

**Proceedings
of the
Honourable House of Assembly
Session of 2015-2016**

No. 17

Friday, 27th May, 2016

Members Present: His Honour the Speaker, Jeanne J. Atherden, Walton D. Brown, Derrick V. Burgess, David G. Burt, L. Craig Cannonier, Rolfe P. Commissiong, Shawn G. Crockwell, Michael H. Dunkley, Lovitta F. Foggo, Wayne L. Furbert, Dr. Edmund G. Gibbons, Patricia J. Gordon-Pamplin, Suzann Roberts-Holshouser, D.P. Lister, Trevor G. Moniz, Nandi S. Outerbridge, Mark J. Pettingill. Everard T. Richards, Sylvan D. Richards, Walter H. Roban, Michael J. Scott, R. Wayne E. Scott, W. Lawrence Scott, Jamahl S. Simmons, N. H. Cole Simons, Jefferson C. Sousa, Michael A. Weeks, Kim N. Wilson.

10:05 a.m.

Prayer

The House of Assembly held a minute of silence in memory of the late Member and former Minister Dr. George Thomas, JP.

Confirmation of Minutes:

Minutes of 20th May, 2016 – deferred.

Announcements by the Speaker:

The Speaker announced changes to the Committees: Ms. L.K. Scott to replace Mr. N.H.C. Simons-PAC (Public Accounts Committee); Ms. S.E. Jackson to replace the Chairman Mr. N.H.C. Simons-OAG; Mr. S.G. Crockwell new Members of OAG (Office of the Auditor General Committee). Mrs. N. Outerbridge to replace Mr. N.H.C. Simons on the Standing Orders Committee. The Speaker announced that the Joint Select Committee on Women’s issues will meet in the Decouto Atrium, at 12:30pm.

Papers and Other communications to the House:-

MR. K.L.BASCOME read the following communication:

TO HIS HONOUR THE SPEAKER:-

I have the honor to attach and submit for the information of the Honorable House of Assembly the “Hotels Concession (Elbow Beach Hotel) Order 2016”

and the “Hotels Concession (Former Surf Side Beach Club) Order 2016”

Mr. K.L.BASCOME,
Junior Minister of
Tourism

Sessions House
27th, May 2016

10:18 a.m.

Statements by Ministers:-

MR. M.H. DUNKLEY made a Ministerial Statement relating to the “The Cabinet Office Temporary Relocation”.

MRS. P.J.GORDON-PAMPLIN made Ministerial Statement concerning the “Changes to the British Overseas Territories Citizen (BOTC) Passport Process”.

MR. T.G.MONIZ made a Ministerial Statement on the “United Nations Convention Against Corruption and OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions”

MRS. J.J.ATHERDEN made a Ministerial Statement on the “Saver the Flavour”.

MR. S.D. RICHARDS made a Ministerial Statement on the “Bermuda Day Parade 2016 Results”.

10:44am

MR. K.L.BASCOME made a Ministerial Statements on “Newport to Bermuda Yacht Race”.

11:00.m.

Question Period:

Hon. E.T. Richards's written responses to parliamentary questions from the Hon. D.V. Burgees were deferred.

Mr. E.D.G. Burt asked an oral question to Mr. E.T. Richards concerning the minimum percent "Required Equity Commitments to be contributed by Aecon Concessions".

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

Mr. E.D.G. Burt asked a question to Mr. M.H. Dunkley on his Ministerial Statement concerning the Government Portal.

MR. E.D.G. BURT asked a supplementary question.
MR. E.D.G. BURT asked two supplementary questions.
MR. R.P.COMMISSIONG asked a supplementary question.

MR. Z. J. DESILVA asked a supplementary question

11:03am

MR. E.D.G.BURT asked Mrs. P.J. Gordon-Pamplin for an oral response to a parliamentary questions relating to the .BM domain names.

MR. E.D.G. BURT asked a second supplementary question.

Hon. L. C. Cannonier provided oral responses to parliamentary questions from the Hon. D. P. Lister.

MR. D.P. LISTER asked a supplementary question.
MR. M.A.WEEKS asked a supplementary question.
MR. M.A.WEEKS asked a supplementary question.
MR. Z. J. DESILVA asked a supplementary question.
MR. Z. J. DESILVA asked a second supplementary question.
MR. J. S. SIMMONS asked a supplementary question.
MR. J. S. SIMMONS asked a second supplementary question.
MR. M.J.SCOTT asked a supplementary question.

MR. M.J.SCOTT asked a second supplementary question.

MR. D.P.LISTER asked a second question, to Mr. L.C. Cannonier relating to the demolishing of Victoria Row homes in Dockyard and the associated cost.

MR. D.P. LISTER asked a supplementary question.
MR. M.A.WEEKS asked a supplementary question.
MR. D.P. LISTER asked a second supplementary question.
MR. D.P. LISTER asked a third question.
MR. D.P. LISTER asked a second supplementary question.
MR. D.P. LISTER asked a supplementary question.
MR. M.A.WEEKS asked a supplementary question.
MR. M.A.WEEKS asked a second supplementary question.

