

**Proceedings
of the
Honourable House of Assembly**

Session of 2017-2018

No. 5

Friday, 6th October 2017

Members Present: His Honour the Speaker, Jeanne Atherden, C. Walton D. Brown, Lt. Col. David A. Burch, Derrick V. Burgess, David E. Burt, Wayne M. Caines, Rolfe P. Commissiong, Zane J. DeSilva, T. Christopher Famous, Lovitta F. Foggo, Wayne L. Furbert, Dr. Edmund G. Gibbons, Patricia J. Gordon-Pamplin, Susan E. Jackson, Dennis J. Lister III, Renee D.L. Ming, Trevor G. Moniz, Diallo V. Rabain, Sylvan D. Richards, Walter H. Roban, Leah K. Scott, Michael J. Scott, W. Lawrence Scott, Jamahl S. Simmons. Scott A. Simmons, N.H. Cole Simons, Benjamin A. Smith, Kim H.E Swan, Neville S. Tyrrell, Michael A. Weeks, Kim N. Wilson.

10:03 a.m. Prayer

Confirmation of Minutes:

The minutes of the Meeting of 29th September, 2017 were confirmed.

Announcements by the Speaker:

10:02 a.m.

His Honour the Speaker announced that the following Members will be absent from today's proceedings:

Mr. L.C. Cannonier, Mr. J.C. Baron, Mrs. T. S. Furbert, Mr. M.H. Dunkley,

His Honour the Speaker announced the appointment of following Members to the Joint select Committee on 'Living Wage' are as follows:

Mr. W.L. Scott, and Ms. L.K. Scott and Mr. R.P. Commissiong.

His Honour the Speaker announced that packages for Committee chairs were placed in their seats.

10:05 a.m.

Papers and other Communications to the House

MR. E. D. G. BURT 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 a report entitled "Reforming the Tax system and Its Administration for Fiscal Consolidation by the Caribbean Regional Technical Assistance Center (CARTAC)".

Mr. E.D.G. Burt
Premier and Minister of Finance

Sessions House
October 6, 2017

MS. K.N. WILSON 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 “Bermuda Hospitals Board (Hospital Fees) Amendment Regulations 2017”.

Ms. K.N. Wilson
Minister of Health

Sessions House
October 6, 2017

MR. D.V.S RABAIN 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 “The 2016/17 National Training Board Annual Report”.

Mr. D.V.S. Rabain
Minister of Education and Workforce
Development

Sessions House
October 6, 2017

MR. D.V.S RABAIN 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 New Geography Text entitled ‘Young Geographers’.

Mr. D.V.S. Rabain
Minister of Education and Workforce
Development

Sessions House
October 6, 2017

10:07am

Statements by Ministers and/or Junior Ministers:

Mr. E.D.G. Burt made a Ministerial Statement regarding the report entitled “Reforming the Tax system and Its Administration for Fiscal Consolidation”.

Mr. W.H. Roban made a Ministerial Statement regarding the “London International Shipping Week and the Capital Link Shipping, Marine Services & Offshore Forum – Bermuda and the Shipping Industry”.

Mr. C.W.D. Brown made a Ministerial Statement regarding “Progress on Improving the Care and Management of Dogs”.

Mr. C.W.D. Brown made a Ministerial Statement regarding “Bermuda Immigration and Protection Amendment (No.2) Act 2017”.

Ms. K.N. Wilson made a Ministerial Statement regarding the “Assistance from the Pan American Health Organization for Health Workforce Planning and Cold Chain Training”.

Mr. D.V.S. Rabain made a Ministerial Statement regarding “The 2016/17 National Training Board Annual Report”.

Mr. W.M. Caines made a Ministerial statement regarding “The Ministry of National Security - Update”.

Lt. Col. D.A. Burch made a Ministerial Statement regarding “Overgrowth on Highways and Verges”.

Lt. Col. D.A. Burch made a Ministerial Statement regarding the “Infrastructure in need of Attention”.

Lt. Col. D.A. Burch made a Ministerial Statement regarding the “Relocation of the Airport Mail Facility”.

11:31am

Question Period:

DR. E. G. GIBBONS asked MR. W. H. ROBAN a question on his Ministerial Statement, regarding the “London International Shipping Week and the Capital Link Shipping, Marine Services & Offshore Forum – Bermuda and the Shipping Industry”.

DR. E. G. GIBBONS asked a supplementary question.

DR. E. G. GIBBONS asked a second supplementary question.

MR. S. D. RICHARDS asked a question to MR. C. W. D. BROWN on his ministerial statement regarding “Progress on Improving the Care and Management of Dogs”.

