



# **BERMUDA HOUSE OF ASSEMBLY**

## **Official House Minutes**

*December 13, 2013*

### **Electronic Version**

**Hon. K. H. Randolph Horton, JP, MP  
Speaker**

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**Proceedings  
of the  
Honourable House of Assembly  
Session of 2013-2014**

No. 7

**Friday, December 13th, 2013**

**Members Present:** His Honour the Speaker, Jeanne J. Atherden, Kenneth L. Bascome, Glenn A. Blakeney, 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, 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, N. H. Cole Simons, Glenn C. Smith, Jefferson C. Sousa, Kim N. Wilson.

**10:22 a.m.** Prayer

**Confirmation of Minutes:**

Minutes to the Meeting of 6th December, 2013, were confirmed.

Minutes of the Meeting of the 11th December, 2013 were deferred.

**10:24 a.m.**

**Announcements by the Speaker:**

His Honour the SPEAKER announced the following Members will be absent from the House today: - Zane J. S. DeSilva and Marc A. R. Bean, Michael A. Weeks, W. Lawrence Scott.

His Honour the SPEAKER announced he received the Special Report by the Ombudsman on Governance at the Corporation of Hamilton.

His Honour the SPEAKER announced the suspension of the House proceedings from 5:30p.m. - 6:00 p.m. due to the Vigil in honour of Nelson Mandela. Following objections from the Acting Opposition Leader. the Speaker agreed not to suspend the House from 5:30pm - 6:00pm.

**10:25 a.m.**

**Question Period:**

MR. S. G. CROCKWELL responded orally to questions posted by Mr. W. L. Furbert as follows:-

**Q1.** Will the Honourable Minister please inform this Honourable House if an agreement has been signed with PBC Holding Ltd; the new owners of Pink Beach Club?

*Ans: An agreement has not been signed with PBC Holding Ltd. However, our Ministry has been informed by the Bank that they are in the advanced stages of negotiations with another developer for the purchase of Pink Beach Club.*

**Q2.** Will the Honourable Minister please inform this Honourable House on the progress of the renovations at Pink Beach Club; and if he will make a statement in the future relating to this matter?

*Ans: The commencement of renovations to Pink Beach Club is contingent on new and private ownership of this property; therefore no progress has been made to date. The Minister will be making a statement on this subject.*

MR. W. L. FURBERT asked Mr. S. G. Crockwell a supplementary question.

MR. W. L. FURBERT asked Mr. S. G. Crockwell a second supplementary question.

MR. W. H. ROBAN asked Mr. S. G. Crockwell a supplementary question.

MR. W. H. ROBAN asked Mr. S. G. Crockwell a second supplementary question.

MR. E. D. G. BURT asked Mr. S. G. Crockwell a supplementary question.

MR. E. D. G. BURT asked Mr. S. G. Crockwell a second supplementary question.

MR. G. A. BLAKENEY asked Mr. S. G. Crockwell a supplementary question.

MR. C. W. D. BROWN asked Mr. L. C. Cannonier a question regarding a matter of public importance regarding U.K Interference.

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. W. H. ROBAN 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 supplementary question.

**10:50 a.m.**

**Introduction of Bills:**

DR. E. G. GIBBONS introduced and read for the first time by its title a Bill entitled the "Regulatory Authority Amendment Act 2013".

**10:55 a.m.**

**Private Members Bill:**

MR. T. E. LISTER moved for leave to introduce and read for the first time a Bill entitled the "Liquor License Amendment (No.2) Act 2013".

MR. M. J. PETTINGILL objected to this motion, citing S.O. 28(1).

MR. T. E. LISTER gave an explanation.

MR. M. J. PETTINGILL objected to this motion regarding the Bill's anticipation of debate.

MR. T. E. LISTER gave an explanation.

MR. M. J. PETTINGILL again objected to Mr. T. E. Lister moving for leave to introduce and read for the first time the Liquor License Amendment (No.2) Act 2013.

