

BERMUDA

PROCEEDINGS OF THE SENATE

SESSION OF 2022 - 2023

No. 6

MONDAY, 20th MARCH 2023

PRESENT:

- Senator the Hon. Mrs. J.E. DILLAS-WRIGHT,
M.B.E., J.P. - PRESIDENT
- Senator Ms. K.J. BELL, J.P. – VICE PRESIDENT
- Senator R.J. WIGHT
- Senator the Hon. O.K. DARRELL, J.P.
- Senator Ms. A.J.L. HODGSON
- Senator Rev. Dr. E.G.A. DILL
- Senator Ms. L.K. SIMMONS
- Senator Ms. L.L. ROBINSON, J.P.
- Senator B.A. SMITH, J.P.
- Senator Mrs. R.S. TUCKER
- Senator Dr. D.S.J. DeCOUTO, J.P.

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

10:01a.m.

On the motion of Senator K.J. Bell, consideration of the minutes of the meeting of Wednesday, 15th March 2023 was deferred.

Announcements

10:03a.m.

Senator A.J.L. Hodgson presented for the information of Senate the Regulations entitled the “Pharmacy and Poisons (Control of Prescriptions) Regulations 2023”, as made by the Minister responsible for Health under the provisions of section 48(1)(c) of the Pharmacy and Poisons Act 1979.

Senator A.J.L. Hodgson presented for the information of Senate the following sets of

Public Health (COVID-19) Regulations and Orders:-

“Public Health (Covid-19 Emergency Powers) (No. 2) Regulations 2022 (Savings Provisions) Regulations 2022”;

“Public Health (Covid-19 Emergency Powers) (No. 2) Regulations 2022”;

“Public Health (Covid-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 2) Regulations 2022”;

“Public Health (Covid-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 3) Regulations 2022”;

“Public Health (Covid-19 Emergency Powers) Regulations 2022”;

“Public Health (Covid-19) Amendment (No. 2) Regulations 2022”;

“Public Health (Covid-19) Amendment (No. 3) Regulations 2022”;

“Public Health (Covid-19) Amendment (No. 4) Regulations 2022”;

“Public Health (Covid-19) Amendment (No. 5) Regulations 2022”;

“Public Health (Covid-19) Amendment (No. 6) Regulations 2022”;

“Public Health (Covid-19) Emergency Extension Order 2022”;

“Public Health (Covid-19) Emergency Order 2022”;

“Public Health (Covid-19) Regulations 2022 Revocation Regulations 2022”;

“Public Health (Covid-19) Regulations 2022”.

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:-

“Quarantine (Covid-19) (No. 3) Amendment (No. 3) Order 2022”;

“Quarantine (Covid-19) (No. 3) Amendment (No. 4) Order 2022”;

“Quarantine (Covid-19) (No. 3) Amendment (No. 5) Order 2022”;

“Quarantine (Covid-19) (No. 3) Amendment (No. 6) Order 2022”;

“Quarantine (Covid-19) Order 2022 Revocation Order 2022”; and the

“Quarantine (Covid-19) Order 2022”.

Ministerial Statement

10:05a.m.

Senator the Hon. O.K. Darrell as Minister of Youth, Culture and Sport, made a Ministerial Statement on the “41st Annual Sports Awards”.

Question Period

10:11a.m.

Senator B.A. Smith asked a question to Senator the Hon. O.K. Darrell on his Ministerial Statement entitled “41st Annual Sports Awards”.

Senator B.A. Smith asked a second question.

10:13a.m. – Senator R.S. Tucker asked a question.

Senator R.S. Tucker asked a second question.

Senator O.K. Darrell replied.

10:18a.m. – Senator B.A. Smith asked a third question.

10:20a.m. – Senator R.S. Tucker asked a third question.

Senator O.K. Darrell replied.

Orders of the Day

10:25a.m.

Senator A.J.L. Hodgson moved that the Senate resolve itself into a Committee of the Whole for further consideration of the “Appropriation Act 2023”, together with the Estimates of Revenue and Expenditure for the Year 2023/2024 – which was agreed to.