MR. N. H. C. SIMONS asked a supplementary question.

MR. W. L. SCOTT asked a question to MR. C. W. D. BROWN on his ministerial statement regarding the “Bermuda Immigration and Protection Amendment (No.2) Act 2017”.

MRS. P. J. GORDON-PAMPLIN asked a question.

MRS. P. J. GORDON-PAMPLIN asked a supplementary question.

MRS. P. J. GORDON-PAMPLIN asked a second question.

DR. E. G. GIBBONS asked a question to MS. K. N. WILSON regarding her ministerial statement on the “Assistance from the Pan American Health Organization for Health Workforce Planning and Cold Chain Training”.

DR. E. G. GIBBONS asked a supplementary question.

DR. E. G. GIBBONS asked a second supplementary question.

DR. E. G. GIBBONS asked a second question.

DR. E. G. GIBBONS asked a second supplementary question.

DR. E. G. GIBBONS asked a supplementary question.

DR. E. G. GIBBONS asked a third question.

MS. S. E. JACKSON asked a question to MS. K. N. WILSON on her ministerial statement.

MS. S. E. JACKSON asked a second question.

MS. S. E. JACKSON asked a supplementary question.

MRS. J. J. ATHERDEN asked a supplementary question.

MRS. J. J. ATHERDEN asked a second supplementary question.

MR. W. L. SCOTT asked MR. D. V. S. RABAIN a question on his Ministerial Statement regarding the “The 2016/17 National Training Board Annual Report”.

MRS. P. J. GORDON-PAMPLIN asked a question.

MRS. P. J. GORDON-PAMPLIN asked a supplementary question.

DR. E. G. GIBBONS asked MR. W. M. CAINES a question regarding his ministerial statement on the “The Ministry of National Security -Update”.

DR. E. G. GIBBONS asked a supplementary question.

DR. E. G. GIBBONS asked a second supplementary question.

DR. E. G. GIBBONS asked a supplementary question.

MRS. P. J. GORDON-PAMPLIN asked a supplementary question.

DR. E. G. GIBBONS asked a second question.

DR. E. G. GIBBONS asked a third question.
DR. E. G. GIBBONS asked a supplementary question.

MRS. P. J. GORDON-PAMPLIN asked a question, to Mr. W.M. Caines on his Ministerial Statement.

MRS. P. J. GORDON-PAMPLIN asked a second question.

MR. N.S. TYRRELL asked a question to Lt. Col. D.A. BURCH regarding his ministerial statement on "Overgrowth on Highways and Verges".

MR. W. L. SCOTT asked a question.
MR. W. L. SCOTT asked a supplementary question.

MRS. J. J. ATHERDEN asked a question.
MRS. J. J. ATHERDEN asked a supplementary question.

MRS. P. J. GORDON-PAMPLIN asked a supplementary question.

MS. S.E. JACKSON asked a second supplementary question

MS. S.E. JACKSON asked a supplementary question

MRS. P. J. GORDON-PAMPLIN asked a supplementary question.

MR. N. H. C. SIMONS asked a question to Lt. Col. D. A. BURCH on his Ministerial Statement.

DR. E. G. GIBBONS asked a question.
DR. E. G. GIBBONS asked a supplementary question.

MR. N. H. C. SIMONS asked a supplementary question.

MS. S.E. JACKSON asked a supplementary question.

MR. R.P. COMMISSIONG asked Lt. Col. D. A. BURCH a question on his ministerial statement regarding the "Relocation of the Airport Mail Facility".

MR. R.P. COMMISSIONG asked a question.
MRS. J. J. ATHERDEN asked a supplementary question.

MRS. P. J. GORDON-PAMPLIN asked a supplementary question.

12:31pm

MR. W.H. ROBAN moved that the House adjourn for lunch, which was agreed to.

2:00 p.m.

The House resumed

2:02pm

**Congratulatory and /or Obituary Speeches:
(Please refer to the House Hansard)**

2:18pm

Introduction of Bills:

MR. W.H. ROBAN introduced and read the first time by its title a Bill entitled the "Electricity Amendment Act 2017".

MS. K.N. WILSON on behalf of MR. C.W.D. BROWN, introduced and read the first time by its title a Bill entitled the "Bermuda Immigration and Protection Amendment (No.2) Act 2017".

Orders of the Day

Mr. Speaker noted agreement that Order number 2 would be taken up first then Order number 3 prior to Order number 1.

2:20pm

MR. J. S. SIMMONS moved that the Bill entitled the "Tourism Investment Act 2017" be now read a second time in the House, which was agreed to.