MR. T. E. LISTER's motion on defeated was with 12 Ayes and 17 Noes.

**Ayes**

1. Mr. G. A. Blakeney
2. Mr. C. W. D. Brown
3. Mr. D. V. Burgess
4. Mr. E. D. G. Burt
5. Mr. R. P. Commissiong
6. Ms. L. F. Foggo
7. Mr. W. L. Furbert
8. Mr. T. E. Lister
9. Mr. D. P. Lister
10. Mr. W. H. Roban
11. Mr. M. J. Scott
12. Ms. K. N. Wilson

**Noes**

1. Ms. J. J. Atherden
2. Mr. K. L. Bascome
3. Mr. L. C. Cannonier
4. Mr. S. G. Crockwell
5. Mr. M. H. Dunkley
6. Dr. E. G. Gibbons
7. Ms. P. J. Gordon-Pamplin
8. Ms. S. Roberts-Holshouser
9. Ms. S. E. Jackson
10. Mr. T. G. Moniz
11. Mr. M. J. Pettingill
12. Mr. E. T. Richards
13. Mr. S. D. Richards
14. Mr. R. W. E. Scott
15. Mr. G. C. Smith
16. Mr. N. H. C. Simons
17. Mr. J. C. Sousa

**10:58 a.m.**

**Notices of Motions:**

MR. D. P. LISTER gave notice that at the next day of meeting he proposed to move the following motion:

“That pursuant to Part IV of the Parliament Act 1957, BE IT RESOLVED that given Bermuda’s colonial status, a Select Committee of the House be appointed with a mandate to examine and review the viability of the decolonisation of Bermuda, and report to this

Honourable House on its findings and recommendations ".

Order numbers 1-3 were carried over to the next meeting day.

**10:59 a.m.**

MR. L. C. CANNONIER carried over Order number 6 on the Order Paper to the next day of business.

**11:00 a.m.**

On the motion of MR. T. G. MONIZ the Bill entitled the "Pharmacy and Poisons Amendment Act 2013" was then read a second time.

- 11:10 a.m. - MR. W. H. ROBAN
- 11:20 a.m. - MR. C. W. D. BROWN
- 11:21 a.m. - DR. E. G. GIBBONS
- 11:21 a.m. - MS. P. J. GORDON-PAMPLIN
- 11:35 a.m. - MR. R. P. COMMISSIONG
- 11:39 a.m. - MR. T. G. MONIZ

The Bill was committed.

11:40 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair.

MR. T. G. MONIZ moved clauses 1-10 of the Bill

11:40 a.m. - MR. W. H. ROBAN

Clauses 1 – 10, as printed, were agreed to.

MR. T. G. MONIZ moved clauses 11-20 of the Bill

- 11:55 a.m. - MR. W. H. ROBAN
- 12:00 p.m. - MR. T. G. MONIZ
- 12:01 p.m. - MR. R. P. COMMISSIONG
- 12:03 p.m. - MR. W. H. ROBAN

Clauses 11 – 20, as printed, were agreed to.

MR. T. G. MONIZ moved clauses 21-32 of the Bill

- 12:13 p.m. - MR. W. H. ROBAN
- 12:14 p.m. - MR. T. G. MONIZ

Clauses 21 – 32, as printed, were agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Chairwoman reported the adoption of the Bill, as printed, which was agreed to.

**12:18 p.m.**

On the motion of MR. M. J. PETTINGILL the Bill entitled the "Liquor Licence Amendment Act 2013" was then read a second time.

12:26 p.m. - MS. K. N. WILSON

**12:27p.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 for business at 2:00 p.m.

**2:00 p.m.**

The House resumed.

His Honour the Speaker noted that a quorum was not present and ordered that the house wait a minute or two for members to enter the chamber.

