



GOVERNMENT OF BERMUDA
THE ECONOMIC DEVELOPMENT DEPARTMENT

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 :

The Mission of the EDD is to advance the sustainable growth, development and diversification of Bermuda's economy.

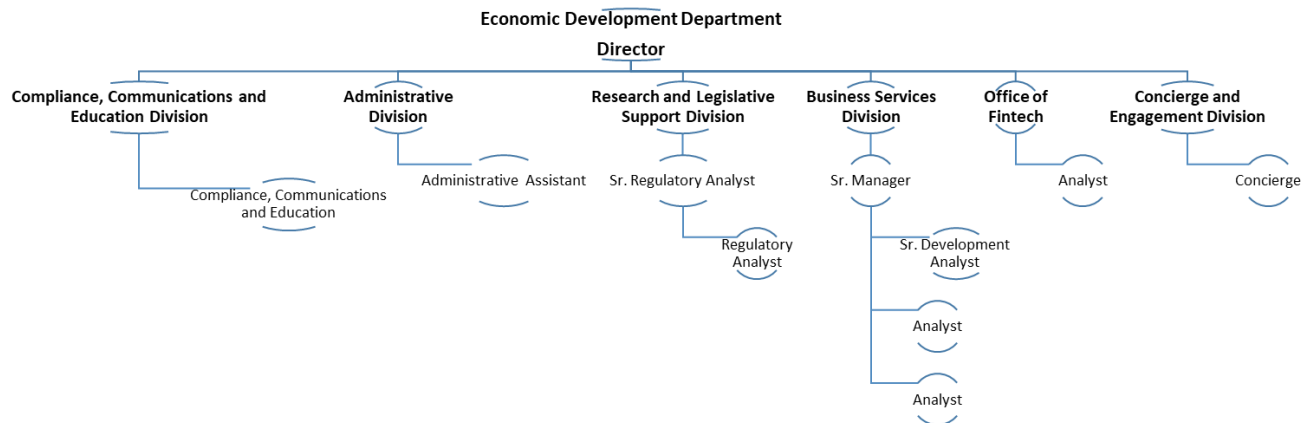
Objectives:

It will do so by achieving the following objectives:

- Facilitate, create, and implement policies to support the Government Economic Recovery Plan.
- In collaboration with industry stakeholders, position Bermuda as an ideal test market for innovative product and industry development.
- Analyse innovative developments and trends through research and stakeholder engagement.
- Identify the jurisdiction's market fit, clearly communicate its message and drive opportunities that lead to economic activity.

- Identify, develop and implement policy and legislative initiatives that generate industry confidence.

Organisational Chart:



The Department is divided into five sections which each has its own functions and services as follows:

- **Business Services Division:** Solidifies relationships with inbound interest as guided by the Economic Recovery Plan. It is also responsible for both the Incentives for Job Makers and the Alien Land Licensing Processes.
- **Communications, Education and Compliance Section:** Works to develop a sustained, informed, skilled, and connected talent pool for Bermuda to propel the jurisdiction as it works to consolidate its position as a global leader in tech and Fintech.
- **Concierge Services and Engagement Division:** Provides concierge services to Bermuda's inbound investors by streamlining and expediting government processes.
- **Research, Legislative Support Division:** Assists with public and private legislative initiatives that are intended to improve product and service offerings.
- **Office of FinTech:** Responsible for accelerating the growth of Bermuda's FinTech ecosystem by advancing business development.

Legislation:

- Electronic Transactions Act 1999
- The Standard for Electronic Transactions 2000
- Economic Development Act 1968
- Bermuda Immigration and Protection Act 1956
- Bermuda Immigration and Protection (Land-Holding Charges) Regulations 2007
- Bermuda Immigration and Protection (Licence Applications) Regulations 2007
- Bermuda Immigration and Protection (Minimum Annual Rental Values) Regulations 2008
- Bermuda Immigration and Protection (Rental and Use) Regulations 2007
- Bermuda Immigration and Protection (Tourist Accommodation and Hotel Residences) Regulations 2010
- Bermuda Immigration and Protection (Territorial Restrictions) Regulations 2007

The EDD is also subject to any and all laws that apply to the Government generally.

