



## Premier Burt Holds First Press Conference

Premier David Burt held his first press conference on Tuesday, July 25, 2017 shortly after holding his first Cabinet meeting in the newly-renovated Cabinet Office. Premier Burt's remarks are as follows:

"It is an honour to stand here today at the conclusion of our first Cabinet meeting as the new Government. This morning, we reviewed our ministries in order to address the pressing issues facing this island. In the coming days and weeks, we will roll out precisely how we will implement our first 100-day plan which was endorsed by the people of Bermuda last week.

One of the most important matters discussed today was our plans for public education. The Minister of Education and the Minister for Public Works are working diligently to ensure that all schools will be ready for our students. Additionally we will be keeping our promise to increase financial support available to students who may wish to attend Bermuda College in the autumn.

We have spoken on many occasions about getting Bermudians back to work and ensuring fair treatment. Later this afternoon, the Minister of Home Affairs, the Hon. Walton Brown & Minister Lovita Foggo, Minister for the Cabinet Office with Responsibility for Gov-



ernment Reform, and I will meet with union leaders. We wish to hear directly from those that represent our workers their ideas of how we can work together to make Bermuda better. We will be a government willing to listen and we are confident that our public sector unions want only the best for Bermuda. Through collaboration this government will be able to create comprehensive plans to address any concerns. But the first step must be to open the floor for constructive dialogue.

Tomorrow, the Minister of Economic Development and Tourism, the Hon. Jamahl Simmons and I will meet with members of ABIC - the Association of Bermuda International Companies. Next week we

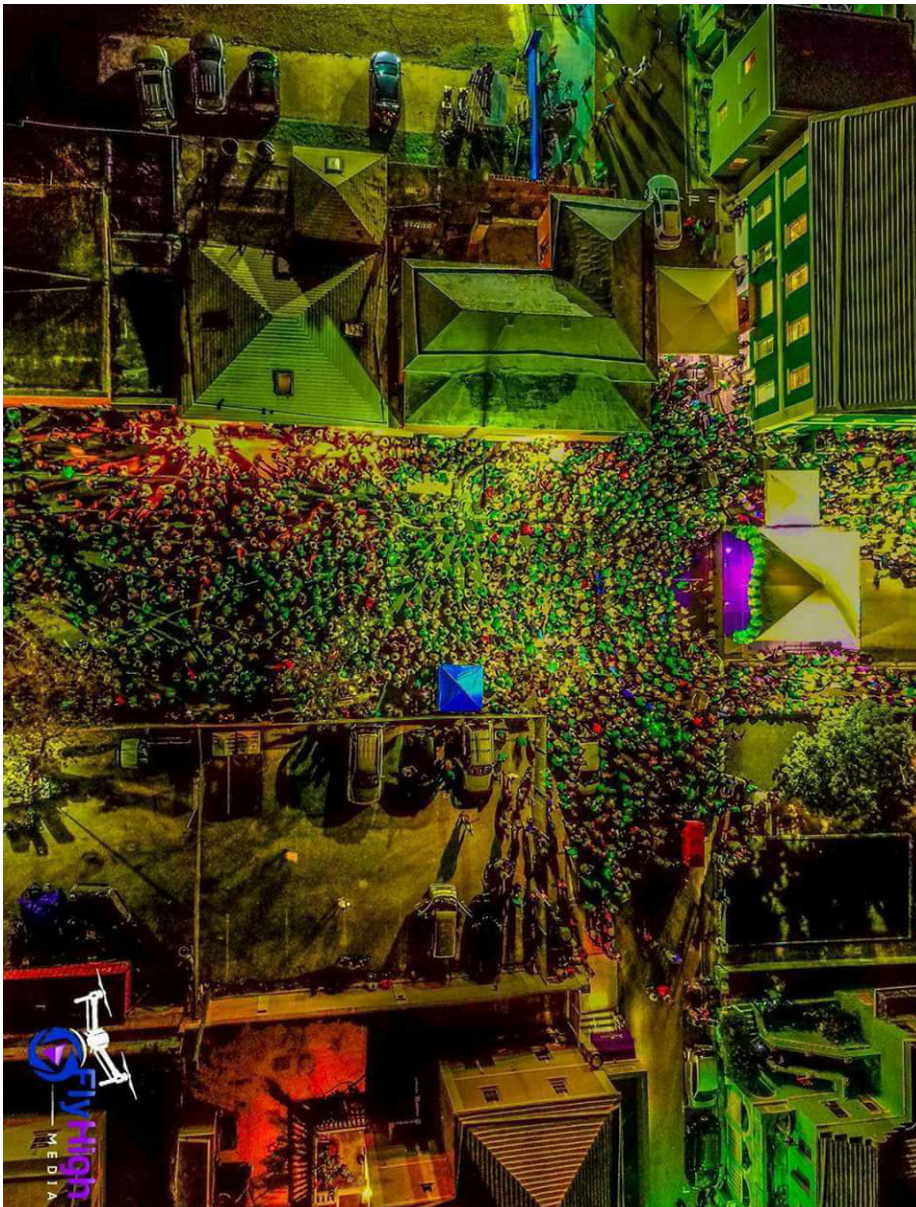
will meet with Representatives from ABIR – the Association of Bermuda Insurers and Reinsurers. The objective of these meetings are simple, to ensure that we work together to build on Bermuda's strength as a highly regarded and well-regulated international financial centre.