- 2:02 p.m. - MS. K. N. WILSON continued.
- 2:23 p.m. - MR. S. G. CROCKWELL
- 2:32 p.m. - MR. E. D. G. BURT
- 2:34 p.m. - MR. W. L. FURBERT
- 2:43 p.m. - MR. K. L. BASCOME
- 2:48 p.m. - MR. D. V. BURGESS
- 2:52 p.m. - MR. T. E. LISTER
- 3:06 p.m. - MS. S. E. JACKSON
- 3:09 p.m. - MR. G. A. BLAKENEY
- 3:21 p.m. - MR. S. D. RICHARDS
- 3:27 p.m. - MS. P. J. GORDON-PAMPLIN
- 3:38 p.m. - MR. L. C. CANNONIER
- 3:45 p.m. - MR. M. J. PETTINGILL

The Bill was committed.

3:54 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair.

MR. M. J. PETTINGILL moved clauses 1-2 of the Bill

- 3:55 p.m. - MS. K. N. WILSON
- 3:55 p.m. - MR. M. J. PETTINGILL

Clauses 1 – 2, as printed, were agreed to.

The Preamble was agreed to.

The Committee rose.

(No.8)

The House resumed.

TO HIS EXCELLENCY THE GOVERNOR:

The Chairwoman reported the adoption of the Bill, as printed, which was agreed to.

The House of Assembly, having had under consideration draft Notice entitled the "Firearms Act (Extended Duration of Sections 29A to 29C) Notice 2013" proposed to be made under the provisions of Section 17 of the Firearms Amendment Act 2010 has the honour to inform Your Excellency that the House has approved the said draft Notice.

**3:59 a.m.**

- which was agreed to.

MR. M. H. DUNKLEY moved for Consideration of the "Criminal Code Act (Extended Duration of Sections 110A to 110C) Notice 2013", which was agreed to.

**4:40 p.m.**

4:01 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Speaker's chair.

On the motion of DR. E. G. GIBBONS the Bill entitled the "Public Holidays Amendment Act 2013" was then read a second time.

4:02 p.m. - MS. K. N. WILSON

4:05 p.m. - MR. T. E. LISTER

4:08 p.m. - MS. S. ROBERTS-HOLSHOUSER

4:10 p.m. - MR. M. J. PETTINGILL

4:41 p.m. - MR. G. A. BLAKENEY

4:46 p.m. - MR. W. L. FURBERT

4:50 p.m. - DR. E. G. GIBBONS

MR. M. J. PETTINGILL moved that the said draft Notice be approved and that the following message be sent to His Excellency the Governor:

The Bill was committed.

(No.7)

5:51 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair.

TO HIS EXCELLENCY THE GOVERNOR:

DR. E. G. GIBBONS moved clauses 1-2 of the Bill

The House of Assembly, having had under consideration draft Order entitled the "Consideration of the "Criminal Code Act (Extended Duration of Sections 110A to 110C) Notice 2013" proposed to be made under the provisions of Section 10 of the Criminal Code Amendment Act 2010 has the honour to inform Your Excellency that the House has approved the said draft Order.

4:54 p.m. - MR. G. A. BLAKENEY

Clauses 1 – 2, as printed, were agreed to.

- which was agreed to.

The Preamble was agreed to.

**4:17 p.m.**

The Committee rose.

MR. M. J. PETTINGILL moved for consideration of the Draft Notice entitled the "Firearms Act (Extended Duration of Sections 29A to 29C) Notice 2013", which was agreed to.

The House resumed.

4:20 p.m. - MS. K. N. WILSON

The Chairwoman reported the adoption of the Bill, as printed, which was agreed to.

4:28 p.m. - MR. M. J. PETTINGILL

**4:55 p.m.**

MR. M. J. PETTINGILL moved that the said draft Notice be approved and that the following message be sent to His Excellency the Governor:

On the motion of MR. E. T. RICHARDS the Bill entitled the "Insurance Amendment (No.2) Act 2013" was then read a second time.

