

Proceedings
of the
Honourable House of Assembly
Session of 2020-2021
Fifth Virtual Sitting

No. 6

Friday, 19th February, 2021

Members Present: His Honour the Speaker, Mr. Jache A.K. Adams, Hon. Lt. Col. David A. Burch, Hon. E. David G. Burt, Hon. Derrick V. Burgess, Ms. Crystal C. Caesar, Hon. Wayne M. Caines, Mr. Vance M.E. Campbell, Hon. L. Craig Cannonier, Mr. Zane J.S. DeSilva, Hon. Curtis L. Dickinson, Hon. Michael H. Dunkley, Mr. Thomas C. Famous, Ms. Lovitta F. Foggo, Hon. Tinee S. Furbert, Hon. Wayne L. Furbert, Hon. Jason P. Hayward, Ms. Susan E. Jackson, Mr. Dennis J.R. Lister III, Hon. R.D.L. Ming, Mr. R. Scott Pearman, Hon. Diallo V.S. Rabain, Mr. H. Anthony Richardson, Mr. Jarion C. Richardson, Hon. Walter H. Roban, Hon. W. Lawrence A. Scott, Mr. Jamahl S. Simmons, Hon. Kathy L. Simmons, Mr. Scott A. Simmons, Mrs. Ianthia G. Simmons-Wade, Mr. N. H. Cole Simons, Mr. H. Kim E. Swan, Mr. Neville S. Tyrrell, Mr. Jason R. W. Wade, Mr. Michael A. Weeks, Hon. Kim N. Wilson.

[This meeting of the House was conducted virtually.]

10:03 a.m.

Prayers

10:07 a.m.

Minutes of the Meeting of December 11th 2020 were confirmed.

10:07 a.m.

Announcements by the Speaker or Member Presiding

HIS HONOUR THE SPEAKER announced that the HON. C.L. DICKINSON will be absent from today's meeting.

10:07 a.m.

Papers and Other Communications to the House

LT. COL THE HON. D.A. BURCH read the following communication to the Speaker:-

I have the honour to attach and submit for the information of the Honourable House of Assembly the "The Bermuda Housing Trust Financial Statements March 31, 2020"; and the "West End Development Corporation Annual Report 2019".

LT. COL THE HON. D.A. BURCH JP MP
Minister of Public Works

HON. K.N. WILSON read the following communication to the Speaker:-

I have the honour to attach and submit for the information of the Honourable House of Assembly the "Public Health (COVID-19 Emergency Powers) (No.3) Amendment (No.4) Regulations 2020";

“Quarantine (COVID-19) (No.3) Amendment (No.7) Order 2020”;

Minister of Health

“Quarantine (COVID-19) (No. 3) Amendment (No. 8) Order 2020”;

“Public Health (COVID-19 Emergency Powers) (No. 3) Amendment Regulations 2021”;

“Public Health (COVID-19 Emergency Powers) (No. 3) Amendment (No. 2) Regulations 2021”;

“Public Health (COVID-19 Emergency Powers) Regulations 2021”;

“Public Health (COVID-19) Emergency Order 2021”;

“Public Health (COVID-19 Emergency Powers) Amendment Regulations 2021”;

“Public Health (COVID-19 Emergency Powers) Amendment (No. 2) Regulations 2021”;

“Public Health (COVID-19 Emergency Powers) Amendment (No 3) Regulations 2021”;

Hon. K.N. Wilson JP MP
Minister of Health

HON. K.N. WILSON read the following communication to the Speaker:-

I have the honour to attach and submit for the consideration of the Honourable House of Assembly the “Public Health (COVID-19) Emergency Extension Order 2021”.

Hon. K.N. Wilson JP MP

10:10 a.m.

Statements by Ministers and Junior Ministers

MS. K.N. WILSON read a Ministerial Statement entitled “Introduction of a Drug Formulary for Bermuda”.

10:25 a.m.

MR. J.P. HAYWARD read a Ministerial Statement entitled “Economic Investment Certificate”.

10:33 a.m.

LT. COL. D.A. BURCH read a Ministerial Statement entitled “West End Development Corporation Annual Report 2019”.

10:37 a.m.

LT. COL. D.A. BURCH read a Ministerial Statement entitled “Bermuda Housing Trust Audited Financials for the Year 2020”.

10:44 a.m.

MR. D.V. RABAIN read a Ministerial Statement entitled “A Proposal to Introduce Parish Primary Schools - Consultation Update”.

10:59 a.m.

Question Period

The Hon. E.D.G. Burt provided oral responses to parliamentary questions from The Hon. M.H. DUNKLEY.

*1. Will the Honourable Premier please inform this Honourable House which Government Ministers (including the Premier) have at any time since 8th March 2019 had either Advisors or

Consultants as per the Ministerial Code of Conduct, and list the name of the Advisor or Consultant and the Ministry to which he/she is attached?