We see the unions and International Business representatives as important stakeholders as we work to create jobs in Bermuda. This government is committed to the prosperity of International Business. We know we can grow our IB sector AND put Bermudians First. The two are not mutually exclusive and this government will do both. Together we will work collectively to advance our interests internationally while creating more opportunities for Bermudians locally.

In the last 5 days your government has been busy getting to work and "looking under the hood". In the coming days I will provide an additional update on another matter of national importance to our economy.

The final matter that I would like to share today is that the House of Assembly will convene 2 months early in September to advance our legislative agenda as we begin to build an economy in Bermuda that works for all Bermudians."





**THE PROGRESSIVE LABOUR PARTY'S VICTORY PARTY JULY 18, 2017.  
LANDSLIDE WIN 24/12.**



**BIU WISHES  
ALL BERMUDIANS  
A HAPPY AND SAFE  
EMANCIPATION DAY  
HOLIDAY!**

**MAY THE BEST TEAM WIN!**



## THE WORKERS VOICE

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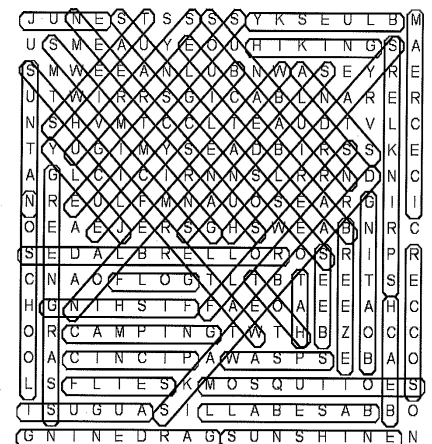
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## PUZZLE • SOLUTION

### Summer



ANTS	FISHING	JULY	SUNBURN
AUGUST	FLIES	JUNE	SUNGLASSES
BARBECUE	FLOWERS	MOSQUITOES	SUNSCREEN
BASEBALL	GARDENING	NO SCHOOL	SUNSHINE
BEACH	GOLF	PICNIC	SUNTAN
BEES	GREEN GRASS	ROLLER BLADES	SWEAT
BICYCLE	HAT	SANDALS	SWIMMING
BLUE SKY	HIKING	SKATEBOARD	U V RAYS
BOATING	HOLIDAYS	SOCCER	WASPS
BREEZE	HOT	SOLSTICE	WATER FIGHTS
CAMPING	ICE CREAM	SPRINKLERS	WATERMELON



# “The Brilliance of Burt”

In my opinion, the person who coined the term “the brilliance of Burt” knew exactly what s/he was talking about as was evidenced by the Progressive Labour Party’s massive win at the polls on Tuesday, July 18, 2017. While I am aware that every Bermudian who voted for the PLP and every member of the PLP’s Campaign Committee and others in the background, including candidates and canvassers, contributed to the PLP’s election victory, I do believe that it was the brilliance of our now Premier, David Burt, who provided the glue that sealed the victory.

I recall when David Burt, now Premier Burt, first joined the Party shortly after graduating from George Washington University in 2003. He was what some would describe as a “fresh upstart”. I know that he and I locked horns on more than one occasion during his early days in the PLP, but I am grateful that he never held that against me. I have openly supported him in all his efforts for leadership positions in the PLP, including his bid to become Chairman of the Party, Deputy Party Leader, and ultimately Party Leader. I always believed that he possessed all of the skills and acumen required of a leader.

During my brief sojourn in the Senate in 2010/2011, I sat next to David Burt and learned much from him regarding parliamentary procedures required by senators. We also shared some light moments, especially when it came to counting the number of times a senator across the table from us would use

the word “turn-around”. I also remember how we did what we had to do to ensure that a certain other Senator sitting across the table from us did not have the last word during the Motion to Adjourn. Thankfully that same Senator, turned OBA Leader, did not have the last word on Tuesday, July 18, 2017 either, because of the “brilliance of Burt”.

However, prior to serving as a Senator and Junior Minister of Finance, David Burt served an apprenticeship in the Party at the ground level. Unlike some, he was not catapulted into a leadership position immediately after becoming a PLP member. It was the “brilliance of Burt” that computerized the Party’s membership records, and it was the “brilliance of Burt” that led the PLP to victory on July 18, 2017. I cannot forget, and neither should the rest of us, David Burt’s words in November after his successful bid to lead the PLP. At that time Mr. Burt told the media “I am looking forward to continuing the work to unify the party and I am looking forward to presenting an alternative vision for the future of this country so that people can feel confident in voting for the PLP and end the poor governance of the OBA.” In nine short months, the same period of time that it takes from conception to delivery, David Burt did in fact unify the party just as he presented an alternative vision for the future of the country that captured the majority of the voters in Bermuda.

David Burt comes to the position of Premier of Bermuda highly qualified. He earned a Bachelor



of Business Administration with a double major in Finance and Information Systems in 2001. In 2003, he was awarded The George Washington University Presidential Administrative Fellowship and received his Master of Science in Information Systems Development. He was appointed as a Member of the Senate as well as Junior Minister for Finance and Environment Planning and Infrastructure Strategy in November 2010. Under Paula Cox, Mr. Burt served as chief of staff and was Party Chairman between 2006 and 2009. Additionally he has served on the Tourism Board, National Training Board, a director of the Bermuda Chamber of Commerce and as director of the Bermuda Economic Development Corporation

Now that the PLP has won the election under the leadership of David Burt, in my opinion all PLP members must now do everything in our power to ensure that Premier Burt and his fellow Cabinet members and the members of the backbench have our support. I believe it is vitally important that all branches become active so I encourage people to convert their support of the PLP to membership in the Party.

