

**Proceedings  
of the  
Honourable House of Assembly**

**Session of 2017-2018**

**No. 11**

**Friday, 1<sup>st</sup> December 2017**

**Members Present:** His Honour the Speaker, Jeanne J. Atherden, Jeffrey C. Baron, C. Walton D. Brown, Lt. Col. David A. Burch, Derrick V. Burgess, Wayne M. Caines, Legay C. Cannonier, Rolfe P. Commissiong, Zane J.S. DeSilva, Michael H. Dunkley, Thomas C. Famous, Lovitta F. Foggo, Tinee S. Furbert, Wayne L. Furbert, Dr. Edmund G. Gibbons, Patricia J. Gordon-Pamplin, Susan E. Jackson, Dennis J. Lister III, Renee D.L. Ming, Trevor G. Moniz, Diallo V. S. Rabain, Michael J. Scott, W. Lawrence Scott, Scott A. Simmons, Kim H.E. Swan, Neville S. Tyrrell, Kim N. Wilson.

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

**Confirmation of Minutes:**

The minutes of November 24<sup>th</sup> 2017 were confirmed.

**10:05am**

The Speaker announced that the following Members will be absent from today's meeting: Mr. E.D.G. Burt, Mr. W. H. Roban, Ms. L.K. Scott, and Mr. N.H.C. Simons, and Mr. M. A. Weeks.

**10:06am**

**Papers and Communications to the House.**

MS. K.N. WILSON read the following communication to 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 "Financial Statements for each of the Health Insurance Fund, the Future Care Fund

and the Mutual Re-Insurance Fund for the fiscal year ending 31st March 2015".

Ms. K.N. Wilson  
Minister of Health

Sessions House  
December 1, 2017

MS. K. N. WILSON read the following communication to 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 "Pharmacy and Poisons (Third and Fourth Schedule Amendment) Order 2017".

Ms. K.N. Wilson  
Minister of Health

Sessions House  
December 1, 2017

MS. K.N. WILSON read the following communication to the Speaker:

TO HIS HONOUR THE SPEAKER:-

I have the honour to attach and submit for the information of the Honourable House of Assembly “Misuse of Drugs (Schedule 2 Amendment) Order 2017”.

Ms. K.N. Wilson  
Minister of Health

Sessions House  
December 1, 2017

MS. K.N. WILSON read the following communication to 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 “Misuse of Drugs Amendment Regulations 2017”.

Ms. K.N. Wilson  
Minister of Health

Sessions House  
December 1, 2017

MR. D.V.S. RABAIN read the following communication to 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 “Plan 2022: Bermuda’s Strategic Plan for Public School Education”.

Mr. D.V.S. Rabain  
Minister of Education and  
Workforce Development

Sessions House  
December 24, 2017

LT. COL. D.A. BURCH read the following communication to 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 “West End Development Annual Reports (2014 & 2015)”.

Lt. Col. D. A. Burch  
Minister of Public Works

Sessions House  
December 1, 2017

**10:07am**

**Statements by Ministers and/or Junior Ministers:**

LT. COL. D.A. BURCH read a Ministerial Statement regarding the “Tabling of West End Development Annual Reports”.

MR. C.W.D. BROWN read a Ministerial Statement concerning “An Advisory Regarding Travel to the United States by Residents who are BOTCs but are not Bermudian”.

MS. K.N. WILSON read a Ministerial Statement regarding the “World AIDS Day and International Day for Disabled Persons”.

MR. D.V.S. RABAIN read a Ministerial Statement regarding the “Plan 2022: Bermuda’s Strategic Plan for Public School Education”.

MR. W.M. CAINES read a Ministerial Statement regarding the “Disaster and Emergency Preparedness Belco Major Environmental Emergency Contingency Plan Tabletop Exercise held on 29 November 2017”.

**10:40am**

**Question Period:**

DR. E.G. GIBBONS asked a question to Mr. C.W.D. Brown regarding his Ministerial Statement on “An Advisory Regarding Travel to the United States by Residents who are BOTCs but are not Bermudian”.

DR. E.G. GIBBONS asked a supplementary question.

