

BERMUDA

PROCEEDINGS OF THE SENATE

SESSION OF 2021 - 2022

No. 6

WEDNESDAY, 16th FEBRUARY 2022

PRESENT:

Senator the Hon. Mrs. J.E. DILLAS-WRIGHT,
M.B.E., J.P. - PRESIDENT
Senator Mrs. W.M.P. SIMMONS,
VICE PRESIDENT
Senator R.J. WIGHT
Senator the Hon. Dr. E.G.V. PEETS, J.P.
Senator O.K. DARRELL
Senator Ms. A.J.L. HODGSON
Senator Ms. L.K. SIMMONS
Senator Rev. Dr. E.G.A. DILL
Senator B.A. SMITH, J.P.
Senator Mrs. R.S. TUCKER
Senator M.J.A. JONES, J.P.

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

10:03a.m.

Newly appointed Senator Rev. Dr. Emily Gail Amelia Dill, being present in the Chamber, made and subscribed to the Affirmation of Allegiance before the Senate.

Senator the Hon. the President congratulated Senator Dill on her appointment as a Government Senator by Her Excellency the Governor earlier in the day, and she welcomed her to the Senate.

10:04a.m.

On the motion of Senator W.M.P. Simmons, the minutes of the meeting of Wednesday, 15th December, 2021 were taken as read and confirmed.

10:05a.m.

Senator the Hon. the President announced that, under the provisions of Sections 5(2)(b) and 24(2)(a) of The Ombudsman Act 2004, the Ombudsman for Bermuda had presented to the President a copy of her Special Report entitled “A Future for Criminal Injuries Compensation: The Ombudsman for Bermuda’s Own Motion Systemic Investigation into the Administration of the Criminal Injuries Compensation Scheme by the Criminal Injuries Compensation Board”, dated December 2021.

Madam President tabled the said Special Report in the Senate for the information of Senators.

Senator A.J.L. Hodgson presented for the information of Senate a report entitled “Actuarial Review of the Contributory Pension Fund of Bermuda as of August 1, 2020”, as prepared by LifeWorks and dated July 2021.

Senator O.K. Darrell presented for the information of Senate “The Betting Regulations 2021”, as made by the Minister responsible for gaming under the provisions of section 96 of the Betting Act 2021.

10:08a.m.

Senator A.J.L. Hodgson presented for the information of Senate the following subsidiary legislative items, as made by the Minister of Finance:-

The Economic Substance Amendment Act 2021 Commencement Day Notice 2021;
The Economic Substance Amendment Regulations 2021;
The Economic Substance Amendment (No. 2) Regulations 2021;
The Companies and Partnerships (Electronic Registry) Amendment Act 2020 Commencement Day Notice 2021;
The Companies and Partnerships (Electronic Registry) Amendment Act 2020 Commencement Day Notice (No. 2) 2021;
and

The Companies (Forms) Amendment Rules 2021.

Senator A.J.L. Hodgson presented for the information of Senate the following sets of Regulations, as made by the Minister of Finance:-

The Limited Liability Company (Forms) Amendment Regulations 2021;
 The Partnership (Forms) Regulations 2021;
 The Exempted Partnerships (Forms) Regulations 2021;
 The Limited Partnership (Forms) Regulations 2021; and
 The Overseas Partnerships (Forms) Regulations 2021.

10:09a.m.

Senator the Hon. Dr. E.G.V. Peets presented for the information of Senate the following subsidiary legislative items:-

The International Sanctions Amendment Regulations 2020;
 The International Sanctions Amendment Regulations 2021;
 The International Sanctions (Libya) Amendment Regulations 2021;
 The Statutory Instruments (Second Schedule) Amendment Order 2021; and
 The Proceeds of Crime (Designated Countries and Territories) Amendment Order 2021.

10:10a.m.

Senator A.J.L. Hodgson presented for the information of Senate the following sets of Regulations, each as made by Her Excellency the Governor, on the advice of the Minister responsible for Health, and in exercise of the power conferred by section 107B of The Public Health Act 1949:-

The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment Regulations 2021;
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 2) Regulations 2021;
 The Public Health (COVID-19 Emergency

Powers) (Phased Re-Opening) Amendment (No. 3) Regulations 2021;
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 4) Regulations 2021;
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 5) Regulations 2021;
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 6) Regulations 2021;
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 7) Regulations 2021;
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 8) Regulations 2021;
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 9) Regulations 2021;
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 10) Regulations 2021;
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 11) Regulations 2021;
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment (No. 12) Regulations 2021;
 and
 The Public Health (COVID-19 Emergency Powers) (Phased Re-Opening) Amendment Regulations 2022.