# BIU Congratulates Premier Burt and the PLP

The Bermuda Industrial Union congratulates the new Premier of Bermuda, the Hon. David Burt, JP, MP and the Progressive Labour Party on its landslide victory at the polls on July 18, 2017. The BIU as an organisation has always supported the Progressive Labour Party and will continue to do so in the coming years.

Prior to the General Election, we reviewed the OBA's platform we noted that once again they ignored labour. The OBA showed us time and time again during the last five years that they had no respect for Bermudian workers. We all remember Minister Bob Richards's letter of January 2015 to the Bermuda Trade Union Congress when he arrogantly dared to give the labour unions an ultimatum regarding furlough days. Although the unions had tried to assist the government in trying to cut expenses, the unions' proposal was rejected.

In the lead-up to the election of July 18, 2017, the OBA wanted

to stand on its record which was a record of broken promises at the expense of the Bermudian people. They bragged about paying for a \$77million boat race while hotel workers in several hotels across Bermuda were on lay-off including our members at the host hotel for Americas Cup, the Hamilton Princess and Beach Club. Now according to the latest survey it has been proven that it was not money well spent; it would have been better spent on improving our children's schools. We in the BIU believe that the PLP will fulfill its promise of "putting Bermudians first" and address the issues that are of most concern to Bermudians, including improving our children's schools.

BIU President, Chris Furbert, expressed his pleasure with the new Premier as he made it his first priority after taking office to meet with trade union leaders, before meeting with business leaders in the community. The PLP promised "a fairer, more diverse and inclusive

workforce" in its Election Platform and reminded us that "the PLP was created by and for workers; our foundation was laid by labour stalwarts of our past. The PLP and the country's trade unions are critical parts of Bermuda's labour movement. That fact demands that solidarity is maintained so that we can collectively advance the interests of working-class Bermudians. We are a labour party, and our roots demand that we are the political voice of labour, the guardian of labour rights in the legislature and the champion of the hard-working men and women that the unions represent." According to Mr. Furbert, the Premier proved to the workers of Bermuda that he is indeed a man of his word.

Once again, the Bermuda Industrial Union congratulates Premier Burt and the other twenty-three successful PLP candidates. The BIU looks forward to working with the new minister responsible for Labour, the Hon. Walton Brown, JP, MP.





# The Demise of the One Bermuda Alliance

The whitewash of the One Bermuda Alliance (OBA) came as a shock to OBA supporters. They were sure that the PLP could never win the election. After all, look what the OBA did for Bermuda. They never believed that they were presiding over Bermuda and that the glittering economic revival had only impacted one side of Bermuda.

A prime example of this one-sided view of Bermuda's economic recovery was the hype that surrounded Bermuda's hosting of the America's Cup. This was going to be the economic miracle that was going to boost Bermuda's economy, but the truth was that the \$77 million of Bermuda's taxpayers' money was put in play at the expense of developing projects for Bermuda.

Our schools' repairs began to suffer, the transportation system suffered as bus breakdowns became a common thing. The OBA Government cut back on scholarships for our school children who were hoping to further their education overseas. Seniors were told that "money does not grow on trees" by the former Finance Minister, Bob Richards, yet millions of dollars were found to pursue legal proceedings against Dr. Brown which has gone on for years. Attempts have been made to close down his medical practice and in a final attempt by the OBA government to close his practice, was the pursuit of a legal case against Lahey Clinic which has links to Dr. Brown.

But those are not the only things that the OBA Government did which showed that they held the

people of Bermuda in contempt. The details of the airport deal with a Canadian company to build the new airport against the wishes of the Bermudian people were withheld from the people's parliament. It was not until the people held a protest outside of Parliament that the OBA government was forced to convene a sham committee (Blue Ribbon Panel) which backed the government's plan to turn over the new airport to the Canadian developers for thirty (30) years. As a part of the agreement the Bermuda government will also underwrite everything right down to the point of paying their Belco bill.

Once again the people of Bermuda took matters into their own hands and blocked Parliament forcing the OBA to sneak into Parliament in the "dead of night" to pass their agreement with the Canadians. But, the most shocking event was the pepper spraying of peaceful protestors outside of Parliament which no one has taken the blame for. But someone had to give the order and the former Premier had to know that such an order had been given. Yet, he denied that such an order had been given by him. He, along with the Police Commissioner denied that the Premier had given the order. The Governor is in charge of Bermuda's police service but we were in the middle of a change-over of governors and I doubt that the Deputy Governor would have sanctioned such an order given the gravity of the situation. The Government of the day had to have been involved.

Another situation that blew up was

## THE OTHER ALTERNATIVE



BY ALVIN WILLIAMS

when the OBA government was attempting to pass the controversial law to do with immigration – the infamous "Pathways to Status" bill. This would have given Bermuda status to thousands of non-Bermudians living in the country. This was attempted without consultation. Once again the people of Bermuda intervened to save the future of their children. They locked arms and prevented the bill from being passed by blocking Parliament which was an unprecedented move by the people of Bermuda.

When the election unfolded and it became clear that the PLP was going to win by a landslide, the loudest cheer went up from one side of the island to the other when the former Finance Minister lost his seat. It is reported that his supporter telephoned him to thank him for saving Bermuda, but in reality he only saved part of Bermuda. There are still thousands of Bermudians who are unemployed, thousands remain economic refugees in another man's country (England) which the OBA has failed to take responsibility for. This was made clear by the statement from the new OBA Leader, Patricia Gordon-Pamplin which took no account of her government's failure

*(continue on page 6)*

# Association of Bermuda International Companies (ABIC)

The Association of Bermuda International Companies ("ABIC") has pledged its commitment to working with the new government to protect Bermuda's reputation as a highly-regarded, well-regulated leading international business jurisdiction.