2:30pm-MS.L.K. SCOTT
2:35pm-MR. W.L. FURBERT
2:40pm-DR. E.G. GIBBONS
2:55pm- MR.H.K.E. SWAN
3:15pm-MR. T.G. MONIZ
3:25pm- MR.D.V.S. RABAIN (POO)
3:30pm-MR. D.V. BURGESS
3:40pm-MR. C.W.D. BROWN
3:47pm-MR. W. H. RABAIN
3:58pm-MRS. P.J. GORDON-PAMPLIN
4:00pm-Deputy Speaker in Chair
4:10pm-MR. R.P. COMMISSIONG

The Deputy Speaker recognized the presence of former Speaker Mr. K.H.R. Horton in the gallery.

4:20pm-MR. M.J. SCOTT
4:40pm-MRS. J.J. ATHERDEN
4:50pm-MR. S.A. SIMMONS
5:00pm-MR. J. S. SIMMONS

5:05pm

Bill committed

MR. R.P. COMMISSIONG in the Chair.

MR. J.S. SIMMONS moved Clauses 1 to 5.

5:10pm- MR. N.H.C. SIMONS
5:11pm- MS. S.E. JACKSON
5:13pm-MR.J.S. SIMMONS

MR. J.S. SIMMONS moved an amendment to Clause 5, which reads as follows:

In Clause 5 in subsection (6)—

By deleting “4” and substituting “(5)”.

Clauses 1- 5 as amended were agreed to.

MR. J.S. SIMMONS moved Clauses 6-17

5:16pm- MS.L.K. SCOTT
5:17pm- MR. N.H.C. SIMONS
5:20pm- MS. S.E. JACKSON
5:20pm- MR.J.S. SIMMONS
5:21pm- MS. S.E. JACKSON

Clauses 6-17 were agreed to as printed.

The Schedules 1-4 were agreed to as printed.

The Preamble was agreed to

The Committee rose.

The House Resumed.

The Report of Committee, as amended was agreed to.

4:25pm

MS. K.N. WILSON moved that the Bill entitled the “Proceeds of Crime Amendment Act (No.3) Act 2017” be now read a second time in the House, which was agreed to.

5:35pm- MR.T.G. MONIZ
5:40pm- MR.J.S. SIMMONS
5:44mp- MRS. J. J. ATHERDEN
5:48pm- MR. W.L. FURBERT
5:50pm-MRS. R.D.L. MING
5:55pm- MS. K.N. WILSON

6:00pm

Bill Committed

MR.D.V.BURGESS in the Chair

6:01pm

Ms. K.N. WILSON moved Clauses 1-5

6:05pm-DR. E.G.GIBBONS

Clause 1-5 were approved as printed. DR.E.G.GIBBONS noted a typographical error, which was noted.

6:09pm

Ms. K.N. WILSON moved Clauses 6-7 with an amendment, which reads as follows:

1. In clause 6 of the Bill, section 132A(5), by deleting and substituting the word "may" with the word "shall";

Clause 6 as amended was agreed to.

Ms. K.N. WILSON moved Clauses 7(a) with an amendment, which reads as follows:

2. In clause 7(a) of the Bill, paragraphs "(da)" and "(db)", by deleting and substituting "AML/ATF" with the words "money laundering or terrorist financing"; and

6:14pm- MR.T.G. MONIZ
6:15pm- MS. K.N. WILSON
6:16pm- MR.T.G. MONIZ

Clause 7 (a) as amended was agreed to.

6:20pm

Ms. K.N. WILSON moved Clauses 8-11 with an amendment, which reads as follows:

3. In clause 10(c) of the Bill, regulation 9(1)(d), by deleting and substituting "AML/ATF" with the words "money laundering or terrorist financing"

Clauses 8-11 as amended were agreed to.

The Preamble was agreed to

The Committee rose.

The House Resumed

The Report of Committee, as amended was agreed to.

6:25pm

MR.E.D.G. BURT moved Consideration of Supplementary Estimate No.1 for Financial Year 2017/2018, which was agreed to.

Committee of Supply, MR.D.V. BURGESS in the Chair.

6:25pm-MR. E.D.G. BURT

6:28pm

MR. J.S. SIMMONS moved Item No.1 Head 48, Ministry Headquarters.