The Senate resolved into Committee of the Whole - Senator R.J. Wight in the Chair.

10:28a.m.

Senator Rev. Dr. E.G.A. Dill moved that Head: 83 – Ministry of National Security Headquarters; Head 06 – Defence; Head 07 – Police; Head 12 – Customs; Head 25 – Department of Corrections; and Head 45 – Fire Services be now considered – which was agreed to.

Senator Rev. Dr. E.G.A. Dill spoke on the Heads.

10:50a.m.

Senator R.J. Wight, in the Chair, acknowledged the presence of the Minister of National Security, the Hon. Michael Weeks, JP, MP, in the Public Gallery.

12:20p.m.

Senator R.J. Wight, in the Chair, ordered that the Senate do now adjourn for lunch and resume at 2:00p.m.

1:59p.m.

The Senate resumed in Committee of the Whole.

2:00p.m.

Senator Rev. Dr. E.G.A. Dill continued and spoke on Head 25.

2:48p.m.

Senator R.J. Wight, in the Chair, acknowledged the presence of the Hon. Vance

Campbell, Minister of Tourism and the Cabinet Office, in the Public Gallery.

Senator R.J. Wight, in the Chair, acknowledged the presence of Mr. Chris Farrow, Permanent Secretary of National Security and Ms. Cartwright in the Chamber.

2:49p.m. – Senator B.A. Smith

2:56p.m. – Senator R.S. Tucker

2:56p.m. – Senator K.J. Bell

2:58p.m. – Senator Rev. Dr. E.G.A. Dill

3:01p.m. – Senator B.A. Smith

3:03p.m. – Senator Rev. Dr. E.G.A. Dill

3:04p.m. – Senator R.S. Tucker

3:05p.m. – Senator Rev. Dr. E.G.A. Dill

3:07p.m.

Senator Rev. Dr. E.G.A. Dill moved that Heads 83, 06, 07, 12, 25 and 45 be approved as printed – which was agreed to.

3:08p.m. – Senator K.J. Bell in the Chair.

3:08p.m.

Senator the Hon. O.K. Darrell moved that Head 09 – Cabinet Office; Head 13 – Post Office; and Head 43 – Department of Information and Digital Technology be now considered – which was agreed to.

3:31p.m.

Senator K.J. Bell, in the Chair, acknowledged the presence of Lt. Col. Edward Lamb, Permanent Secretary for the Cabinet Office, in the Public Gallery.

4:39p.m. – Senator Dr. D.S.J. DeCouto

4:46p.m. – Senator B.A. Smith

4:48p.m. – Senator Dr. D.S.J. DeCouto

4:49p.m. – Senator the Hon. O.K. Darrell

5:03p.m. – Senator Dr. D.S.J. DeCouto

5:07p.m. – Senator the Hon. O.K. Darrell

5:08p.m.

Senator the Hon. O.K. Darell moved that Heads 9, 13 and 43 be approved as printed – which was agreed to.

5:09p.m. – Senator R.J. Wight in the Chair.

5:10p.m.

Senator L.K. Simmons moved that Head: 86 – Ministry of Social Development and Seniors Headquarters and Head 23 – Child and Family Services be now considered – which was agreed to.

5:39p.m.

Senator R.J. Wight, in the Chair, acknowledged the presence of Ms. Talbot, Ms. Hart and Ms. Brown, Technical Officers for the Ministry of Social Development and Seniors, in the Chamber.

5:39p.m. – Senator L.K. Simmons continued her presentation on the Heads.

6:13p.m.

Senator R.J. Wight, in the Chair, acknowledged the presence of Ms. Valerie Robinson-James, Permanent Secretary for the Ministry of Social Development and Seniors, in the Chamber.

6:23p.m. – Senator R.S. Tucker

6:32p.m. – Senator L.K. Simmons

6:33p.m. – Senator Dr. D.S.J. DeCouto

6:33p.m.

