated himself with condolences to the families of Ms. Alfreda Ann Lamb, Mr. Ernest Griffiths and Davis Alan Medeiros; associated Dr. E. G. Gibbons; congratulations to Taylor Gorham who received the 2013 Steinhoff/Bermuda Zoological Society Scholarship

MR. M. J. SCOTT associated himself with condolences for the family of the late Ms. Maria Simons; associated himself with remarks for Ms. Marion Lemond who will soon celebrate her 100th birthday.

MR. K. L. BASCOME associated himself with condolences for Mr. Karl Foggo, grandfather of Mr. Derek Lamb.

DR. E. G. GIBBONS associated himself with condolences to the families of Ms. Alfreda Ann Lamb, Mr. Ernest Griffiths, and Mr. Davis Alan Medeiros.

11:13 a.m.

Introduction of Bills:

MR. E. T. RICHARDS moved for leave to introduce and read for the first by time their titles the Bills entitled the "Insurance Amendment Act 2013" and the "Customs Tariff Amendment (No.2) Act 2013".

MR. S. G. CROCKWELL moved for leave to introduce and read for the first time by its title a Bill entitled the "Cruise Ships (Casinos) Act 2013".

MR. M. H. DUNKLEY moved for leave to introduce and read for the first time by their titles the Bills entitled the "Municipalities Amendment Act 2013" and the "Corporation of St. George's (UNESCO World Heritage Fund and Levy) Act 2013".

11:15 a.m.

Orders of the Day:

On the motion of MR. S. G. CROCKWELL, the Bill entitled the "Park Hyatt (St. George's) Resort Repeal Act 2013" was then read a second time.

11:20 a.m. - MR. D. P. LISTER
 11:21 a.m. - MR. G. C. SMITH
 11:25 a.m. - MR. T. E. LISTER
 11:29 a.m. - MR. K. L. BASCOME
 11:30 a.m. - MS. L. F. FOGGO
 11:35 a.m. - MS. N. S. OUTERBRIDGE
 11:36 a.m. - MR. M. J. SCOTT
 11:40 a.m. - MS. R. ROBERTS-HOLSHOUSER
 11:45 a.m. - MS. K. N. WILSON
 11:46 a.m. - MS. P. J. GORDON-PAMPLIN
 11:55 a.m. - MR. G. A. BLAKENEY
 11:59 a.m. - MR. E. D. G. BURT
 12:01 p.m. - MR. W. H. ROBAN
 12:10 p.m. - MR. M. A. WEEKS
 12:15 p.m. - MR. N. H. C. SIMONS
 12:21 p.m. - MR. W. L. A. SCOTT
 12:25 p.m. - MR. S. D. RICHARDS
 12:29 p.m. - MR. C. W. D. BROWN

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 at 2:00 p.m.

2:00 p.m.

The House resumed

2:02 p.m.

2:02 p.m. - MR. E. T. RICHARDS

2:17 p.m. - MR. S. G. CROCKWELL

The Bill was committed.

2:26 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair

MR. S. G. CROCKWELL moved clauses 1-4 of the Bill.

2:15 p.m. - MR. D. P. LISTER

Clauses 1 – 4, as printed, were agreed to.

MR. S. G. CROCKWELL moved the Schedules.

The Schedules, as printed, were 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.

Order numbers 2-4 were carried over to the next meeting day.

2:32 p.m.

On the motion of MR. E. T. RICHARDS, the Bill entitled the "Investment Funds Amendment Act 2013", was then read a second time.

- 2:41 p.m. - MR. E. D. G. BURT
- 2:45 p.m. - MS. S. E. JACKSON
- 2:47 p.m. - MR. C. W. D. BROWN
- 2:50 p.m. - MR. N. H. C. SIMONS
- 2:54 p.m. - DR. E. G. GIBBONS
- 3:12 p.m. - MR. G. A. BLAKENEY
- 3:20 p.m. - MR. E. T. RICHARDS

The Bill was committed.

3:28 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair

MR. E. T. RICHARDS moved clauses 1-13 of the Bill.

- 3:40 p.m. - MR. E. D. G. BURT
- 3:43 p.m. - MR. T. E. LISTER
- 3:47 p.m. - MR. E. T. RICHARDS

Clauses 1 – 13, as printed, were 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.

3:53 p.m.

On the motion of MR. M. J. PETTINGILL, the Bill entitled the "Proceeds of Crime Amendment (No.2) Act 2013", was then read a second time.

- 4:00 p.m. - MS. K. N. WILSON
- 4:08 p.m. - MS. S. ROBERTS-HOLSHOUSER
- 4:09 p.m. - DR. E. G. GIBBONS
- 4:11 p.m. - MR. M. J. PETTINGILL

The Bill was committed.

4:20 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair

MR. M. J. PETTINGILL moved clauses 1-5 of the Bill.

4:24 p.m. - MS. K. N. WILSON

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

MR. M. J. PETTINGILL moved clause 6 of the Bill.

MR. M. J. PETTINGILL moved an Amendment to Clause 6:-

That Section 36.1 (G) in Clause 6 be amended as follows:

Amend the word "Consolidated Assets" to 'Confiscated Assets'.

- 4:35 p.m. - MS. K. N. WILSON
- 4:36 p.m. - MR. M. J. PETTINGILL
- 4:40 p.m. - MS. K. N. WILSON
- 4:44 p.m. - MR. M. J. PETTINGILL

MR. M. J. PETTINGILL moved that the Amendment to Clause 6 section 36.1 (G) be approved, which was agreed to.

MR. M. J. PETTINGILL moved clauses 7-27

Clauses 1 – 27, as amended, were agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

4:55 p.m.

Items numbers 7-9 on the Order Paper were carried over to the next day of meeting.

4:35 p.m.

MR. S. G. CROCKWELL moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Park Hyatt (St. George's) Resort Repeal Act 2013", be now read the third time, which was agreed to.

On the motion of MR. S. G. CROCKWELL, the Bill entitled the "Park Hyatt (St. George's) Resort Repeal Act 2013" was then read the third time and passed.

MR. E. T. RICHARDS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Investment Funds Amendment Act 2013", be now read the third time, which was agreed to.

On the motion of MR. E. T. RICHARDS, the Bill entitled the "Investment Funds Amendment Act 2013" was then read the third time and passed.

MR. M. J. PETTINGILL moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Proceeds of Crime Amendment (No.2) Act 2013", be now read the third time, which was agreed to.

On the motion of MR. M. J. PETTINGILL, the Bill entitled the "Proceeds of Crime Amendment (No.2) Act 2013" was then read the third time and passed.

4:58 p.m.

MR. M. H. DUNKLEY moved that the House, do adjourn to Friday, 27th September, 2013 at 10:00 a.m., which was agreed to.

MR. M. H. DUNKLEY moved that the House do now adjourn, which was agreed to.

4:58 p.m. - MR. C. W. D. BROWN
5:11 p.m. - MR. E. D. G. BURT
5:16 p.m. - MR. S. G. CROCKWELL
5:28 p.m. - MR. R. P. COMMISSIONG

5:34 p.m.

The House adjourned to Friday, 27th September, 2013 at 10:00 a.m.