



# GOVERNMENT OF BERMUDA

## THE CABINET OFFICE

### PATI Information Statement

**Name of Public Authority: Economic Development Department (EDD)**

#### **Introduction:**

The general purpose of the Public Access to Information (Bermuda) Act 2010 (the Act) is to:

- a) Give the public the right to obtain access to information held by public authorities to the greatest extent possible, subject to exceptions that are in the public interest or for the protection of the rights of others;
- b) Increase transparency, and eliminate unnecessary secrecy, with regard to information held by public authorities;
- c) Increase the accountability of public authorities;
- d) Inform the public about the activities of public authorities, including the manner in which they make decisions; and
- e) Have more information placed in the public domain as a matter of routine.

Every public authority is required to have an information statement under the Act. This information statement provides the public a description of the Department of ICT Policy and Innovation and its functions and structures, a summary of services, and descriptions of the classes of records held. Brief summaries of administrative manuals, policies, rules and guidelines are also provided.

Under the Act, Bermudians and Bermuda residents have the right to request and have access to any record held by a public authority, other than an exempt record. Some records fall within Part 4 of the Act, such as information received in confidence pursuant to Section 26 and information related to the deliberative process pursuant to Section 29. Therefore, not all records can be accessed. This information statement clarifies these categories of information where required.

**Section A: Structure, Organization and Legislation [s5(1)a]**

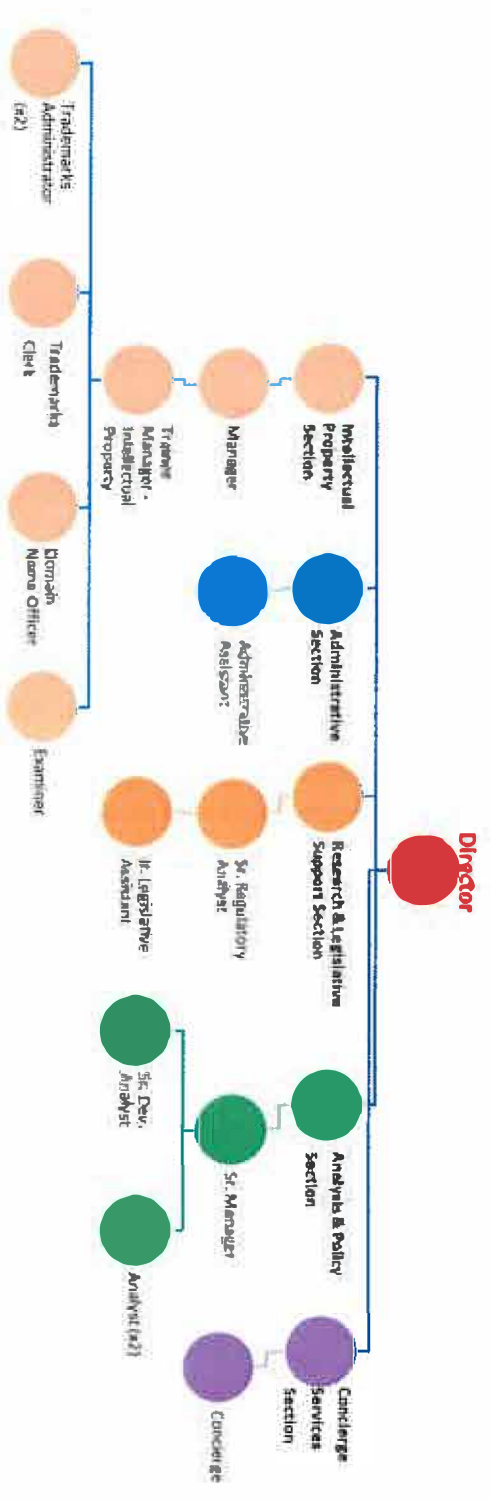
**Mission:**

To advance the sustainable growth, development and diversification of Bermuda's economy.

**Objectives:**

- Developing an Economic Development and Diversification Strategy for the jurisdiction.
- Facilitating and creating policies and implementing plans to support the jurisdiction's economic development and diversification goals.
- Positioning Bermuda as an ideal test-market for innovative product and industry development.
- Identifying the jurisdiction's market fit, clearly communicating its message, and driving opportunities that lead to economic activity.
- Identifying legislative and policy solutions that generate industry confidence.
- Analysing innovative developments and trends through research and stakeholder engagement.