*2. Will the Honourable Premier please provide this Honourable House the total remuneration and benefit package for each Advisor or Consultant listed?

*3. As per the Premier, Ministers and Opposition Leader Personal Staffs Act 2019, can the Premier please name all people hired or remaining as personal staff since the October 1st General Election listing job title, responsibility and all benefits of each person hired?

MR. M.H. DUNKLEY asked a supplementary question.

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

MR. M.H. DUNKLEY asked a supplementary question.

MR. L.C. CANNONIER asked a supplementary question.

Under the provisions of Standing Order 18(4), the Hon. K.N. Wilson deferred oral responses to parliamentary questions from The Hon. M.H. Dunkley.

1. Will the Honourable Minister please inform this Honourable House about all COVID-19 related contracts undertaken by the Government for the provision of goods, services or consultancy, listing them individually with reference to the contractor's name, the cost of the contract and the product or service provided?

2. Will the Honourable Minister please inform this Honourable House as to which of the COVID-related contracts referred above were sole-sourced or publicly tendered?

3. Will the Honourable Minister please provide this Honourable House with a listing of the compensation details for all COVID PCR Testing and Vaccinations agents?

11:11 a.m.

Questions on Ministerial Statements

MR. L.C. CANNONIER asked a question to MR. D.V. RABAIN on his Ministerial Statement entitled "A Proposal to Introduce Parish Primary Schools - Consultation Update".

MR. J.C. RICHARDSON asked a question to MR. J.P. HAYWARD on his Ministerial Statement entitled "Economic Investment Certificate".

MR. J.C. RICHARDSON asked a supplementary question.

MR. J.C. RICHARDSON asked a second question.

MR. J.C. RICHARDSON asked a supplementary question.

MR. J.C. RICHARDSON asked a third question.

MR. J.C. RICHARDSON asked a supplementary question.

MR. L.C. CANNONIER asked a second question to MR. D.V. RABAIN on his Ministerial Statement entitled "A Proposal to Introduce Parish Primary Schools - Consultation Update".

MS. S.E. JACKSON asked a question.

MR. M.H. DUNKLEY asked a question to MS. K.N. WILSON on her Ministerial Statement entitled "Introduction of a Drug Formulary for Bermuda".

MR. M.H. DUNKLEY asked a supplementary question.

MR. M.H. DUNKLEY asked a second supplementary question.

MR. E.D.G. BURT clarified his answer to a Parliamentary Question from MR. M.H. DUNKLEY.

11:34 a.m.

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

MR. D.A. BURCH

MR. E.D.G. BURT

MR. W.L.A. SCOTT

MRS. I.G. SIMMONS-WADE

MR. N.H.C. SIMONS

MR. D.V. BURGESS

MR. D.J.R. LISTER III

MR. N.S. TYRRELL

MS. S.E. JACKSON

MR. H.K.E. SWAN

MR. T.C. FAMOUS

MR. M.H. DUNKLEY

MS. R.D.L. MING

MS. L.F. FOGGO

MR. J.C. RICHARDSON

MS. T.S. FUBERT

HIS HONOUR THE SPEAKER

12:06 p.m.

Introduction of Bills

MR. W.L.A. SCOTT introduced and read for the first time by its title Bills entitled the “Motor Car (Driver’s Licence Renewal) Amendment Act 2021” and the “Motor Car and Auxiliary Bicycles (Validation and Amendment) Act 2021”, which was agreed to.

12:06 p.m.

MS. K.N. WILSON introduced and read for the first time by its title a Bill entitled the “Bermuda Health Council Amendment Act 2021”, which was agreed to.

12:07 p.m.

Orders of the Day

MS. K.N. WILSON moved that Standing Order 23(3) be suspended to enable the House to proceed with the consideration of the draft Order entitled the “Public Health (COVID-19) Emergency Extension Order 2021”, which was agreed to.

12:13 p.m. – MR. M.H. DUNKLEY

12:24 p.m. – MS. S.E. JACKSON

12:27 p.m. – MR. LC. CANNONIER

12:33 p.m. – MS. K.N. WILSON

MS. K.N. WILSON moved that the said draft Order be approved and that a suitable message be sent to Her Excellency the Governor, which was agreed to.

(No. 8)

“MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration a draft Order entitled the ‘Public Health (COVID-19) Emergency Extension Order 2021’, proposed to be made by the Minister of Health, in exercise of the power conferred by section 107A of the Public Health Act 1949, has the honour to inform Your Excellency that the House has approved the said draft Order.”

- which was agreed to and ordered accordingly.

12:37 p.m.

MR. E.D.G. BURT moved that the House do now adjourn for lunch.

2:00 p.m.

House resumes.

2:01 p.m.