Written responses from Mr. M.H. Dunkley to parliamentary questions from Mr. W.H. Roban were deferred.

Mr. E.D.G. Burt asked a question to Mr. M.H. Dunkley relating to the "Temporary Relocation of the Cabinet Office."

MR. E.D.G. BURT asked a second question.
MR. D.P. LISTER asked a supplementary question
MR. E.D.G. BURT asked a supplementary question
MR. D.P. LISTER asked a supplementary question.
MR. Z. J. DESILVA asked a supplementary question.
MR. Z. J. DESILVA asked a second supplementary question.
MR. M.J.SCOTT asked a supplementary question.
MR. E.D.G. BURT asked a supplementary question.

MR. W. H. ROBAN asked Mrs. P.J. Gordon-Pamplin a question on her Ministerial Statement on the "Changes to the British Overseas Territories Citizen (BOTC) Passport Process".

11:39am

MR. W.H. ROBAN asked a supplementary question.
MR. W.H. ROBAN asked a second supplementary question.
MR. W.H. ROBAN asked a second question.
MR. W.H. ROBAN asked a supplementary question.
MR. Z. J. DESILVA asked a supplementary question.

MR. W.H. ROBAN asked a third question.
MR. W.H. ROBAN asked a supplementary question.

MR. C.W.BROWN asked a question regarding the devaluating of power to the UK Government.

MR. C.W. BROWN asked a second question.
MR. C.W. BROWN asked a third question.

MR M.A.WEEKS asked Mrs. J.J. Atherden a question relating to the “\$aver the Flavor”

Congratulatory and Obituary Speeches.

(Members may refer to Hansard)

Orders of the Day

Orders number 1-5 were carried over.

12:20pm

MR. M.H. DUNKLEY moved that the House do now adjourn for lunch until 2:00p.m., which was agreed to.

2:01pm

The House resumed.

Deputy Speaker in the Chair.

On Motion by Mr. N.H. C. Simons the Bill entitled the “Department of Environment and Natural Resources (Consequential Amendments) Act 2016”, was read a second time.

2:10pm

The Speaker in the Chair.

2:13pm-MR.D.P.LISTER
2:15pm MRS. J.J ATHERDEN
2:17pm-MR. E.D.G. BURT
2:19pm- MR. NH.C. SIMONS

Mrs. S. Roberts Holshouser in the Chair

2:21pm

Mr. N.H. C. Simons moved Clauses 1-3.

Clauses 1 to 3 were agreed to, as printed.

The Schedule was agreed to.

The Preamble was approved

The Committee rose.

The House resumed.

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

2:25pm

Mr. E.T. Richards moved that consideration be given to the draft Regulations entitled “Government Fees Amendment (No.2) Regulations 2016, which was agreed to.

2:27PM-MR. E.D.G.BURT

Mr. E.T. Richards moved that the said Regulations be approved and that the following messages be sent to His Excellency the Governor:-

(No. 19)

MAY IT PLEASE YOUR EXCELLENCY

The House of Assembly having had under consideration the draft Regulations entitled the, “Government Fees Amendment (No.2) Regulations 2016”, has the Honour to inform your Excellency that the House has approved the said draft Regulations.

The Regulation was approved, which was agreed to.

2:28pm

Order numbers 8 and 9 were carried over.

2:29pm

On Motion by Mr. T.G. Moniz the Bill entitled the “Liquor License Amendment Act 2016”, was read a second time.

2:34pm-MR. M.J.SCOTT
2:40pm-MR. S.G.CROCKWELL
2:50pm-MRS. K.N.WILSON
2:53pm-MR. D.V.S.RABAIN

2:58pm-MR. K.L.BASCOME
3:01pm-W.H.ROBAN
3:08pm-MR.M.A.WEEKS
3:12pm-MR.E.D.G.BURT
3:22pm-DR.E.G.GIBBONS
3:23pm-MR.J.S.SIMMONS
3:25pm-MR.W.L. FURBERT
3:28pm-MR. T.G. MONIZ

3:40pm

Bill Committed.

S. Roberts-Holshouser in the Chair.

Mr. T.G. Moniz moved Clauses 1-4.

3:42pm-MS. K.N.WILSON
3:44pm-MR. T.G.MONIZ
3:46pm-MS.K.N.WILSON
3:50pm-MR. T.G.MONIZ
3:53pm-MR.D.V.RABAIN
3:56pm-MR.Z.J.DESILVA
4:00pm-MR.M.J.SCOTT
4:03pm-MR.S.G.CROCKWELL
4:07pm-MR.Z.J.DESILVA
4:09pm-MS.K.N.WILSON
4:13pm-MR.T.G.MONIZ
4:15pm-MR. D.V.S RABAIN
4:15pm-MR. S.G.CROCKWELL
4:16pm-MR. D.V.S. RABAIN
4:17pm-MR.T.G.MONIZ

Clauses 1-4, as printed were agreed to.