**Organisational Chart: *(next page)***



## Legislation

The principal legislation that relates to the mandate of the EDD is as follows:

- Electronic Transactions Act, 1999
- The Standard Transactions 2000
- Certification Service Provider Regulations
- Amendments to the Criminal Code (Online Child Protection)
- Incentives for Job Makers Act 2013
- Economic Development Act 1968
- Copyright & Design Act 2004
- Copyright (Broadcasting Undertaking) Order 2014
- Copyright (Customs) Regulations 2014
- Copyright (Education Establishment) Regulations 2014
- Copyright (International Organisations) Regulations 2014
- Copyright (Librarians and Archivists)(Copyright Material and Lending of Copies) Regulations 2014
- Copyright (Recording for Archives)(Designated Classes and Bodies) Regulations 2014
- Copyright (Subtitling of Television Broadcast and Cable Programmes)(Designated Body) Regulations 2014
- Copyrights and Rights in Performances (Notice of Seizure) Order
- Copyright Tribunal Rules 2014
- Merchandise Marks Act 1889
- Patents and Designs Act 1930
- Patents and Designs Rules 1903
- Trade Marks Act 1974
- Trade Marks and Service Marks Regulations 1993

## Section B: 1) Functions, powers, duties of the Authority [s5(1)b]

The EDD aims to create new economic pillars in Bermuda, starting with the identification of new opportunities for economic diversification and subjecting said opportunities to structured analysis and research. Once areas have been identified and agreed upon, it will seek local and overseas investment to develop new local industry, which will create jobs in Bermuda<sup>1</sup>. The Department also provides a link between the Government and related business sectors and develops networks with international business professionals and organisations. Additionally, it provides tailored services and guidance on government processes in accordance with client needs.

The Director reports to the Permanent Secretary for the Cabinet Office and to the Minister responsible for economic development.

Decisions made are based on research, stakeholder feedback, industry needs, partnerships, and departmental objectives. Government processes and procedures also play a role in the decision-making process.

<sup>1</sup> 31-Jan-2020 Ministerial Statement, The Hon. E. David Burt, JP, MP

## Section B: 2) Obligations under PATI Act [s5(1)b]

- To provide an **information statement** for the public and promulgate it [s5],
- To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - General information, e.g. activities of the Authority
  - Log of all information requests and their outcome
  - Quarterly expenditure (upon request) [s6(5)]
  - Contracts valued at \$50,000 or more.
- To **respond to information requests** in a timely manner [s12-16]
- To **track information requests**, and provide this data to the Information Commissioner
- To respond to requests from the Information Commissioner [s9]
- To **amend personal information** held by the Authority that is wrong or misleading following a written request by the person to whom the information relates [s19]
- To conduct an **internal review** if formally requested [part 5]
- To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- To provide an **annual written report** to the Information Commissioner of the status of information requests [s58 (3)].
- To **do anything else as required** under the PATI Act and subsequent Regulations [s59, 60], including:
  - **Fees** for Requests for information
  - **Management and maintenance of records**
  - **Procedures** for administering the Act
- To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- To **designate one of its officers** to be the person to whom requests are directed [s62].

## Section C: Services and Programmes [s5(1)c]

### Core Services

#### 00094 DEPT OF ECONOMIC DEVELOPMENT

- 104000 Administration.
- 104030 Corporate Services.
- 104060 Policy & Legislative Development.
- 104070 Business Analytics
- 104080 Tech. Awareness & Development.
- 104090 Tech Marketing, Promotion, & Outreach.
- 104100 Digital Leadership, Safety & Security.
- 104110 Legislative Affairs.
- 104120 Concierge Services.
- 104130 FinTech Unit.
- 104140 Intellectual Property.
- 104150 Land Licenses.