HIS HONOUR THE SPEAKER advised members that the title of the “Cannabis Licensing Act 2020” will be amended to “Cannabis Licensing Act 2021”.

2:01 p.m.

MS. K.L. SIMMONS moved that the Bill entitled the “Cannabis Licensing Act 2021” be read a second time, which was agreed to.

2:45 p.m. – MR. R.S. PEARMAN

2:50 p.m. – MR. J.P. HAYWARD (P.O.O)

2:50 p.m. – MR. R.S. PEARMAN

2:53 p.m. – MR. J.P. HAYWARD (P.O.O)

2:53 p.m. – MR. R.S. PEARMAN

2:56 p.m. – MR. D.J.R. LISTER III (P.O.O)

2:56 p.m. – M. R.S. PEARMAN

2:57 p.m. – MR. T.C. FAMOUS (P.O.O)

2:57 p.m. – MR. R.S. PEARMAN

2:59 p.m. – MR. E.D.G. BURT (P.O.O)

2:59 p.m. – MR. R.S. PEARMAN

3:04 p.m. – MR. D.V. BURGESS (P.O.O)

3:04 p.m. – MR. R.S. PEARMAN

3:08 p.m. – MR. D.J.R. LISTER III

3:38 p.m. – MR. J.S. SIMMONS

3:46 p.m. – MR. V.M.E. CAMPBELL

4:11 p.m. – MS. L.F. FOGGO

4:21 p.m. – MR. D.V. RABAIN

4:32 p.m. – MR. M.H. DUNKLEY

4:58 p.m. – MR. D.V. BURGESS

5:09 p.m. – MS. S.E. JACKSON

5:22 p.m. – MS. T.S. FURBERT

5:38 p.m. – MR. H.K.E. SWAN

5:48 p.m. – MR. M.A. WEEKS

5:55 p.m. – MR. L.C. CANNONIER

6:25 p.m. – MR. Z.J.S. DESILVA

6:33 p.m. – MR. L.C. CANNONIER (P.O.O)

6:33 p.m. – MR. Z.J.S. DESILVA

6:34 p.m. – MR. L.C. CANNONIER (P.O.O)

6:34 p.m. – MR. Z.J.S. DESILVA

6:46 p.m. – MR. R.S. PEARMAN (P.O.O)

6:46 p.m. – MR. Z.J.S. DESILVA

6:47 p.m. – MR. M.H. DUNKLEY (P.O.O)

6:47 p.m. – MR. Z.J.S. DESILVA

6:48 p.m. – MR. M.H. DUNKLEY (P.O.O)

6:48 p.m. – MR. Z.J.S. DESILVA

6:50 p.m. – MR. M.H. DUNKLEY (P.O.O)

6:50 p.m. – MR. Z.J.S. DESILVA

6:53 p.m. – MR. N.H.C. SIMONS (P.O.O)

6:55 p.m. – MR. T.C. FAMOUS

7:14 p.m. – MR. S.A. SIMMONS

7:29 p.m. – MR. J.C. RICHARDSON

7:42 p.m. – MR. N.H.C. SIMONS

7:51 p.m. – MR. Z.J.S. DESILVA (P.O.O)

7:51 p.m. – MR. N.H.C. SIMONS

7:54 p.m. – MR. T.C. FAMOUS (P.O.O)

7:54 p.m. – MR. N.H.C. SIMONS

8:08 p.m. – MR. E.D.G. BURT

8:26 p.m. – MR. N.H.C. SIMONS (P.O.O)

8:26 p.m. – MR. E.D.G. BURT

8:37 p.m. – MS. K.L. SIMMONS

8:45 p.m. The Bill was committed.

(MR. D.V. BURGESS in the Chair)

8:45 p.m. – MS. K.L. SIMMONS moved Clauses 1-6 and an Amendment to Clause 2, which was agreed to.

Clause 2 was amended as follows:

by inserting the following after the definition of “edible cannabis product”:

“ “hemp” means the plant cannabis sativa, or any part thereof, with a THC content of not more than 1% or such other concentration as may be specified by the Minister by Order published in the Gazette;”;

in the definition of “premises” by inserting “land or” before the word “building” and by inserting “aircraft,” before the word “vessel”.

Clause 2 was agreed to, as amended.

Clauses 1, 3-6 were agreed to, as printed.

MS. K.L. SIMMONS moved Clauses 7-18, which was agreed to.

8:56 p.m. – MR. R.S. PEARMAN

8:57 p.m. – MS. K.L. SIMMONS

8:57 p.m. – MR. N.H.C. SIMONS

9:00 p.m. – MR. R.S. PEARMAN

9:00 p.m. – MS. K.L. SIMMONS

9:01 p.m. – MR. R.S. PEARMAN

Clauses 7-18 were agreed to, as printed.

MS. K.L. SIMMONS moved Clauses 19-27, which was agreed to.