ABIC Chairman Patrick Tannock, along with other ABIC representatives, today met with Premier the Hon. David Burt, JP, MP and Minister of Economic Development and Tourism the Hon. Jamahl Simmons, JP, MP.

Following the meeting, Mr. Tannock said: "It was a very positive meeting. We congratulated Premier Burt and Minister Simmons on the PLP's victory in the general election and let them know that we are thoroughly committed to continuing to work with them and all members of government, unions and other stakeholders to promote a sound business environment for International Business and Bermu-

da in general to ensure that this island remains the business domicile of choice.

"These are tough times. Bermuda faces a number of external challenges in tax and regulation that require consistent collaboration between business and government. To remain attractive, relevant and respected as a leading business jurisdiction we must comply with international regulatory, financing and tax cooperation standards. ABIC is committed to working with government and supporting its efforts to address these global requirements."

Mr. Tannock also pointed out that Bermuda is competing with the world for new business. "To sustain and grow the International Business sector we must remain internationally cost competitive and continue to attract and retain financial and high-quality intellectual capital while developing local talent," he said. "International

Business is the main driver of the economy, therefore we must protect our value proposition and grow what we have, in particular increase innovation that will create greater entrepreneurial and employment opportunities and help Bermuda sustain its competitive advantage. Also, in order to remain competitive, Bermuda must provide an environment in which International Business gets what it needs to thrive. Likewise, we in International Business must be respectful of Bermuda's culture as well as the aspirations and values of Bermuda's people. Every one of us in Bermuda interacts with International Business and the success of the sector depends on each of us. We are all in this together."

The Association of Bermuda International Companies (ABIC) represents more than 100 international companies incorporated in Bermuda.

## The Demise of the One Bermuda Alliance (continued from page 5)

to the people of Bermuda while she continued to blame the PLP.

Bermuda could not afford to host the America's Cup, yet it pumped millions of dollars into it at the

expense of the Bermudian people. It has tried to claim an economic success that was not felt by the majority of the Bermudian people.

There are many reasons why the

people gave the PLP a landslide victory and with this new government, the people of Bermuda will finally have a government that puts Bermudians first.





# Don't Be a Bystander

## Abuse at Work



It's an unfortunate fact of life—workplaces can sometimes be like schoolyard playgrounds. There's an in-crowd, an out crowd, cliques, petty squabbling, malicious gossip, and yes ... bullying and abuse.

### Why Stick Your Neck Out?

You've seen it—someone doesn't fit in ... or gets on the wrong side of the office hothead ... or makes the "rule-by-intimidation" person angry.

No one wants to be the object of hostility, so it's natural to keep a low profile when it happens to someone else. Hey, as long as the fire isn't coming your way, why stick your neck out? Right?

Wrong! Here's why: Because doing nothing means you're next. Studies show two frightening things about abusive work cultures.

### Don't Feed the Problem

**Employees mimic unchecked abusive behavior.** In other words, being a jerk is contagious. Every time you ignore workplace abuse, you increase your odds of becoming a victim yourself. Or worse, becoming what you despise: another bully.

**Simply observing abuse drives down productivity.** Why? Because witnessing abuse creates a negative emotional response that saps motivation, drains your energy, and takes your focus away from the work at hand.

This response is many times more intense and powerful than the response you would experience from a positive event, meaning that even a good work culture can be harmed by a few bad apples.

### Abusive Behavior

Abusive behavior includes but is not limited to:

- Yelling
- Interrupting
- Aggressively or intentionally violating personal space
- Giving the silent treatment
- Demeaning comments
- Cutting or over-the-top criticism
- Direct or veiled insults
- Jokes at the victim's expense
- Gossip
- Backstabbing

So what can you do? Abusive behavior primarily comes in two forms—peer-to-peer abuse and superior-to-subordinate abuse.

Abuse from the boss is more common and trickier to deal with for obvious reasons, but there are effective, indirect ways to help head off abuse from either peers or superiors:

**Offer support to the victim.** Ask how you can help.

**Be a deflector.** Take the focus off the victim by changing the subject or making a joke.

**Head off public bullying in meetings.** Lend your own authority and backing to someone who is being attacked unfairly.

**Let the victim into the inner group.** (This one is huge.) Include them in social activities and water cooler chat.

**Make bullies aware.** Tell the person the negative effect on the victim and others.

**Let bullies know about their bad behavior.** If bullies express satisfaction, ask flatly, "Are you proud of making someone miserable? Is that something you look forward to when you wake up?"

**Give sincere and public praise for a job well done.** You don't have to be a boss to do this!

**Build a positive culture.** Use words like "we" instead of "us" and "them."

**Watch your own behavior** toward those in subordinate positions. Lead by example.

**Recognize everyone's humanity** and encourage others to do this as well. Bullies often feel justified abusing underachieving employees. Help overachieving bullies recognize that poor work performance doesn't merit abuse. After all, we can't all be above average—it's mathematically impossible. Some underachievers are doing their best, but are either simply overwhelmed or cast into the wrong role.

