

BERMUDA
PROCEEDINGS OF THE SENATE
SESSION OF 2021 - 2022

No. 7

WEDNESDAY, 23rd FEBRUARY 2022

PRESENT:

Senator the Hon. Mrs. J.E. DILLAS-WRIGHT,
M.B.E., J.P. - PRESIDENT
Senator Mrs. W.M.P. SIMMONS,
VICE PRESIDENT
Senator R.J. WIGHT
Senator the Hon. Dr. E.G.V. PEETS, J.P.
Senator O.K. DARRELL
Senator Ms. A.J.L. HODGSON
Senator Ms. L.K. SIMMONS
Senator Rev. Dr. E.G.A. DILL
Senator M.J.A. JONES, J.P.
Senator Mrs. R.S. TUCKER

**[This meeting of Senate was conducted in
the Senate Chamber at Veritas Place.]**

10:03a.m.

On the motion of Senator W.M.P. Simmons, the minutes of the meeting of Wednesday, 16th February, 2022 were taken as read and confirmed.

Announcements

10:04a.m.

Senator the Hon. the President announced that the Opposition Leader in the Senate, Senator Ben Smith, would be absent from the meeting, as he was abroad coaching a swim team at a meet in the USA.

Senator the Hon. the President announced that the Ombudsman for Bermuda

had presented to the President a copy of her Special Report entitled “**Bus Service - Communications**”: The Ombudsman’s Report into Bus Service Communications by the Department of Public Transportation’, dated December 2021.

Madam President tabled the said Special Report in the Senate for the information of Senators.

Senator O.K. Darrell presented for the information of Senate an Order entitled the “Bermuda Educators Council (Exemptions) (2021 to 2022 School Year) Amendment Order 2022”, as made by the Minister responsible for Education, in exercise of the power conferred by section 5 of the Bermuda Educators Council Act 2002.

Senator A.J.L. Hodgson presented for the information of Senate the Ministry of Health report entitled “Bermuda Health Strategy 2022-2027”.

10:07a.m.

Senator A.J.L. Hodgson presented for the information of Senate the following Orders, as made by the Minister responsible for Health in exercise of the power conferred by section 9 of The Quarantine Act 2017, after consultation with the Chief Medical Officer:-

- The “Quarantine (COVID-19) Amendment (No. 3) Order 2021”; (No. 3)
- The “Quarantine (COVID-19) Amendment (No. 4) Order 2021”; (No. 3)
- The “Quarantine (COVID-19) Amendment (No. 5) Order 2021”; (No. 3)
- The “Quarantine (COVID-19) Amendment (No. 6) Order 2021”; (No. 3)
- The “Quarantine (COVID-19) Amendment (No. 7) Order 2021”; (No. 3)
- The “Quarantine (COVID-19) Amendment (No. 8) Order 2021”; (No. 3)
- The “Quarantine (COVID-19) Amendment (No. 9) Order 2021”; (No. 3)
- The “Quarantine (COVID-19) Amendment (No. 10) Order 2021”; (No. 3)
- The “Quarantine (COVID-19) Amendment Order 2022”; (No. 3)

- and
- The "Quarantine (COVID-19) (No. 3) Amendment (No. 2) Order 2022".

10:09a.m.

Senator Rev. Dr. E.G.A. Dill presented for the information of Senate the following sets of 2021 Regulations, Rules and an Order, as made by the Minister of Transport:-

- The Merchant Shipping (Oil Pollution Preparedness, Response and Co-Operation Convention) Amendment Regulations 2021;
- The Merchant Shipping (Passenger Ship Construction) Regulations 2021;
- The Merchant Shipping (Prevention of Oil Pollution) Regulations 2021;
- The Merchant Shipping (Prevention of Pollution from Noxious Liquid Substances in Bulk) Amendment Regulations 2021;
- The Merchant Shipping (Prevention of Pollution from Noxious Liquid Substances in Bulk) Amendment (No. 2) Regulations 2021;
- The Merchant Shipping (Radio Equipment Survey) Regulations 2021;
- The Merchant Shipping (Repatriation) Amendment Regulations 2021;
- The Merchant Shipping (Safety of Navigation) Regulations 2021;
- The Merchant Shipping (Seafarers' Accommodation) Amendment Regulations 2021;
- The Merchant Shipping (Seafarers' Employment) Amendment Regulations 2021;
- The Merchant Shipping (Seafarers' Employment) Amendment (No. 2) Regulations 2021;
- The Merchant Shipping (Section 75 Inquiries) Rules 2021;
- The Merchant Shipping (Ship Inspection and Survey Organisations) Regulations 2021;
- The Merchant Shipping (Schedule 12) Amendment (No. 2) Order 2021;
- The Merchant Shipping (Tonnage) Amendment Regulations 2021;
- The Marine and Ports Services (Ship Channels) Regulations 2021;
- The Merchant Shipping (Accident Reporting and Investigation) Regulations 2021;
- The Merchant Shipping (Carriage of Cargoes) Regulations 2021;

- The Merchant Shipping (Carriage of Packaged Irradiated Nuclear Fuel etc.) (INF Code) Regulations 2021;
 - The Merchant Shipping (Dangerous Goods in Harbour Areas) Regulations 2021;
 - The Merchant Shipping (Fire Protection Large Ships) Regulations 2021;
 - The Merchant Shipping (Inspections of Ships and Issue of Maritime Labour Certificates) Amendment Regulations 2021;
- and
- The Merchant Shipping (Life-Saving Appliances and Arrangements) Regulations 2021.

