

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

**No. 25**

**Wednesday, October 2nd, 2013**

**Members Present:** His Honour the Speaker, Jeanne J. Atherden, Kenneth L. Bascome, Marc A. R. Bean, Glenn A. Blakeney, Walton D. Brown, Derrick V. Burgess, David G. Burt, L. Craig Cannonier, Rolfe P. Commissiong, Shawn G. Crockwell, Zane J. S. DeSilva, Michael H. Dunkley, Lovitta F. Foggo, Wayne L. Furbert, Patricia J. Gordon-Pamplin, Susan E. Jackson, Suzann Roberts-Holshouser, Dennis P. Lister, Terry E. Lister, Trevor G. Moniz, Nandi S. Outerbridge, Mark J. Pettingill, Everard T. Richards, Sylvan D. Richards, Walter H. Roban, Leah K. Scott, Michael J. Scott, R. Wayne E. Scott, W. Lawrence Scott, N. H. Cole Simons, Glenn C. Smith, Jefferson C. Sousa, Michael A. Weeks, Kim N. Wilson.

**10:04 a.m.** Prayer

Sessions House,  
2nd Oct, 2013.

**Confirmation of Minutes:**

Minutes to the meeting of September 20th, 2013 were confirmed.

Minutes to the meeting of September 27th, 2013 were deferred.

**10:07 a.m.**

MR. M. J. PETTINGILL on behalf of Dr. E. G. Gibbons read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:-

**10:01 a.m.**

**Announcements by the Speaker:**

His Honour the Speaker announced the absence of the following Member: - Dr. E. G. Gibbons.

His Honour the Speaker announced that this week was "Making Hunger History Week" from September 29th - October 5th, and requested that Members make donations of non-perishable food items to this cause.

I have the honour to attach and submit for the information of the Honourable House of Assembly - "The Bermuda College Annual Report 2012/2013".

DR. E. G. GIBBONS  
Minister of Economic Development

**10:07 a.m.**

**Papers and other Communications to the House:**

MR. E. T. RICHARDS read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:-

I have the honour to attach and submit for the information of the Honourable House of Assembly the Draft Order - "SAGE Commission (Extension of Existence and Operations) Order 2013"

MR. E. T. RICHARDS  
Minister of Finance

Sessions House,  
2nd Oct, 2013.

**10:08 a.m.**

**Statements by Ministers and Junior Ministers:**

MR. S. G. CROCKWELL made a Ministerial Statement regarding the "Update on the Taxi Industry".

MR. E. T. RICHARDS made a Ministerial Statement regarding the "SAGE Commission".

**10:11 a.m.**

**Question Period:**

MR. W. L. A. SCOTT asked Mr. S. G. Crockwell a question on his Ministerial Statement on the Update on the Taxi Industry.

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

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

MR. W. L. A. SCOTT asked Mr. S. G. Crockwell a second question.

MR. W. L. A. SCOTT asked Mr. S. G. Crockwell a third question.

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

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

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a supplementary question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a second question.

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

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

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

MR. T. E. LISTER asked MR. E. T. RICHARDS a question on his Ministerial Statement on the SAGE Commission.

MR. T. E. LISTER asked MR. E. T. RICHARDS a second question.

MR. T. E. LISTER asked MR. E. T. RICHARDS a third question.

MR. E. D. G. BURT asked MR. E. T. RICHARDS a question.

#### **10:30 a.m.**

#### **Congratulatory and Obituary Speeches:**

MR. J. C. SOUSA congratulated the under 17 women's football team for finishing fourth in a recent tournament abroad; he also thanked various schools and principals on these girls attending these schools.

MR. Z. J. S. DESILVA sent congratulations and a big thank you to the Chairman and committee of the P.G.A. Grand Slam.

MS. J. J. ATHERDEN thanked the Ministry of Minister of Tourism Development and Transport on an ad shown on Television over the weekend.

MR. M. H. DUNKLEY congratulated Ms. Bermuda Ms. Katherine Arnfield on her recent participation in the Miss Universe competition and making Bermudians proud; congratulated Meredith Andrews on her photo display on "Single Fathers" at the Bermuda National Gallery; congratulations to the New Testament Church of God Miracle Temple and Reverend Clark Minors on their recent graffiti Art Competition, a great community event.