**Go to management.** Weigh this option carefully. You may get labeled as a troublemaker or be set up for retaliation. Be sure to get permission from the victim first. His or her wishes should be considered. Not sure? Talk to the EAP. The professional will help you decide what to do and whether other risks exist in remaining silent.

You don't have to be Captain America to have a big impact on others. Consistent intervention has a cumulative effect on bad behavior. The more you stand up and do right by others, the more your fellow employees will gravitate to your leadership. And as the old saying goes, there's strength in numbers.



## Greenrock

Greenrock would like to congratulate Premier David Burt and the Progressive Labour Party on their election victory and forming the new Government.

We look forward to working with the new Government with the aim of developing a sustainable Bermuda for all. In particular we are hopeful that the new Government will make addressing the challenge of climate change central to their actions, including a focus on transitioning away from fossil fuels. Climate change is one of the great challenges of the 21st Century and there is an urgent need for action across all Ministries and sectors of Bermuda.

We also look forward to seeing

the new Government make material progress on the following initiatives, outlined in their election platform:

- A National Infrastructure Plan;
- Support for renewable energy initiatives;
- The proposed Green Paper on:
  - Establishing mandatory recycling programmes;
  - A charge on single-use bags; and
  - A beverage container deposit system
- Energy equality;
- The conversion of the Government's fleet of light vehicles to hybrid and electric vehicles;
- The expansion of community gardens;

- Installing 'green gyms' in Bermuda's parks to encourage healthy active lifestyles and connect people with nature.

We encourage the new Government to revisit the Sustainable Development Initiative and relaunch the Climate Change Task Force, as well as revisit marine spatial planning and the Blue Halo concept.

Finally, we look forward to continued Government support for our environmental sustainability education programmes which support and complement learning in our schools.

## Bermuda Hotel Association

The Board of Directors and members of the Bermuda Hotel Association and the Hotel Employers of Bermuda, extend their congratulations and best wishes to the Bermuda Progressive Labour Party on their election victory, as the new Government.

As the major employer in the hospitality / hotel sector, our members are looking forward to working with the Premier David Burt, Ministers and Members of the Government in the ongoing development and renaissance of our industry and that of Bermuda as a sought-after

travel destination.

We stand ready to both consult and assist the new administration in achieving ongoing positive results which provide measurable benefits to our country.





## Bermuda Chamber of Commerce

The Bermuda Chamber of Commerce congratulates the Progressive Labour Party (PLP) on winning the General Election. John Wight, President of the Chamber of Commerce, stated: "The Chamber meets regularly with the Government of the day, as well as with the Opposition. Bermuda-based businesses require economic, social and political stability to thrive and we look forward to working with the PLP, on behalf of our members, to that end. We applaud the PLP's stand

on collaboration and believe that the leaders of this country have the opportunity to try and bring this country together."

"In particular, we look to Government to provide clear, fair policies that create an environment conducive to keeping Bermuda working and our economy growing. One of the many challenges we face is an ageing and declining population, and all sectors in Bermuda that offer local products and services need more consumers in Bermuda to

survive. Without more taxpayers in Bermuda local businesses will continue to absorb too large a portion of the tax burden required to narrow the deficit."

As an important stakeholder representing all Bermuda businesses, the Bermuda Chamber of Commerce looks forward to working with the PLP on these and all other issues that affect our members and Bermuda as a whole.

## Bermuda Employers' Council

The Bermuda Employers' Council, representing Bermuda's employers, congratulates the Progressive Labour Party in winning the election and forming the new Government. The Council looks forward to working with the Hon. David Burt, J.P., M.P., Premier and Minister of Finance in the areas of the economy and taxation; the Hon. Walton Brown, J.P., M.P., Minister of Home Affairs in the areas of Immigration, Work Permits, Trade Union/Employer Relations;

the Hon. Kim Wilson, J.P., M.P., Minister of Health; the Hon. Diallo Rabain, J.P., M.P., Minister of Education, Lovette Foggo, J.P., M.P., Minister of Government Reform.

The implementation of the National Workforce Development Plan and National Skills Plan, the Living Wage, Taxation Review Policies, Education Plans, Health Plans, Government Reforms and the ways to fund the announced social programmes, are of significance to employers. Reducing the nation-

al debt while implementing new programmes, driving the economy and employment presents considerable challenges.

The Council, after every election with every succeeding Government, has encouraged and participated in effective dialogue among Trade Unions, Employers and the Government on the economic, home affairs and social issues facing the Island. The Council looks forward to continuing this endeavor with the new Government.

# ELECTION RESULTS BY THE NUMBERS 2003, 2007,

2003 ELECTION RESULTS				
	PLP	UBP	Total	number of
	22 SEATS	14 SEATS	votes	votes
			cast	won or loss
				by
1	423	415	838	8
2	445	423	868	22
3	384	399	783	15
4	449	441	890	8
5	636	236	872	400
6	441	502	943	61
7	387	493	880	106
8	226	638	864	412
9	372	481	853	109
10	481	358	839	123
11	284	498	782	214
12	83	747	830	664
13	416	311	727	105
14	508	176	684	332
15	618	127	745	491
16	654	62	716	592
17	406	331	737	75
18	510	239	749	271
19	303	544	847	241
20	155	698	853	543
21	551	227	778	324
22	183	762	945	579
23	221	633	854	412
24	462	366	828	96
25	437	399	836	38
26	458	236	694	222
27	479	345	824	134
28	346	516	862	170
29	520	204	724	316
30	446	466	912	20
31	367	496	863	129
32	533	312	845	221
33	483	296	779	187
34	582	251	833	331
35	532	262	794	270
36	451	252	703	199
	15,232	14,142	29,374	