Senator A.J.L. Hodgson presented for the consideration of Senate the draft Order entitled "The Public Health (COVID-19) Emergency Extension (No. 2) Order 2022", proposed to be made by the Minister responsible for Health under the provisions of section 107A of The Public Health Act 1949; and she gave notice that at a later point in the meeting she would move that the said draft Order be approved.

Statements

10:13a.m.

Senator L.K. Simmons, as Junior Minister for Social Development and Seniors, made a Ministerial Statement on "Teen Dating Abuse Awareness and Prevention Month".

Senator A.J.L. Hodgson, as Junior Minister for Health, made a Ministerial Statement on "The Bermuda Health Strategy 2022-2027".

10:28a.m.

The following Public Bills were brought up from the Honourable House of Assembly and given their First Readings in the Senate:-

- The "Matrimonial Causes (Faultless Divorce) Amendment Act 2022"; and
- The "Pharmacy and Poisons Amendment Act 2022".

Question Period

10:29a.m.

Senator W.M.P. Simmons asked Senator L.K. Simmons a question regarding her Statement entitled “Teen Dating Abuse Awareness and Prevention Month”.

Senator L.K. Simmons replied.

Senator W.M.P. Simmons asked a supplementary question. Senator L.K. Simmons replied.

10:34a.m.

Senator R.S. Tucker asked a question. Senator L.K. Simmons replied.

Senator R.S. Tucker asked a second question. Senator L.K. Simmons replied.

Senator R.S. Tucker asked a supplementary question. Senator L.K. Simmons replied.

Senator R.S. Tucker asked a second supplementary question. Senator L.K. Simmons replied.

Senator R.S. Tucker asked a third question. Senator L.K. Simmons replied.

Senator R.S. Tucker asked a supplementary question. Senator L.K. Simmons replied.

10:45a.m.

Senator M.J.A. Jones asked a question. Senator L.K. Simmons replied.

Senator M.J.A. Jones asked a second question.

(10:51a.m. – Senator the Hon. Dr. E.G.V. Peets noted that Senators can also consider submitting Parliamentary Questions for Answers that may require more detailed information than can be quickly provided during Question Period.

Madam President acknowledged that formally submitting Parliamentary Questions was an option that Senators should consider going forward when an extensive or detailed response was being sought.)

10:53a.m. – Senator M.J.A. Jones repeated his second question. Senator L.K. Simmons replied.

10:57a.m.

Senator R.J. Wight asked Senator A.J.L. Hodgson a question regarding her Statement entitled “The Bermuda Health Strategy 2022-2027”.

Senator R.J. Wight asked a second question.

(Senator R.J. Wight declared his interest as the CEO of a Private Health Insurer.)

Senator R.S. Tucker asked a question.

Senator A.J.L. Hodgson answered questions from Senator Wight.

11:06a.m.

Senator R.J. Wight asked a third question.

Senator M.J.A. Jones asked a question.

Senator R.S. Tucker asked a second question.

Senator A.J.L. Hodgson answered questions from Senators Wight, Jones and Tucker.

Senator R.S. Tucker asked a supplementary question. Senator Hodgson replied.

Senator R.S. Tucker asked a second supplementary question. Senator Hodgson replied.

Orders of the Day

11:17a.m.

Senator A.J.L. Hodgson moved that the Public Bill entitled the “Proceeds of Crime Amendment Act 2022” be now read a second time – which was agreed to.

Senator Hodgson spoke on the Bill.

11:25a.m. – Senator M.J.A. Jones
 11:32a.m. – Senator R.J. Wight
 11:33a.m. – Senator A.J.L. Hodgson replied.

The Bill was accordingly read a second time.

Senator A.J.L. Hodgson moved that Standing Order 26 be suspended in respect of this Bill – which was agreed to.

Senator A.J.L. Hodgson moved that the Bill be now read a third time – which was agreed to.

The Bill was accordingly read a third time.

Senator A.J.L. Hodgson moved that the Bill entitled the “Proceeds of Crime Amendment Act 2022” do now pass -- which was agreed to.

The Bill was accordingly passed and ordered to be laid before Her Excellency the Governor for Her Excellency’s assent.

11:41a.m.