6:34pm- DR. E.G.GIBBONS
6:43pm- MR.H.K.E. SWAN
6:48pm- MRS. P.J. GORDON-PAMPLIN
6:50pm- DR. E.G.GIBBONS
6:52pm- MRS. J. J. ATHERDEN
6:55pm- MS.L.K. SCOTT
6:55pm- MR.J.S. SIMMONS
6:57pm- DR. E.G.GIBBONS
6:57pm- MRS. P.J. GORDON-PAMPLIN
6:58pm- DR. E.G.GIBBONS
6:59pm- MRS. P.J. GORDON-PAMPLIN
7:00pm- MR.W. L. SCOTT
7:03pm- MRS. P.J. GORDON-PAMPLIN
7:05pm- MR.J.S. SIMMONS
7:05pm- MRS. P.J. GORDON-PAMPLIN
7:06pm- DR. E.G.GIBBONS
7:06pm- MR.J.S. SIMMONS

MR. J. S. SIMMONS moved Item No. 1 Head 48 Ministry Headquarters Tourism Development to be approved as printed.

7:07pm

MR. W.H. ROBAN moved Head 30 Item No.1 Marine and Ports.

7:10pm- DR. E.G.GIBBONS
7:13pm- MRS. P.J. GORDON-PAMPLIN
7:13pm-MR. M. J. SCOTT
7:15pm-MR. S. A. SIMMONS
7:16pm-MR. W. H. ROBAN
7:17pm- MRS. P.J. GORDON-PAMPLIN
7:18pm- MR. W. H. ROBAN
7:19pm- DR. E.G.GIBBONS
7:20pm- MR. W. H. ROBAN
7:20pm- MRS. J. J. ATHERDEN
7:21pm- MR. W. H. ROBAN

MR. W.H. ROBAN moved Item No. 1 Head 30 Ministry Headquarters Marine and Ports to be approved as printed, which was agreed to.

7:23pm

MR. J.S. SIMMONS moved Item No. 2 Head 95 Ministry of Economic Development.

7:25pm- DR. E.G.GIBBONS

7:29pm- MR. E.D.G. BURT

7:32pm- DR. E.G.GIBBONS

7:33pm- MR. E.D.G. BURT

7:33pm- MRS. P.J. GORDON-PAMPLIN

7:34pm- MR.J.S. SIMMONS

MR. J.S. SIMMONS moved Item No. 2 Head 95 Ministry of Economic Development, to be approved, which was agreed to.

7:35pm

MR. W.H. ROBAN moved Item No.3 Head 65 Tourism Development and Transport Headquarters, be approved, which was agreed to.

7:36pm- DR. E.G.GIBBONS

7:37pm- MR. W.H. ROBAN

MR. W.H. ROBAN moved Item No. 3 Head 65 Tourism Development and Transport Headquarters, to be approved as printed, which was agreed to.

7:38pm

Lt. Col. D. A. BURCH moved Item 4 Head 65 Public Works Headquarters, to be approved as printed.

7:43pm- MRS. P.J. GORDON-PAMPLIN

7:47pm- Lt. Col. D.A. BURCH

Lt. Col. D.A. BURCH moved Head No.65, Item 4 Public Works Headquarters, be approved, which was agreed to.

7:48pm

The Chair proposed that the sum of \$13,095,124 stand part of the Supplementary Estimate No.1 for 2017/18, as printed, which was agreed to.

MR. W.H. ROBAN moved the Supplementary Estimate be approved and Reported to the House as printed, which was agreed to.

The Committee rose.

The House resumed.

MR. D.V. BURGESS in the Speaker's Chair.

Orders numbers 4 and 5 were carried over.

7:49pm

MR.J. S. SIMMONS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the "Tourism Investment Act 2017" be now read a third time, which was agreed to.

On the motion of, MR.J. S. SIMMONS moved that the Bill entitled the "Tourism Investment Act 2017" was then read the third time and passed.

7:50pm

MS. K. N. WILSON moved that standing order 21 be suspended to enable her to move that the Bill entitled the "Proceeds of Crime Amendment Act (No.3) Act 2017" be now read a third time, which was agreed to.

On the motion of MS. K. N. WILSON, the Bill entitled the "Proceeds of Crime Amendment Act (No.3) Act 2017" was then read the third time and passed.

7:51pm

MR. E.D.G. BURT moved that, at its next rising, the House adjourn to Friday, 20th October 2017, which was agreed to.

MR. E.D.G. BURT moved that the House do now adjourn, which was agreed to.

7:51pm- MR. D.V.S. RABAIN

7:54pm- MRS. P.J.GORDON-PAMPLIN

8:00pm-MR. M.J. SCOTT

8:06pm- MRS. P.J.GORDON-PAMPLIN

8:07pm

The House adjourned until Friday 20th October 2017 at 10:00am.