9:05 p.m. – MR. R.S. PEARMAN

9:06 p.m. – MS. K.L. SIMMONS

9:07 p.m. – MR. N.H.C. SIMONS

9:08 p.m. – MS. K.L. SIMMONS

9:08 p.m. – MR. N.H.C. SIMONS

9:10 p.m. – MS. K.L. SIMMONS

9:10 p.m. – MR. N.H.C. SIMONS

9:11 p.m. – MS. K.L. SIMMONS

9:12 p.m. – MS. S.E. JACKSON

9:12 p.m. – MS. K.L. SIMMONS

9:13 p.m. – MR. R.S. PEARMAN

9:14 p.m. – MS. K.L. SIMMONS

9:14 p.m. – MR. R.S. PEARMAN

9:14 p.m. – MS. K.L. SIMMONS

9:14 p.m. – MR. R.S. PEARMAN

9:15 p.m. – MS. K.L. SIMMONS

9:16 p.m. – MR. N.H.C. SIMONS

9:16 p.m. – MS. K.L. SIMMONS

9:18 p.m. – MS. S.E. JACKSON

9:18 p.m. – MS. K.L. SIMMONS

9:19 p.m. – MS. S.E. JACKSON

9:19 p.m. – MS. K.L. SIMMONS

9:20 p.m. – MS. S.E. JACKSON

9:20 p.m. – MS. K.L. SIMMONS

Clauses 19-27 were agreed to, as printed.

MS. K.L. SIMMONS moved Clauses 28-36, which was agreed to.

9:22 p.m. – MS. S.E. JACKSON

9:23 p.m. – MS. K.L. SIMMONS

9:24 p.m. – MS. S.E. JACKSON

9:25 p.m. – MS. K.L. SIMMONS

9:25 p.m. – MS. S.E. JACKSON

9:26 p.m. – MS. K.L. SIMMONS

Clauses 28-36 were agreed to, as printed.

MS. K.L. SIMMONS moved Clauses 37-44 and an Amendment to Clause 44 subsection (3) and an Amendment to Clause 44 subsection (7), which was agreed to.

Clause 44 subsection (3) was amended as follows:

in subsection (3) by deleting “\$5,000” and substituting “\$10,000”;

Clause 44 subsection (7) was amended as follows:

by deleting subsection (7).

Clause 44 was agreed to, as amended.

9:33 p.m. – MS. S.E. JACKSON

9:35 p.m. – MR. N.H.C. SIMONS

9:38 p.m. – MR. R.S. PEARMAN

9:40 p.m. – MR. N.H.C. SIMONS

9:40 p.m. – MR. R.S. PEARMAN

9:43 p.m. – MS. S.E. JACKSON

Clauses 37-44 were agreed to, as printed.

MS. K.L. SIMMONS moved Clauses 45-55, which was agreed to.

9:53 p.m. – MR. R.S. PEARMAN

9:55 p.m. – MR. J.C. RICHARDSON

Clauses 45-55 were agreed to, as printed.

MS. K.L. SIMMONS moved Schedules 1-4 and Amendments to Schedule 4, which was agreed to.

Schedule 4 was amended as follows:

in paragraph 36, in subparagraph (1) by deleting “\$2,000” and substituting “\$10,000”.

in paragraph 37 by deleting “\$2,500” and substituting “\$8,000”.

In paragraph 38:

in subparagraph (1) by deleting “\$2,500” and substituting “\$10,000”;

in subparagraph (5) by deleting “(1)(b)” and by deleting “\$5,000” and substituting “\$8,000”.

10:01 p.m. – MS. S.E. JACKSON

10:01 p.m. MR. N.H.C. SIMONS

10:03 p.m. – MS. S.E. JACKSON

10:05 p.m. – MR. R.S. PEARMAN

10:06 p.m. – MS. S.E. JACKSON

10:08 p.m. – Schedules 1-4 were agreed to, as amended.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

10:09 p.m.

MS. K.L. SIMMONS moved that Standing Order 21 be suspended to enable her to move that the Bill entitled the “Cannabis Licensing Act 2021” be now read a third time, which was agreed to.

On the motion of MS. K.L. SIMMONS, the Bill entitled the “Cannabis Licensing Act 2021” was then read the third time by its title only and passed.

10:11 p.m. – MR. E.D.G. BURT moved that the House do now adjourn, which was agreed to.

10:11 p.m. – MR. D.V. BURGESS

10:21 p.m. – MR. M.H. DUNKLEY (P.O.O)

11:31 p.m. – MR. T.C. FAMOUS

10:32 p.m. – MR. R.S. PEARMAN (P.O.O)

10:39 p.m. – MR. E.D.G. BURT

10:46 p.m.

The House adjourned until Friday, 26th February 2021 at 10:00 a.m.