DR. E.G. GIBBONS asked a second supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a supplementary question.

DR. E.G. GIBBONS asked a second supplementary question.

DR. E.G. GIBBONS asked a supplementary question.

MRS. J.J. ATHERDEN asked a supplementary question.

MR. R. P.COMMISSIONG asked a question to Ms. K.N. Wilson on her Ministerial Statement regarding the “World AIDS Day and International Day for Disabled Persons”.

DR. E.G. GIBBONS asked a question to Mr. C.W.D. Brown regarding his Ministerial Statement.

DR. E.G. GIBBONS asked a supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a question to Mr. D.V.S. Rabain on his Ministerial Statement regarding the “Plan 2022: Bermuda’s Strategic Plan for Public School Education”.

MRS. P.J. GORDON-PAMPLIN asked a second question.

MRS. P.J. GORDON-PAMPLIN asked a supplementary question.

MRS. J.J. ATHERDEN asked a supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a supplementary question.

DR. E.G. GIBBONS asked a second supplementary question.

DR. E.G. GIBBONS asked a supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a supplementary question.

DR. E.G. GIBBONS asked a supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a question to Mr. D.V.S. Rabain.

MRS. J.J. ATHERDEN asked a supplementary question.

DR. E.G. GIBBONS asked a supplementary question.

MRS. J.J. ATHERDEN asked a supplementary question.

MR.M.H. DUNKLEY asked a question to Mr. W.M. Caines on his Ministerial Statement regarding “Disaster and Emergency Preparedness Belco Major Environmental Emergency Contingency Plan Tabletop Exercise held on 29 November 2017”.

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

MR.J.C. BARON asked Mr. W.M. Caines a question.

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

MRS. J.J. ATHERDEN asked a supplementary question.

MRS. J.J. ATHERDEN asked a second supplementary question.

MR.M.H. DUNKLEY asked a question to Mr. W.M. Caines on his Ministerial Statement.

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

Mr. Speaker acknowledged the presence of Senator Jason Hayward sitting in the public gallery.

**11:32am**

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

**12:02pm**

**Introduction of Bills:**

MR. Z.J. DESILVA introduced and read the first time by its title a Bill entitled the “Misuse of Drugs (Decriminalisation of Cannabis) Amendment Act 2017”.

**12:03pm**

**Notices of Motion:**

Mrs. R.D. L Ming gave notice of the following Motion:

“WHEREAS it is acknowledged that the public are becoming increasingly aware of incidents relating to sexual offenders, and these incidents are alarming and create widespread concern as to how we manage the information relating to sexual offenders and how we protect our communities simultaneously;

BE IT RESOLVED that this Honourable House establish a Joint Select Committee to examine, review and make recommendations, and report to this House its findings on existing legislation which addresses the necessity for a public sex offenders’ register along with other pertinent matters relating to convicted sex offenders.”

**12:02am**

**Orders of the Day**

Order number 1 was carried over.

MS. K.N. WILSON moved second reading of the “Residential Care Homes and Nursing Homes Amendment Act 2017” which was agreed to.

12:16pm- MS. S.E. JACKSON

**12:30am**

Lt. Col. D.A. Burch Acting Premier, moved that the House adjourn for lunch, which was agreed to.

The House adjourned for lunch at 12:30pm

**2:00pm**

The House resumed

2:01pm-MS. S.E. JACKSON

2:09pm-MR.D.V. BURGESS

2:20pm-MRS. J.J.ATHERDEN

2:37pm-MR.N.S. TYRELL

2:40pm-MS. K.N. WILSON

**2:47pm**

The Bill was Committed

Mr. D.V. Burgess in the Chair

Ms. K.N. Wilson moved Clauses 1 to 5, which was agreed to as printed.

2:48pm- MS. S.E. JACKSON

2:49pm- MS. K.N. WILSON

2:50pm- MS. S.E. JACKSON

2:51pm- MS. K.N. WILSON

2:52pm- MS. S.E. JACKSON

2:53pm- MS. K.N. WILSON

**2:54pm**

Ms. K.N. Wilson moved Clauses 6 to 9, which was agreed to.