Senator R.J. Wight, in the Chair, acknowledged the presence of the Hon. Tinee Furbert, JP, MP, Minister of Social Development and Seniors, in the Chamber.

6:34p.m. – Senator B.A. Smith

6:36p.m. – Senator L.K. Simmons

6:38p.m. – Senator R.S. Tucker

6:44p.m. – Senator L.K. Simmons

6:47p.m. – Senator R.S. Tucker

6:49p.m. – Senator L.K. Simmons

6:50p.m. – Senator B.A. Smith

6:52p.m. – Senator L.K. Simmons

6:53p.m. – Senator B.A. Smith

6:53p.m. – Senator L.K. Simmons

6:54p.m. – Senator B.A. Smith

6:55p.m. – Senator L.K. Simmons

6:56p.m. – Senator R.S. Tucker

6:58p.m. – Senator L.K. Simmons

6:59p.m. – Senator R.S. Tucker

7:00p.m. – Senator L.K. Simmons

7:01p.m. – Senator R.S. Tucker

7:02p.m. – Senator L.K. Simmons

7:03p.m. – Senator R.S. Tucker

7:03p.m. – Senator L.K. Simmons

7:04p.m.

Senator L.K. Simmons moved that Heads 86 and 23 be approved as printed – which was agreed to.

7:04p.m.

Senator A.J.L. Hodgson moved that the Committee rise, report progress and ask for leave to sit again — which was agreed to.

7:05p.m.

The Chair reported progress and requested leave for the Committee to sit again for further consideration of the Bill.

The Committee rose and the Senate resumed.

The Committee was accordingly granted leave to sit again.

7:07p.m.

Senator A.J.L. Hodgson moved that Item numbers 8 and 10 on the Order paper be considered first – which was agreed to.

7:07p.m.

Senator A.J.L. Hodgson moved that the Public Bill entitled the “Land Tax Amendment Act 2023” be now read the second time.

Senator Hodgson spoke on the Bill.

7:09p.m. – Senator Dr. D.S.J. DeCouto

7:10p.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 "Land Tax Amendment Act 2023" 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.

7:10p.m. – Item number 9 on the Order paper was carried over.

7:11p.m.

Senator A.J.L. Hodgson moved that the Public Bill entitled the "Customs Tariff Amendment Act 2023" be now read the second time.

Senator Hodgson spoke on the Bill.

7:15p.m. – Senator Dr. D.S.J. DeCouto

7:17p.m. – Senator B.A. Smith

7:20p.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 "Customs Tariff Amendment Act 2023" 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.

7:22p.m.

Senator Rev. Dr. E.G.A. Dill moved that the Public Bill entitled the "Fire Safety

Amendment Act 2023" be now read the second time.

Senator Dill spoke on the Bill.

7:25p.m. – Senator B.A. Smith

7:26p.m. – Senator Rev. Dr. E.G.A. Dill replied.

The Bill was accordingly read a second time.

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

Senator Rev. Dr. 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 Rev. Dr. E.G.A. Dill moved that the Bill entitled the "Fire Safety Amendment Act 2023" 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.

7:28p.m.

Senator Rev. Dr. E.G.A. Dill moved that the Public Bill entitled the "Police (Amendment and Validation) Act 2023" be now read the second time.

Senator Dill spoke on the Bill.

7:30p.m. – Senator B.A. Smith

7:30p.m. – Senator Rev. Dr. E.G.A. Dill replied.

The Bill was accordingly read a second time.

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

Senator Rev. Dr. 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 Rev. Dr. E.G.A. Dill moved that the Bill entitled the “Police (Amendment and Validation) Act 2023” 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.

7:32p.m.

Senator the Hon. O.K. Darrell moved that the Public Bill entitled the “Public Holidays Amendment and Validation Act 2023” be now read the second time.

Senator Darrell spoke on the Bill.

7:36p.m. – Senator B.A. Smith

7:36p.m. – Senator the Hon. O.K. Darrell replied.

The Bill was accordingly read a second time.