The following Public Bills were brought up from the Honourable House of Assembly and given their First Readings in the Senate:-

The "Proceeds of Crime Amendment Act 2022"; and
 The "Motor Car Insurance (Third-Party Risks) And Public Carriage Amendment Act 2022".

Congratulatory and/or Obituary Speeches

10:14a.m.

Senator R.J. Wight expressed condolences for the family of the late Mr. Brian Steede.

Senator L.K. Simmons expressed condolences and blessings for the wife, daughter and family of the late Mr. Daemon George Antoine Bell, a well-known Corrections Officer who had tragically been killed off duty while trying to break up a fight.

Senator W.M.P. Simmons congratulated Mrs. Keeva Mae Joell-Benjamin on her formal appointment as the first female Commissioner of Corrections, a well-earned appointment for the 30-Year veteran of the Prisons Service after serving several years as the Acting Commissioner. Senator Simmons also congratulated Ms. Martha Dismont, MBE, and Mr. Gary Phillips, OBE, who will each be honoured during Black History Month by the Hamilton Princess Hotel next week for their tremendous service to the community over many years. Senator Simmons noted Ms. Dismont was the Founder and long-time Director of the Family Centre and an Honourary Fellow of the Bermuda College. Mr. Phillips is also an Honourary Fellow of the Bermuda College, is Chairman of the Bermuda National Gallery, Chairman of One Communications, a former Postmaster General, former Director of Tourism, and a former Teacher at the Berkeley Institute, among many other accomplishments and honours.

Senator Simmons expressed condolences for the families of all those persons who had passed since the last meeting of the Senate; and she paid tribute to the late Mr. Dennis Saunders; to the late Mr. Osagi Ojahri Bascome and the late Mr. Daemon Bell who had each been a victim of violence in our community; and to the late Mr. Gregory Whitfield Swan, whom she noted was a very accomplished individual and a mentor to many in the community.

Senator R.S. Tucker expressed condolences for the families of the late Mr. Philip Sinclair Ball Jr., and the late Mr. Duncan McMartin

Senator Tucker associated herself with the obituary remarks for Mr. Dennis Saunders, Mr. Greg Swan, Mr. Osagi Bascome

and Mr. Daemon Bell; and she paid tribute to the late Mr. Herman Coolridge Trott, and her mother-in-law the late Mrs. Miriam Agatha Tucker, whom she noted was a loving family matriarch and had been a very popular and well known Calypso Dancer in Bermuda for many years as a member of the 'Calypso Trio' when she was younger. Her family also operated Richardson's Restaurant on the North Shore for many years.

Senator Tucker congratulated the Transformational Living Centre on its recent Opening and taking in five families at their new facility. She thanked Elaine Butterfield, Sheilagh Cooper and their team, as well as donors, on their work for this accomplishment. And she also congratulated the five young men who had become active in raising community awareness of poverty in Bermuda. She commended Ajahni Lema-Bascome, D'Mori Harvey, Zeshawn Williams, Sivaja Perinchief and Dante Sousa on taking action to raise \$3,500, which they were able to distribute among three charities.

Senator O.K. Darrell expressed condolences for the families of the late Ms. J. Elaine Harris, whom he noted was a well respected Educator and a mother figure to many in the community; and the late Mrs. Dearline Marie Hardtman.

Senator Darrell congratulated Mr. Jah-Nhai Perinchief on his outstanding success in setting a new Triple Jump meet record at a track meet in Arkansas, USA.

Senator the Hon. Dr. E.G.V. Peets associated himself with the congratulatory remarks for Mr. Jah-Nhai Perinchief and Mrs. Keeva Mae Joell-Benjamin, as well the obituary remarks for the late Mr. Daemon Bell, whose passing he remarked was a particularly painful loss for his family and friends as well as the community.

Senator Peets congratulated Rev. Dr. Emily Gail Dill on her appointment to the Senate and wished her well in her Senate duties as a member of the Government team.

Senator the Hon. the President associated herself with the remarks of all Senators, particularly the remarks for the late Ms. Elaine Harris, who was one of her cousins.

Adjournment

10:29a.m.

Senator the Hon. Dr. E.G.V. Peets moved that the Senate do now adjourn – which was agreed to.

- 10:29a.m. – Senator M.J.A. Jones
- 10:45a.m. – Senator O.K. Darrell
- 10:54a.m. – Senator B.A. Smith
- 11:06a.m. – Senator W.M.P. Simmons
- 11:12a.m. – Senator the Hon. Dr. E.G.V. Peets

11:17a.m.

Senate adjourned until Wednesday, 23rd February 2022.

PRESIDENT

ORDERS OF THE DAY

Wednesday – 23rd February, 2022

- (1) Second Reading: The Proceeds of Crime Amendment Act 2022.
- (2) Second Reading: The Motor Car Insurance (Third-Party Risks) and Public Carriage Amendment Act 2022.