4:18pm

Mr. T.G. Moniz moved Clauses 5 and 6, which was agreed to.

4:19pm

Mr. T.G. Moniz moved Clause 7 and an amendment, which reads as follows:

In Clause 7 of the Bill in the Second Schedule, License Fees under Class of License and under Member's Club License the amount "\$1000.00" is deleted and replaced with the amount of "\$375.00".

Clause 7 as amended was agreed to.

4:20pm

Mr. T. G. Moniz moved Clause 8, which was agreed to as printed.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

Order numbers 11 to 14 were carried over.

4:25pm

Mr. W. L. Furbert moved for consideration of the Motion under his name, notice of which was given on 26th February 2016, be amended to read as follows:

"WHEREAS there has been a decrease in the number of jobs year after year for several years;

AND WHEREAS we need new jobs to be created in Bermuda to increase employment;

BE IT RESOLVED that pursuant to the Parliament Act 1957 part IV, a Joint Select Committee be appointed to inquire as to the strategies needed to "**facilitate the creation**" of new jobs; explore the impediments that are preventing the creation of new businesses, and the barriers for Bermudian entrepreneurs; to report on the findings and make recommendations to the House of Assembly so that concrete action can be taken in a reasonable time".

4:55pm

Mr. E. T. Richards proposed an amendment to the amendment by Mr. W. L. Furbert. The Speaker ruled that the amendment is allowed and the House will vote on the amendment. The amendment reads as follows:

In the last paragraph after the words "BE IT RESOLVED" delete "that pursuant to the Parliament Act 1957 part IV, a Joint Select Committee be appointed to inquire as to" and replaced with the words "**that this House take note of**". And delete after the words "entrepreneurs"; "**to report on the findings and make recommendations to the House of Assembly so that concrete action can be taken in a reasonable time**".

Therefore, the amended motion reads as follows:

“WHEREAS there has been a decrease in the number of jobs year after year for several years;
AND WHEREAS we need new jobs to be created in Bermuda to increase employment;
BE IT RESOLVED that this House take note, the strategies needed to create new jobs; explore the impediments that are preventing the creation of new businesses and the barriers for Bermudian entrepreneurs.”

5:30pm-MR.E.D.G.BURT
5:35pm-MR. J.C.SOUSA
5:39pm-MR. E.D.G.BURT

5:40pm

Mr. E.T. Richards asked that the question be put.

5:46pm

The Speaker put the Motion to a vote, which on division the Ayes were 17 to 15 Noes the amendment was agreed to.

AYES-17

Ms.J.J.Atherden
Mr.K.L.Bascome
Mr.L.C.Cannonier
Mr.S.G.Crockwell
Mrs.N.S.Outerbridge
Mr.M.H.Dunkley
S. Roberts-Holshouser
Dr. the Hon. E.G.Gibbons
Mrs.P.J.Gordon Pamplin
Ms. S.E.Jackson
Mr.T.G.Moniz
Mr.S.D.Richards
Mr.E.T.Richards
Mr.R.W.E.Scott
Ms. L.K. Scott
Mr.N.H.Simons
Mr.J.C.Sousa

NOES-15

Mr.C.W.Brown
Mr.E.D.Burt
Mr. D.V. Burgess
Mr.Z.J.Desilva
Ms.L.F.Foggo
Mr.W.L.Furbert
Mr.D.P.Lister
Mr.W.H.Roban
Mr. D.V. S. Rabain
Mr. M.J. Scott

Mr. W.L.A. Scott
M.C.S. Simmons
Mr. M.A. Weeks
Ms. K.N. Wilson
Mr. M. A. Weeks

The debate continued on the amended Motion.

5:50pm-MR.J.C. SOUSA
5:58pm-MR. J.S.SIMMONS
6:10pm-MS. S.E.JACKSON
6:25pm-MR.R. W.SCOTT
6:35pm-MR. R.W. SCOTT
6:44pm-MR. D.V.BURGESS
6:55pm-MRS. P.J. GORDON-PAMPLIN

7:20pm

The House took note.

MR. N.H.C. SIMONS, moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Department of Environment and Natural Resources (Consequential Amendments) Act 2016” be now read a third time, which was agreed to.

On the motion of MR. N.H.C. SIMONS, the Bill entitled the “Human Rights Amendment (No.2) Act 2016” was then read the third time and passed.

MR. T. G. MONIZ, moved that Standing order 21 be suspended to enable him to move that the Bill entitled the “Liquor License Amendment Act 2016” be now read a third time, which was agreed to.

On the motion of MR. T. G. MONIZ, the Bill entitled the “Liquor License Amendment Act 2016” was then read the third time and passed.

7:25pm

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

7:25pm – MR. Z.J.DESILVA
7:30pm-MR. W.L. FURBERT
7:33pm-MRS. S. ROBERTS HOLSHOUSER
7:40pm-MR.J.S.SIMMONS

7:40pm

The House adjourned to Friday until 3rd June 2016, at 10:00a.m.