Senator the Hon. O.K. Darrell moved that Standing Order 26 be suspended in respect of this Bill – which was agreed to.

Senator the Hon. O.K. Darrell moved that the Bill be now read a third time – which was agreed to.

The Bill was accordingly read a third time.

Senator the Hon. O.K. Darrell moved that the Bill entitled the “Public Holidays Amendment and Validation Act 2023” 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.

7:38p.m.

Senator L.L. Robinson moved that the Public Bill entitled the “Municipalities Amendment Act 2023” be now read the second time.

Senator Robinson spoke on the Bill.

7:46p.m. – Senator Dr. D.S.J. DeCouto

7:49p.m. – Senator the Hon. O.K. Darrell

7:51p.m. – Senator R.J. Wight

7:51p.m. – Senator L.L. Robinson replied.

The Bill was accordingly read a second time.

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

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

The Bill was accordingly read a third time.

Senator L.L. Robinson moved that the Bill entitled the “Municipalities Amendment Act 2023” 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.

7:52p.m. – Item numbers 6; 7; 11; 12; 13; 14 and 15 on the Orders of the Day were carried over.

Congratulatory and/or Obituary Speeches

7:54p.m.

Senator B.A. Smith congratulated all the 2022 Annual Sports Awards winners.

7:55p.m.

Senator the Hon. O.K. Darrell congratulated the Bermuda Football Association on their successful 2022/23 Premier League Season and he also congratulated the Premier League Champions, P.H.C., on a tremendous season.

7:57p.m.

Senator R.S. Tucker congratulated Mr. Glenn Fubler on a successful Peace Walk and Unity event held over the weekend in Warwick; and she commended the area Members of Parliament, Mrs. Ianthia Simmons-Wade, JP, MP and Mr. Scott Pearman, JP, MP, on their participation in the Peace Walk. She also congratulated little Lara Holdipp on donating her hair braids as part of the St. Baldrick's event.

7:59p.m.

Senator Rev. Dr. E.G.A. Dill congratulated Paradise Hub who will be appearing on the Bloomberg TV show 'Beyond Innovation' for its innovative technology. Senator Dill offered condolences to the family of the late Mr. Gerald St. George Simons, an avid sportsman and sports fan, whom she noted was always full of love and laughter.

8:01p.m.

Senator Dr. D.S.J. DeCouto expressed condolences to the family of the late Mrs. Shirley Tuzo. Senator DeCouto associated himself with the congratulatory remarks shared with P.H.C., the Peace Walk event which he also attended, and the Sports Award recipients – particularly Sebastian Kempe.

8:02p.m.

Madam President associated herself with the condolences expressed for the family of the late Mr. Gerald Simons.

Adjournment

8:02p.m.

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

8:03p.m. - Senator Dr. D.S.J. DeCouto

8:06p.m.

Senate adjourned until Wednesday, 22nd March 2023.

PRESIDENT

ORDERS OF THE DAY

Wednesday – 22nd March 2023

- (1) Resolution into Committee of the Whole for further consideration of the “Appropriation Act 2023”, together with the Estimates of Revenue and Expenditure for the Financial Year 2023/2024.
{Governor’s Recommendation Signified}
- (2) Consideration of the “Government Fees Amendment Regulations 2023”
{Governor’s Recommendation Signified}
- (3) Consideration of the “Government Fees (Trade Marks and Service Marks) Amendment Regulations 2023”
{Governor’s Recommendation Signified}
- (4) Second Reading of the “Stamp Duties Amendment Act 2023”
{Governor’s Recommendation Signified}
- (5) Second Reading of the “Payroll Tax Amendment Act 2023”
{Governor’s Recommendation Signified}
- (6) Second Reading of the “Public Treasury (Administration and Payments) Amendment Act 2023”

(7) Consideration of the "Marine and Ports Authority (Pilotage Dues) Regulations 2023"

(8) Consideration of the "Marine and Ports Authority (Port Dues) Regulations 2023"

(9) Consideration of the "Marine and Ports (Seaborne Services) Regulations 2023"