MR. M. A. R. BEAN expressed condolences to the family of the late Ms. Patricia Winfield.

MS. P. J. GORDON-PAMPLIN congratulations to Mr. Dejon Simmons who has his art displayed at Rock Island Cafe.

MS. S. ROBERTS-HOLSHOUSER congratulated Partner Re on their upcoming 16th annual 5K race to raise funds for the Coalition for the Protection of Children.

MR. K. L. BASCOME sent congratulations to Mr. Rudy Bailey who regained his title at the International Comet Race; associated all Members of the House.

#### **10:50 a.m.**

#### **Orders of the Day:**

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

10:55 a.m. - MR. E. D. G. BURT  
11:00 a.m. - MR. W. L. FURBERT  
11:03 a.m. - MR. S. D. RICHARDS  
11:04 a.m. - MR. M. A. R. BEAN  
11:10 a.m. - MR. E. T. RICHARDS

The Bill was committed.

11:16 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair

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

11:21 a.m. - MR. E. D. G. BURT  
11:24 a.m. - MR. S. D. RICHARDS  
11:27 a.m. - MR. E. D. G. BURT

Clauses 1 – 3, as printed, were agreed to.

MR. E. T. RICHARDS moved the Schedules.

The Schedules, as printed, were agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

**11:30 a.m.**

On the motion of MR. S. G. CROCKWELL, the Bill entitled the "Cruise Ships (Casinos) Act 2013" was then read a second time.

11:49 a.m. - MR. W. L. A. SCOTT

11:53 a.m. - MR. K. L. BASCOME

12:00 p.m. - MR. T. E. LISTER

12:16 p.m. - MR. G. A. BLAKENEY

**12:30 p.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.

2:00p.m. - His Honour the Speaker in the Chair.

2:00 p.m. - MS. K. N. WILSON

2:19 p.m. - MR. M. J. PETTINGILL

2:27 p.m. - MR. Z. J. S. DESILVA

2:41 p.m. - MR. D. P. LISTER

2:50 p.m. - MR. D. V. BURGESS

3:00 p.m. - MR. W. H. ROBAN

3:01 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair

3:21 p.m. - MR. M. A. WEEKS

3:21 p.m. - His Honour the Speaker in the Chair

3:28 p.m. - MS. L. F. FOGGO

His Honour the Speaker recognized in the Speakers Gallery Senators Jardine and Dillas-Wright.

3:35 p.m. - MR. E. D. G. BURT

3:51 p.m. - MR. M. A. R. BEAN

4:06 p.m. - MR. S. G. CROCKWELL

The Bill was committed.

4:29 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair

MR. S. G. CROCKWELL moved Clauses 1-5 of the Bill.

4:31p.m. - MR. W. H. ROBAN

4:33p.m. - MR. T. E. LISTER

4:34p.m. - MR. S. G. CROCKWELL

4:37p.m. - MR. W. H. ROBAN

4:39p.m. - MS. K. N. WILSON

4:40p.m. - MR. S. G. CROCKWELL

4:41p.m. - MS. K. N. WILSON

4:42p.m. - MR. S. G. CROCKWELL

4:43p.m. - MS. K. N. WILSON

4:44p.m. - MR. S. G. CROCKWELL

4:45p.m. - MS. K. N. WILSON

4:46p.m. - MR. S. G. CROCKWELL

Clauses 1 – 5, as printed, were agreed to.

MR. S. G. CROCKWELL moved Clause 6 and an Amendment to Clause 6, which was agreed to.

1. By Deleting subsection (2)(c) and substituting the following:

(c) shall remain valid for —

(i) one cruise ship season if a cruise ship makes 15 or more voyages to Bermuda.

(ii) one voyage if a cruise ship makes 14 or less voyages to Bermuda.

In subsection 2(d), by adding the words "if a cruise ship makes 15 or more voyages to Bermuda" after the word "thereof".

4:49 p.m. - MR. M. A. R. BEAN

4:50 p.m. - MR. S. G. CROCKWELL

Clause 6, as amended, was agreed to.

MR. S. G. CROCKWELL moved Clauses 7-10 of the Bill.

4:52 p.m. - MR. W. H. ROBAN

4:53 p.m. - MR. W. L. A. SCOTT

Proposed Amendment to Clause 7(2) and Schedule 2.