5:01 p.m. - MR. E. D. G. BURT

5:04 p.m. - MR. G. A. BLAKENEY

5:05 p.m. - MR. E. T. RICHARDS

The Bill was committed.

5:51 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair.

MR. E. T. RICHARDS moved clauses 1-7 and schedules 1-3 of the Bill

5:11 p.m. - MR. E. D. G. BURT

MR. E. T. RICHARDS moved to approve clauses 1-7 and schedules 1-3 of the Bill as printed, which was agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Chairwoman reported the adoption of the Bill, as printed, which was agreed to.

**5:15 p.m.**

MR. E. T. RICHARDS moved the following motion, notice of which was given on November 15, 2013:-

“That this Honourable House take note of the Final Report of the Spending and Government Efficiency (SAGE) Commission”.

5:25 p.m. - MR. E. D. G. BURT

6:50 p.m. - MR. S. G. CROCKWELL

7:19 p.m. - MR. C. W. D. BROWN

7:45 p.m. - MS. J. J. ATHERDEN

8:16 p.m. - MR. D. V. BURGESS

8:47 p.m. - DR. E. G. GIBBONS

9:14 p.m. - MR. T. E. LISTER

9:45 p.m. - MS. N. S. OUTERBRIDGE

9:48 p.m. - MS. P. J. GORDON-PAMPLIN

-The House took note.

**10:10 p.m.**

MR. M. J. PETTINGILL moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Liquor Licence Amendment Act 2013" be now read the third time, which was agreed to.

On the motion of MR. M. J. PETTINGILL, the Bill entitled the "Liquor Licence Amendment Act 2013" was then read the third time and passed.

**10:10 p.m.**

MR. T. G. MONIZ moved that Standing Order 21 be suspended to enable him to move that the Bill entitled

the "Pharmacy and Poisons Amendment Act 2013" be now read the third time, which was agreed to.

On the motion of MR. T. G. MONIZ, the Bill entitled the "Pharmacy and Poisons Amendment Act 2013" was then read the third time and passed.

**10:11 p.m.**

MR. E. T. RICHARDS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Insurance Amendment (No.2) Act 2013" be now read the third time, which was agreed to.

On the motion of MR. E. T. RICHARDS, the Bill entitled the "Insurance Amendment (No.2) Act 2013" was then read the third time and passed.

**10:12 p.m.**

DR. E. G. GIBBONS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Public Holidays Amendment Act 2013" be now read the third time, which was agreed to.

On the motion of DR. E. G. GIBBONS, the Bill entitled the "Public Holidays Amendment Act 2013" was then read the third time and passed.

**10:18 p.m.**

MR. L. C. CANNONIER moved that the House, adjourn to Friday, February 14th 2014 at 10:00 a.m., which was agreed to.

MR. L. C. CANNONIER moved that the House do now adjourn, which was agreed to.

**10:19 p.m.**

10:19 p.m. - MR. W. H. ROBAN

10:35 p.m. - MR. S. G. CROCKWELL

10:50 p.m. - MR. R. P. COMMISSIONG

10:55 p.m. - MR. S. D. RICHARDS

11:08 p.m. - MR. D. V. BURGESS

11:10 p.m. - MR. C. W. D. BROWN

11:22 p.m. - MR. M. J. PETTINGILL

His Honour the Speaker announced the presence of former Member of Parliament, Mr. Darius Tucker sitting in the public Gallery.

Saturday 14th December 2013

11:40 p.m. - MR. E. D. G. BURT

12:00 a.m. - MR. M. H. DUNKLEY

12:09 a.m. - MR. M. J. SCOTT

12:15 a.m. - MR. C. W. D. BROWN acting Speaker  
in the chair.

12:16 a.m. - His Honour the Speaker in the chair.

12:18 a.m. - MS. P. J. GORDON-PAMPLIN

12:38 a.m. - MR. L. C. CANNONIER

**12:44 a.m.**

The House adjourned to Friday, 14th February, 2014  
at 10:00 a.m.