2007 ELECTION RESULTS				
PLP	UBP	Total	number of	number
22 SEATS	14 SEATS	votes	votes	of votes
		cast	won or loss	picked up
			by	by the PLP
474	449	923	25	17
440	457	897	17	39
572	482	1,054	90	105
519	544	1,063	25	33
737	181	918	556	156
451	530	981	79	18
420	547	967	127	21
243	673	916	430	18
357	506	863	149	40
536	444	980	92	(31)
375	402	777	27	(187)
122	723	845	601	(63)
433	376	809	57	(48)
492	215	707	277	(55)
631	142	773	489	(2)
635	94	729	541	(51)
439	308	747	131	56
573	207	780	366	95
361	505	866	144	(97)
145	711	856	566	23
526	252	778	274	(50)
212	723	935	511	(68)
223	752	975	529	117
518	367	885	151	55
494	426	920	68	30
562	252	814	310	88
535	418	953	117	(17)
356	594	950	238	68
558	263	821	295	(21)
569	521	1,090	48	68
406	548	954	142	13
629	366	995	263	42
556	346	902	210	23
649	284	933	365	34
556	281	837	275	5
486	292	778	194	(5)
16,790	15,181	31,971		

Number of votes for the UBP increased by	1,039
Number of votes for the PLP increased by	1,558



# 2012, AND 2017 - BY CHRIS FURBERT, BIU PRESIDENT

2012 ELECTION RESULTS				
PLP	OBA	Total	number of	number
17 SEATS	19 SEATS	votes	votes	of votes
		cast	won or loss	picked up
			by	by the OBA
362	445	807	83	108
355	359	714	4	(13)
511	384	895	127	37
467	515	982	48	23
680	270	950	410	(146)
492	383	875	109	30
364	569	933	205	78
203	706	909	503	73
304	595	899	291	142
298	618	916	320	228
340	460	800	120	93
112	807	919	695	94
411	392	803	19	(38)
377	470	847	93	370
525	114	639	411	(78)
588	102	690	486	(55)
353	347	700	6	(125)
415	332	747	83	(283)
275	530	805	255	111
127	654	781	527	(39)
385	293	678	92	(182)
243	699	942	456	(55)
202	676	878	474	(55)
467	403	870	64	(87)
386	527	913	141	73
507	272	779	235	(75)
426	436	862	10	127
340	589	929	249	11
554	234	788	320	25
363	559	922	196	148
284	520	804	236	94
534	330	864	204	(59)
516	397	913	119	(91)
563	257	820	306	(59)
489	314	803	175	(100)
399	391	790	8	(186)
14,217	15,949	30,166		

Number of votes for the OBA/UBP increased by	768
Number of votes for the PLP decreased by	(2,573)

2017 ELECTION RESULTS					
PLP	OBA	Total	difference	number of	number
24 SEATS	12 SEATS	votes	in total	votes	of votes
		cast	votes cast	won or loss	picked up
			for the OBA	by	by the PLP
590	365	955	(80)	225	308
690	360	1,050	1	330	334
737	228	965	(156)	509	382
652	429	1,081	(86)	223	271
808	192	1,000	(78)	616	206
635	281	916	(102)	354	245
465	486	951	(83)	21	184
274	729	1,003	23	455	48
405	540	945	(55)	135	156
454	497	951	(121)	43	277
513	419	932	(41)	94	214
152	743	895	(64)	591	104
616	337	953	(55)	279	260
568	385	953	(85)	183	276
733	73	806	(41)	660	249
820	58	878	(44)	762	276
540	283	823	(64)	257	251
639	326	965	(6)	313	230
379	502	881	(28)	123	132
176	650	826	(4)	474	53
538	228	766	(65)	310	218
397	704	1,101	5	307	149
317	645	962	(31)	328	146
723	334	1,057	(69)	389	325
428	493	921	(34)	65	76
724	192	916	(80)	532	297
661	338	999	(98)	323	333
530	518	1,048	(71)	12	261
726	145	871	(89)	581	261
463	516	979	(43)	53	143
457	506	963	(14)	49	187
645	263	908	(67)	382	178
653	339	992	(58)	314	195
730	170	900	(87)	560	254
644	261	905	(53)	383	208
577	297	874	(94)	280	272
20,059	13,832	33,891	(2,117)		

Number of votes for the OBA Decreased by	(2,117)
Number of votes for the PLP Increased by	5,842

The 20,059 votes that were cast for the PLP is the most votes that any Political Party has ever received in an Election.  
The vote for the PLP increased in ALL 36 CONSTITUENCIES, this was a clear message to the OBA















# OBA Flight # 2017 – Grounded for Maintenance

By Jonathan Smith

Among the easiest money to be made is by political consultants. Combine fake polls (remember the 50%-39% OBA-PLP poll just three days before the election), ineffective leadership who endorsed a patently flawed OBA campaign and five weeks of incessant Google ads that drove us nuts, the online Bank transfer is complete and they have moved onto their next political paycheck – probably some Democrat or Republican vying for US Congress in 2018.

In their wake, they left a battered and bruised OBA Parliamentary team full of past leaders – Gibbons, Dunkley and Cannonier – but a dearth of new leaders to choose from. True, there are some who will vie for leadership who have no discernible track record of leading much at all – never mind a political organisation. For now, it's Patricia Gordon-Pamplin as Interim Leader but one gets the sense this will be as interim as interim can get as she's apparently never aspired for the position. After all, who wants to lead a Party, not just after a TKO, but after they have been knocked out of the ring. We know that Jeff Baron wants to be leader, but his 'youth first,' neophyte approach didn't seem to go down well and he was side-lined. Taking a 'me, myself and I' approach in his letter to his fellow Parliamentarians probably didn't help his cause either.