4:54 p.m. - MR. S. G. CROCKWELL

4:54 p.m. - MS. K. N. WILSON

4:55 p.m. - MR. S. G. CROCKWELL

4:56 p.m. - MS. K. N. WILSON

4:58 p.m. - MR. M. A. R. BEAN

Proposed Amendment was withdrawn

4:59 p.m. - MR. S. G. CROCKWELL

Clause 7-10, as printed, were agreed to.

MR. S. G. CROCKWELL moved Clause 11.

5:02 p.m. - MR. Z. J. S. DESILVA

5:04 p.m. - MR. M. A. R. BEAN

5:05 p.m. - MR. S. G. CROCKWELL

MR. S. G. CROCKWELL moved Clauses 12-22.

5:09 p.m. - MR. R. P. COMMISSIONG

5:11 p.m. - MR. S. G. CROCKWELL

5:11 p.m. - MR. R. P. COMMISSIONG

5:12 p.m. - MR. S. G. CROCKWELL

5:12 p.m. - MR. R. P. COMMISSIONG

5:13 p.m. - MR. S. G. CROCKWELL

MR. S. G. CROCKWELL moved Clauses 1-22 as Amended, which was agreed to.

MR. S. G. CROCKWELL moved the Schedules, which was agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

### **5:16 p.m.**

On the motion of MR. M. H. DUNKLEY, the Bill entitled the "Municipalities Amendment Act 2013" was then read a second time.

5:37 p.m. - MR. W. H. ROBAN

6:18 p.m. - MR. Z. J. S. DESILVA

His Honour the Speaker recognized Sen. Rene Ming who was sitting in the Public Gallery and Sen. Fahy who was sitting in the Speaker's Gallery.

His Honour the Speaker welcomed the Mayor and Deputy Mayor of Hamilton who were both sitting in the Public Gallery.

6:46p.m. - MS. S. E. JACKSON

6:55p.m. - MS. K. N. WILSON

7:19p.m. - MR. M. J. PETTINGILL

7:46 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair.

His Honour the Speaker recognized Mr. George Scott, former Parliamentarian sitting in the Public Gallery.

7:50 p.m. - MR. G. A. BLAKENEY

8:21 p.m. - MR. G. C. SMITH

8:31 p.m. - MR. W. L. FURBERT

8:58 p.m. - MR. D. V. BURGESS

9:10 p.m. - MR. W. L. A. SCOTT

9:15 p.m. - MR. SPEAKER in the Chair.

9:22 p.m. - MR. E. D. G. BURT

9:26 p.m. - MR. R. P. COMMISSIONG

9:56 p.m. - MR. M. A. R. BEAN

10:28 p.m. - MS. P. J. GORDON-PAMPLIN

10:59 p.m. - MS. S. ROBERTS-HOLSHOUSER

11:05 p.m. - MR. T. G. MONIZ

11:14 p.m. - MR. S. G. CROCKWELL

11:34 p.m. - MR. M. H. DUNKLEY

The Bill was committed.

11:50 p.m. - MS. R. ROBERTS-HOLSHOUSER in the Chair

MR. M. H. DUNKLEY moved Clauses 1-12 of the Bill, which was agreed to.

11:54 p.m. - MR. W. H. ROBAN

11:58 p.m. - MR. E. D. G. BURT

11:59 p.m. - MR. W. H. ROBAN

### Thursday 3rd October 2013

12:01 a.m. - MR. R. P. COMMISSIONG

12:03 a.m. - MR. T. E. LISTER

12:08 a.m. - MR. M. H. DUNKLEY

12:09 a.m. - MR. T. E. LISTER

12:10 a.m. - MR. M. H. DUNKLEY

12:12 a.m. - MR. R. P. COMMISSIONG

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

12:13 a.m. - MR. M. J. PETTINGILL

MR. M. H. DUNKLEY moved Clauses 13-15 of the Bill, which was agreed to.

12:16 p.m. - MR. W. H. ROBAN

MR. M. H. DUNKLEY moved Clauses 16-18 of the Bill, which was agreed to.

MR. M. H. DUNKLEY moved Clauses 19-24 and the schedules of the Bill, which was agreed to.

12:19 a.m. - MR. W. H. ROBAN

MR. M. H. DUNKLEY moved the Schedules.