**Section D: Records and documents held [s5(1)d]**

**a) Administrative Records**

- a. Accounts
- b. Vendors
- c. Acting Appointments
- d. Budget
- e. Business Plan
- f. Contracts
- g. Vendors
- h. Consultants
- i. Grant recipients
- j. Document Management
- k. E1
- l. HR
  - i. Policy
  - ii. Templates and Documents
  - iii. Vacation and Sick Leave
- m. Payroll
  - i. Increment Reports
  - ii. Monthly
  - iii. Weekly
- n. Staff File
  - i. Acting Appointments
  - ii. Job Descriptions
  - iii. Recruitment
  - iv. Relief
  - v. Secondments/ Re-assignments
  - vi. Security Vetting
  - vii. Staff Files
  - viii. Interns
  - ix. Travel
  - x. Work Permits
- o. Speech from the Throne
- p. Training

**b) Operational Records**

- a. E-Business and ICT Policy and Programme Development
- b. E-Business and ICT Monitoring and Assessment
- c. E-Business and ICT Programme Support and Implementation
- d. E-Business Marketing and Information Services
- e. Certification Service Provider Authorisation Management

**c) Lists and Registers**

- a. “.bm” domain name register
- b. Design register
- c. Parent register
- d. Trademark register

**d) Classes of Information generally not included as per exemptions under the Public Access to Information (Bermuda) Act 2010:**

- a. Health or safety: where disclosure would endanger the physical or mental health or the safety of an individual
- b. Information received in confidence
- c. Cabinet documents
- d. Ministerial responsibility: where disclosure of records could undermine free and frank discussion and advice between Ministers, or between Ministers and public officers, in the course of their public duties
- e. Deliberations of public authorities: where disclosure could undermine free and frank discussion and advice during the course of the deliberative process
- f. Operations of public authorities: where disclosure could prejudice the effectiveness of operations of public authorities
- g. Records for which disclosure could have an adverse effect on the financial and economic interests of Bermuda
- h. National security, defence and international relations (e.g. Bermuda Regiment Aide Memoirs, Standard Operating Procedures)
- i. Governor’s responsibilities and communications with the United Kingdom
- j. Law enforcement records: where disclosure of certain types of information would prejudice law enforcement efforts or would endanger a person’s life or safety
- k. Legal professional privilege: where disclosure of records would be exempt from production in legal proceedings on the basis of legal professional privilege
- l. Records for which disclosure would be in contempt of court or a breach of parliamentary privilege
- m. Disclosure prohibited by other legislation.

**Section E: Administration (all public access) manuals [s5(1)e]**

- a. Budget Process
- b. Cabinet Memoranda
- c. Recruitment and Employment of Staff
  - Employment Act 2000
  - Conditions of Employment and Code of Conduct (CECC)
  - BPSU Collective Bargaining Agreement
- d. Training
- e. Trademark practice notes

- f. Trademark work manuals
- g. Training manual for “.bm” domain registration
- h. Training manual for trademark examination

#### **Section F: Decision-making documents [s5(1)f]**

- a) Major Policy proposals and decisions:
  - Anti-Child Luring
  - Personal Information Protection Act (PIPA)
  - National Cybersecurity Strategy
  - Electronic Transactions Act (ETA)
  - Internet Governance
  - Segregated Accounts Act (SAC Act)
- b) Background information for major policy proposals and decisions:
  - Child Protection
  - ETA Consultation Research
- c) Public Consultations:
  - ETA Public Consultation documents
  - Personal Information Protection Act (PIPA) Consultation documents
- d) Minutes of Meetings:
  - ETA Working Group
  - E-Commerce Advisory Board (ECAB)
- e) Reports and papers provided for consideration at senior-level meetings:
  - Statistical Reports

#### **Section G: The Information Officer [s5(1)g]**

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#### **Section H: Any Other Information [s5(1)h]**

For fast information and answers to FAQs, please visit the government website at [www.gov.bm](http://www.gov.bm)



**Section I: Any Other Information To be Provided? [s5(1)i]**

Feedback: Members of the public may wish to comment about:

- a) Additional information for inclusion in this Information Statement;
- b) Whether or not this Information Statement was easy to use;
- c) Whether they found this Information Statement useful;
- d) Whether the staff was helpful;
- e) Other ways in which this Information Statement can be improved.

Complaints: Complaints should be sent to the Information Officer.

**Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]**

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(1-5), PATI Act]:

**Date Information Statement was updated:** *5 January 2021*

**Locations of Information Statement:**

- Your principal office: Economic Development Department  
Ingham and Wilkinson Building Y
- The Bermuda National Library; Y
- The Bermuda Archives; Y
- Available electronically, Y
- Website for public authority (<https://www.gov.bm>). Y
- Have you published a notice in the Gazette indicating the places  
where the information statement is available for the public? Y
- With the Information Commissioner. Y

**Sign and Date:**

  
*8-jan-2021*