It is often said that a week is a long time in politics. Well, the tune playing at OBA HQ, above the Music Box on Reid Street, is certainly different this week, than last. Not quite a 'Death March,' but it might as well be. Fabricated from the same cloth as the UBP, a few new threads from the now-defunct BDA, the



OBA promised so much in 2012 but came crashing down in 2017. How bad was it? Bad! Real bad!! Thirty-three of the OBA candidates secured less votes in their corresponding constituencies as compared to 2012. They lost every marginal they had. They lost every marginal they targeted. Several of their former strongholds are now marginals. Voters left them in droves – their vote count was nearly 13% down as more than 2,100 voters abandoned them. Their vote tally is the lowest for any political Party under the revised single seat constituencies – even less than the UBP's losing vote tally in 2003 and this, despite many thousands more being on the register. The OBA's core support shrunk to a level less than the UBP's 14 years ago while the PLP vote increased a staggering 41% – nearly 6,000 up from 2012.

Life in Opposition is never fun. Ask the PLP. They had decades of experience. But each time the PLP dealt with defeat, they returned to their core – the people. On almost every occasion in the past twenty years, the people responded as they did in 1998, 2003, 2007 and 2017. That said, it is hard to see an immediate path back for the OBA. We need an Opposition; the Constitution requires it. Most political consultants will tell

them that a multi-year strategy is needed. But, with a shrinking base, aging MP's, their core vote shrinking even more into the majority white neighbourhoods, a devastating loss and no qualified leader in sight, they face the prospect of looking beyond the next election to the one after – possibly ten years on.

In the past couple of days, we've read of a planned 'Listening Tour from East to West' by the OBA in response to their loss. Just like Michael Dunkley side-stepped the 'No Confidence Vote' in June to lose the General Election 'No Confidence Vote' in July, it's probably best for the OBA to abandon their Listening Tour for now. Bermudians are tired. We are in the midst of Cup Match preparations and vacations to follow. OBA, leave us alone, please. For now.

OBA Flight # 2017 is grounded for maintenance. Three certainties present themselves as part of their maintenance schedule. One, the Interim Leader today will not be the one who leads them to the next election. Second, several of the 'old hands' will likely retire, forcing bye-elections within the next eighteen months. Third, the OBA will be forced to consider whether their brand was so tainted by Jetgate, Pathways to Status, furloughs, the Aecon Airport deal and pepper spray, that it may not survive. Add to that arrogant MP's who, confident of winning, spouted 'I know my constituents,' and then lose and other unfulfilled OBA promises and the situation looks dire. There's a fourth certainty, the Opposition, in whatever form they ultimately take, have work to do. They will find a way. They always do.

# Foreign ownership of Bermuda law firms- The Court of Appeal overturns the decision of the Chief Justice in the Walkers case

By Bro. Delroy Duncan

In the March 20th, 2017 edition of the Workers Voice, readers would have read an article entitled “Is an overseas law firm permitted to exercise control over a Bermuda law firm.” That article explained the decision of the Supreme Court of Bermuda handed down by the Chief Justice on the 12th January 2017. In that judgment, the Chief Justice ruled that the financial arrangements between local law firm Walkers Bermuda Limited (WBL) and the overseas law firm Walkers Global (WG) did not give WG control over the local law firm. Therefore, the financial arrangements were not in breach of the Bermuda Companies Act 1981 (The 1981 Act).

The Bermuda Bar Council (BBC) appealed the ruling of the Chief Justice to the Court of Appeal, and on the 23rd March 2017 the hearing took place. On the 12th May 2017, the Court of Appeal overturned the decision of the Chief Justice ruling that the financial arrangements would give WG control over WBL and therefore be in breach of the 1981 Act and unlawful.

Close on the heels of the result in the 2017 general election, on the 24th July 2017, WBL and Zuill & Co Limited; a local law firm connected to Harney’s international law firm, both published notices in the Royal Gazette seeking permits to carry on business in Bermuda under section 114B of the 1981 Act.



and control of not only Bermuda law firms but also local companies in general, through the lens of the recent decision of the Court of Appeal and applications for permits to operate businesses in Bermuda with a 114B licence.

The article will consider the following questions:

- I. Why did the Court of Appeal overturn the decision of the Chief Justice in the Walkers case?
- II. What is the purpose of a licence granted under section 114B of the Companies Act 1981?
- III. What matters must the Minister of Economic Development take into account when a company seeks a licence under section 114B of the Companies Act 1981?

#### IV. Conclusion

## I. Why did the Court of Appeal overturn the decision of the Chief Justice in the Walkers case?

The central issue the Court of Appeal considered is the meaning of the 1981 Act when it requires a company to be controlled by Bermudians. The Chief Justice decided that the 1981 Act is concerned with “corporate control”. This is control of a local company by decisions of the shareholders or the board of directors. The BBC argued that control of a Bermuda company can also be exercised by control of the business affairs, business activities and the commercial relationship between the company and a significant lender providing financing to the company. This form of control is described as “commercial control”.