MR. M. H. DUNKLEY moved Clauses 1-24 of the Bill, which on division was affirmed by 16 votes to 15votes.

### Ayes

1. Mr. J. C. Sousa
2. Mr. N. H. C. Simons
3. Mr. G. C. Smith
4. MR. M. L. K. Scott
5. Mr. R. W. E. Scott
6. Mr. E. T. Richards
7. Mr. M. J. Pettingill
8. Mr. M. H. Dunkley
9. Ms. N. S. Davis
10. Mr. S. G. Crockwell
11. Mr. C. L. Cannonier
12. Ms. Jeanne. J. Atherden
13. Mrs. Patricia J. Gordon-Pamplin
14. Ms. Susan E. Jackson
15. Mr. T. G. Moniz
16. Mr. S. D. Richards

### Noes

1. Mr. M. A. R. Bean
2. Mr. W. D. Brown
3. Mr. D. V. Burgess
4. Mr. E. D. G. Burt
5. Mr. Z. J. S. DeSilva
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. Mrs. K. N. Wilson
12. Mr. W. L. Scott
13. Mr. R. P. Commission
14. Mr. G. A. Blakeney
15. MR. D. P. Lister

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

### 12:30 a.m.

On the motion of MR. M. H. DUNKLEY, the Bill entitled the "Corporation of St. Georges (UNESCO World Heritage Fund and Levy) Act 2013" was then read a second time.

12:38 a.m. - MR. E. D. G. BURT  
12:45 a.m. - MR. T. E. LISTER  
12:49 a.m. - MR. Z. J. S. DESILVA  
12:53 a.m. - MR. K. L. BASCOME  
1:03 a.m. - MR. G. A. BLAKENEY  
1:11 a.m. - MR. E. T. RICHARDS  
1:11 a.m. - MR. M. H. DUNKLEY

The Bill was committed.

1:12 a.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair

MR. M. H. DUNKLEY moved clauses 1-7 of the Bill.

1:22 a.m. - MR. T. E. LISTER

MR. T. E. LISTER moved to Amend the Bill as follows:-

Amendment to Clause 4(2):- deleting "31st December" and substitute "31st March"; and amend to.

Clause 5(1):-

Delete "30th June" and substitute "30th September".

Clauses 1 – 7, as amended, were agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

Order number 5 was carried over to the next meeting day.

### 1:30 a.m.

MR. T. E. LISTER moved the following motion, notice of which was given on July19, 2013:-

“That this Honourable House approve and adopt the Revised Rules of the House of Assembly, now known as Standing Orders (SO) first adopted provisionally by the Honourable House by motion on 22<sup>nd</sup> March 2010; and further that the Standing Orders be amended by the adoption of new S.O. 56” and in consequence the remaining Standing Orders be renumbered 57 – 59.”

1:39 a.m. - MR. N. H. C. SIMONS

1:45 a.m. - MS. L. F. FOGGO

1:50 a.m. - MR. T. E. LISTER

-The motion was agreed to.

**1:51 a.m.**

MR. E. T. RICHARDS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Customs Tariff 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 "Customs Tariff Amendment (No.2) Act 2013" was then read the third time and passed.

MR. S. G. CROCKWELL moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Cruise Ships (Casinos) Act 2013" be now read the third time, which was agreed to.

On the motion of MR. S. G. CROCKWELL, the Bill entitled the "Cruise Ships (Casinos) Act 2013" was then read the third time and passed.

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

On the motion of MR. M. H. DUNKLEY, the Bill entitled the "Municipalities Amendment Act 2013" was then read the third time and passed.

MR. M. H. DUNKLEY moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Corporation of St. Georges (UNESCO World Heritage Fund and Levy) Act 2013" be now read the third time, which was agreed to.

On the motion of MR. M. H. DUNKLEY, the Bill entitled the "Corporation of St. Georges (UNESCO World Heritage Fund and Levy) Act 2013" was then read the third time and passed.

**1:55 a.m.**

MR. L. C. CANNONIER moved that the House do adjourn to Friday, 8th November, 2013 at 10:00 a.m., which was agreed to.

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

**1:55 a.m.**

The House adjourned to Friday November 8th, 2013  
at 10:00 a.m.