Senator E.G.A. Dill moved that the Public Bill entitled the “Motor Car Insurance (Third-Party Risks) and Public Carriage Amendment Act 2022” be now read a second time – which was agreed to.

Senator Dill spoke on the Bill.

11:44a.m. – Senator R.J. Wight
 11:45a.m. – Senator M.J.A. Jones
 11:47a.m. – Senator Dill replied.

The Bill was accordingly read a second time.

Senator E.G.A. Dill moved that Standing Order 26 be suspended in respect of this Bill – which was agreed to.

Senator E.G.A. Dill moved that the Bill be now read a third time – which was agreed to.

The Bill was accordingly read a third time.

Senator E.G.A. Dill moved that the Bill entitled the “Motor Car Insurance (Third-Party Risks) and Public Carriage Amendment Act 2022” do now pass -- which was agreed to.

The Bill was accordingly passed and ordered to be laid before Her Excellency the Governor for Her Excellency’s assent.

11:51a.m.

Senator A.J.L. Hodgson moved that Standing Order 71(2) be suspended so that Senate could now proceed with consideration of the “Public Health (COVID-19) Emergency Extension (No. 2) Order 2022” -- which was agreed to.

Senator A.J.L. Hodgson moved that the Senate do now take under consideration the draft Order entitled “The Public Health (COVID-19) Emergency Extension (No. 2) Order 2022” -- which was agreed to.

Senator Hodgson spoke on the Order.

11:56a.m. – Senator R.S. Tucker
 12:00p.m. – Senator W.M.P. Simmons
 12:03p.m. – Senator Hodgson replied.

Senator A.J.L. Hodgson moved that the said draft Order be approved, and that the following message be sent to Her Excellency the Governor:

“MAY IT PLEASE YOUR EXCELLENCY:

The Senate, having had under consideration the draft Order entitled “The

Public Health (COVID-19) Emergency Extension (No. 2) Order 2022", proposed to be made by the Minister responsible for Health under the provisions of Section 107A of The Public Health Act 1949, has the honour to inform Your Excellency that the Senate has approved the said draft Order."

- which was agreed to and ordered accordingly.

Congratulatory and/or Obituary Speeches

12:07p.m.

Senator W.M.P. Simmons congratulated Bermuda's National Women's U-20 Football Team on their thrilling 6 - 0 Defeat of the Cayman Islands Team in a 2022 CONCACAF Women's U-20 Championship Qualifying match held on the preceding evening at the IMG Academy in Bradenton, Florida. She particularly congratulated the goal scorers: Nia Christopher, who scored three goals; Leilanni Nesbeth, who scored two goals; and Keunna Dill. Senator Simmons also congratulated the Team Coach Ms. Nikita Robinson.

Senator R.J. Wight expressed condolences for the families of the late Mrs. Heather Rance, who was the wife of former BF&M CEO Mr. Cyril Rance; and the late Mr. Robert Jack, whom he noted had worked at BF&M for some 40 years.

Senator R.S. Tucker expressed condolences for the family of the late Mrs. Barbara Petty.

Senator Rev. Dr. E.G.A. Dill expressed condolences for the families of the late Mr. Myron Calvert Leroy Bean of Sandys Parish, whom she noted was a great gentleman and an active member of the Allen Temple AME Church who had also been active in the founding and work of several sporting organisations in Bermuda; and the late Mr. Walter King, whom she noted was a true gentleman, a former PLP Member of Parliament, an outstanding golfer and former

professional who had worked at the Port Royal Golf Course for many years.

Senator Dill congratulated her father-in-law Mr. Howard Dill, Sr. on his upcoming 90th Birthday, and she remarked that he is a wonderful gentleman who had been a former Police Officer and active member of the Bermuda Police Choir.

Senator the Hon. the President associated herself with the remarks of all Senators, and she particularly associated herself with obituary remarks given at the last day of meeting for the late Mr. Gregory Swan and the late Mr. Dennis Saunders.

Madam President expressed condolences for the families of the late Dr. Adebola Olufemi (Femi) Bada, whom she noted was the husband of Mrs. Justice Charles-Etta Simmons and was a consummate professional in the fight against diabetes and an active practitioner of alternative medicine; and the late Mrs. Anita Eleanor Masters, whom she noted was one of her cousins who had a very bubbly personality, was a very popular member of the staff at the Mid Atlantic Wellness Institute for many years and had an active interest in the political arena.

Adjournment

12:16p.m.

Senator O.K. Darrell moved that the Senate do now adjourn – which was agreed to.

12:17p.m. – Senator W.M.P. Simmons

12:18p.m. – Senator E.G.A. Dill

12:22p.m.

Senate adjourned until Wednesday, 2nd March 2022.

PRESIDENT

ORDERS OF THE DAY

Wednesday – 2nd March, 2022

(1) Second Reading: The Matrimonial Causes (Faultless Divorce) Amendment Act 2022.

(2) Second Reading: The Pharmacy and Poisons Amendment Act 2022.