The relevant provisions of the 1981 Act were considered by the Privy Council in *Bermuda Cablevision Limited and Others v Colica Trust* [1998] AC 198. (“Cablevision”), The Court of Appeal accepted it was bound to follow the law and the reasoning in the Cablevision case. In the Cablevision decision, the Privy Council did not restrict the definition of control to “corporate control”. The court said “the expression, controlled by Bermudians” found in the Third Schedule of the 1981 Act must be given the meaning which the context requires”.

*(continue on page 15)*



The Court of Appeal disagreed with the Chief Justice's interpretation of the Privy Council definition of "controlled by Bermudians" in the Cablevision case. The Court of Appeal ruled that control of a Bermuda law firm, and indeed any Bermuda company means that Bermudians must exercise control over the decisions made by the shareholders and directors. Bermudians must also control the business affairs, business activities and the commercial relationship between the company and a significant lender providing financing to the company.

On pages 28 to 30 of the ruling, the Court of Appeal identified ten factors which in combination justified overturning the decision of the Chief Justice. The ten factors led the Court to the conclusion the BBC was not wrong when it refused to grant WBL a certificate to carry on the business of law in Bermuda. Some of these factors were that many of the services conducted by the law firm such as operational management, marketing and business development would be carried out overseas, and the loan agreement gives WG control over WBL.

## **II. What is the purpose of a licence granted under section 114B of the Companies Act 1981?**

Section 114(1) of the 1981 Act states that no local company shall carry on business in Bermuda unless it complies with Part I of the Third Schedule to the Act, or it is licensed by the Minister (of Economic Development) under section 114B.

If the company is not controlled by

Bermudians, the company needs to apply to the Minister for a licence under section 114 B of the 1981 Act. The purpose of section 114 B licences is to facilitate the development of industries that, due to Bermuda's size and capital constraints, are unable to be funded locally.

A section 114B license allows a company to lawfully operate in Bermuda even if it is not controlled by Bermudians. However, the Minister of Economic Development has the power to refuse to grant a license, if he believes that granting a license will not be in the interests of Bermuda.

## **III. What matters must the Minister of Economic Development take into account when a company seeks a licence under section 114B of the Companies Act 1981?**

The Minister has the discretion as to whether to grant a company a license under section 114 B of the 1981 Act. Section 114 B (3) sets out the public interest factors that the Minister must consider, which are as follows:

"(a) the economic situation in Bermuda and the protection of persons already engaged in business in Bermuda;

(b) the nature and previous conduct of the company and the persons having an interest in the company whether as directors, shareholders or otherwise;

(c) any advantage or disadvantage which may result from the company carrying on business in Bermuda; and

(d) the desirability of retaining in the control of Bermudians the economic resources of Bermuda".

## **IV. Conclusion**

The decision of the Court of Appeal has confirmed that Bermudians must control how companies carry out business in Bermuda in the boardroom and through their commercial arrangements with non- Bermudians. Applications for section 114 B licenses to conduct business in Bermuda must be considered carefully by the Minister of Economic Development; particularly in the current economic environment in the country. The applications for 114B licenses made by WBL and Zuill & Co Ltd come at a particularly difficult time for local law firms as local law firms are not hiring Bermudian lawyers. Despite the increasing numbers of law students returning home looking for work, most law firms are presently laying off lawyers. The argument made for foreign law firms entering the Bermuda market was that these firms would bring a significant amount of new business to Bermuda. Apparently, this has not been the case.

When considering the Walkers and Zuill & Co applications for section 114B licenses, the Minister of Economic Development must balance the need to promote international business against the decision of the Court of Appeal in Walker's case and, the urgent desire of the local community to ensure Bermudians remain in control of local companies. Any license granted under section 114 B of the 1981 Act must ensure that real control of the company rests with Bermudians.



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# SUMMER

Find and circle all of the summer words that are hidden in the grid.  
The remaining letters spell an additional summer item.

J U N E S T S S S S Y K S E U L B M  
U S M E A U Y E O U H I K I N G S A  
S M W E E A N L U B N W A S E Y R E  
U T W I R R S G I C A B L N A R E R  
N S H V M T C C L T E A U D T V L C  
T Y U G I M Y S E A D B I R S S K E  
A G L C I C I R N N S L R R N D N C  
N R E U L F M N A U O S E A R G I I  
O E A E J E R S G H S W E A B N R C  
S E D A L B R E L L O R O S R I P R  
C N A O F L O G T L T B T E E T S E  
H G N I H S I F F A E O A E E A H C  
O R C A M P I N G T W T H B Z O C C  
O A C I N C I P A W A S P S E B A O  
L S F L I E S K M O S Q U I T O E S  
T S U G U A S I L L A B E S A B B O  
G N I N E D R A G S U N S H I N E N

ANTS  
AUGUST  
BARBECUE  
BASEBALL  
BEACH  
BEES  
BICYCLE  
BLUE SKY  
BOATING  
BREEZE  
CAMPING

FISHING  
FLIES  
FLOWERS  
GARDENING  
GOLF  
GREEN GRASS  
HAT  
HIKING  
HOLIDAYS  
HOT  
ICE CREAM

JULY  
JUNE  
MOSQUITOES  
NO SCHOOL  
PICNIC  
ROLLER BLADES  
SANDALS  
SKATEBOARD  
SOCCER  
SOLSTICE  
SPRINKLERS

SUNBURN  
SUNGLASSES  
SUNSCREEN  
SUNSHINE  
SUNTAN  
SWEAT  
SWIMMING  
U V RAYS  
WASPS  
WATER FIGHTS  
WATERMELON

SOLUTIONS ON PAGE 2