2:57pm- MS. S.E. JACKSON

2:58pm- MS. K.N. WILSON

Clauses 6 to 9 were agreed to, as printed.

Ms. K.N. Wilson moved Clauses 10 to 14, which was agreed to as printed.

**3:00pm**

Ms. K.N. Wilson moved Clauses 15 to 20, which was agreed to.

3:03pm- MRS. J.J.ATHERDEN

3:04pm-MS. K.N. WILSON

3:05pm-MRS J.J. ATHERDEN

Clauses 1 to 20 were agreed to as printed.

The Preamble was agreed to

The Committee rose.

The House resumed.

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

Orders numbers 3 to 6 were carried over.

**3:08pm**

Mr. H.K.E. Swan moved for consideration of the following Motion, notice of which was given on the 17<sup>th</sup> November 2017:

“WHEREAS at the gates of this House of Assembly a show of democracy descended into open conflict between concerned citizens of Bermuda, and those charged with protecting the very rights they sought to exercise, on December 2nd 2016;

AND WHEREAS the Government having declared its intention to establish a Parliamentary Committee to look in to the events generally, including the decision-making and any directives of the Executive and the then Speaker of the House given to the Police, that led up to and precipitated the events on that day, including the deployment of the police in riot gear and the use by the Police of incapacitant pepper spray on the crowd of citizens assembled;

BE IT RESOLVED that this Motion for the appointment of a Joint Select Committee to carry out the said Inquiry into the said events of December 2nd, 2016 be approved

AND Thereafter, pursuant to Part IV of the Parliament Act 1957, that a Parliamentary Joint Select Committee be appointed (1) to inquire into the events as aforesaid as thoroughly as may be; (2) to bring closure to this event by the making of all proper and necessary findings, recommendations and where required sanctions; (3) and to submit its report to the House of Assembly within three to six months.”

3:48pm-MR. T.G. MONIZ

3:58pm-MR. M.J. SCOTT

4:24pm- MR. C.T. FAMOUS

4:45pm-MS. L.F. FOGGO

4:53pm- MR. W.M. CAINES

4:56pm-R.D.L. MING

5:03pm- MR. L.C. CANNONIER

5:14pm- MR. D.V.S. RABAIN

Mr. M.J. Scott moved and amendment to the Motion to read as follows:

5:23pm-DR. E.G. GIBBONS (POC)

BE IT RESOLVED that this Motion for the appointment of a Joint Select Committee to carry out the said Inquiry into the said events of December 2nd, 2016 be approved

AND Thereafter, pursuant to Part IV of the Parliament Act 1957, that a Parliamentary Joint Select Committee be appointed (1) to inquire into the events as aforesaid as thoroughly as may be; (2) to bring closure to this event by the making of all proper and necessary findings, recommendations and where *appropriate, recommend* sanctions; (3) and to submit its report to the House of Assembly within three to six months.”

5:27pm-MR. H.K.E. SWAN

The House approved the Motion, as amended, which was agreed to.

**5:29pm**

Dr. E.G. Gibbons moved for consideration of the following take note Motion, notice of which was given on the 17<sup>th</sup> November 2017:

“That this Honorable House take note of the Economic, Environmental and Social Impact of the 35th America’s Cup on Bermuda and the foundation for further growth”.

6:25pm- MR. Z.J. DESILVA

7:15pm-Speaker in the Chair

7:21pm-MR.J.C. BARON

7:32pm- MRS. P.J. GORDON-PAMPLIN

8:01pm-MR. M.H. DUNKLEY

**8:27pm**

The House took note.

**8:28pm**

Ms. K. N. Wilson moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Residential Care Homes and Nursing Homes Amendment Act 2017” be now read a third time, which was agreed to.

On the motion of Ms. K. N. Wilson the Bill entitled the “Residential Care Homes and Nursing Homes Amendment Act 2017” was then read the third time and passed.

**8:28pm**

Lt. Col. D.A. BURCH Acting Premier, moved that the House do now adjourn, which was agreed to.

8:29pm- MS. T.S. FURBERT (Maiden speech)

**8:43pm**

The House adjourned until Friday, 8<sup>th</sup> December 2017 at 10:00am.