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 them to structured analysis and research. Once areas have been identified and agreed upon, it seeks local and overseas investment to develop new local industry, aiming to create jobs in Bermuda¹.

The Director of the EDD reports to the Permanent Secretary for the Ministry of Economy and Labour and to the Minister responsible for e-commerce.

Decisions made in the EDD are based on research, stakeholder feedback, industry needs, partnerships, and departmental objectives set out by the Office of the Premier and the Government of Bermuda. They are guided by Government processes and procedures and by relevant codes of conduct.

Some of the EDD's core functions are specifically focused on activities related to international business. As such, the EDD assists with the following functions:-

- **Legislative Change** – The EDD works in partnership with industry focus groups relevant to the Bermuda Business Development Agency ("BDA") to facilitate the modernisation of Bermuda's laws as needed and to enhance Bermuda's status as a jurisdiction of choice for international business. The EDD liaises with industry stakeholders, government departments and the Bermuda Monetary Authority ("BMA") to help advance progressive legislative change.
- **Intelligence Gathering and Reporting** – The EDD provides monthly reports to the Minister of Economy and Labour and Permanent Secretary on matters which either impact or have a potential impact to Bermuda's economy. To this end, the EDD collects and analyses data, statistics and other information from a number of sources. The EDD also supports the work of the E-Commerce Advisory Board (ECAB), a statutory Board created under the Electronic Transactions Act 1999 (ETA) and intended to advise the Minister about matters relating to e-commerce in Bermuda. ECAB provides a yearly report to the Minister responsible for e-commerce.

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

- **Government Liaison for BDA** – The Director of the EDD serves as the Government liaison to the BDA and is a member of the BDA board. The EDD assists the BDA as needed with regards to sharing information and facilitating communication between the BDA and various government entities.
- **Concierge Services & Engagement** – The EDD provides a Concierge Service for international companies considering registering a business in Bermuda. The EDD serves as the principle point of contact to assist companies with Government-related issues (work permit questions, Companies Act 1981 approvals, tax queries, applications for company registrations, etc.) The EDD also enables expedited processing of applications for business registrations, work permits, payroll tax and social insurance accounts.

The EDD also facilitates meetings with Government departments and officials to ensure that parties interested in Bermuda are informed of applicable policies and procedures and that the Government is properly informed of any proposed business activities.

- **Other Projects related to Economic Development** – The EDD may, from time to time, be tasked with projects intended to stimulate job creation and economic development in Bermuda.

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

1. To provide an **information statement** for the public and promulgate it [s5],
2. 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.
3. To **respond to information requests** in a timely manner [s12-16]
4. To **track information requests**, and provide this data to the Information Commissioner
5. To respond to requests from the Information Commissioner [s9]
6. 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]
7. To conduct an **internal review** if formally requested [part 5]
8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58 (3)].
10. 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
11. To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
12. To **designate one of its officers** to be the person to whom requests are directed [s62]

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

The scope of activities, services and programmes offered by the EDD is wide and varied and includes the following:

1. Legislative Change
2. Intelligence gathering, analysis and reporting
3. Concierge Service
4. Alien Land Licence
5. Incentive for Job Makers
6. Tech and Fintech Education and Training programmes
7. Communication
8. Tech and Fintech Conferences and Events

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

Information contained within the EDD

a) Administrative Records

- i. Accounts
 - a) Vendors
- ii. Acting Appointments
- iii. Budget
- iv. Business Plan
- v. Contracts
 - a) Vendors
 - b) Consultants
 - c) Grant recipients
- vi. Document Management
- vii. E1
- viii. HR
 - a) Policy
 - b) Templates and Documents
 - c) Vacation and Sick Leave
- ix. Payroll
 - a) Increment Reports
 - b) Monthly
 - c) Weekly
- x. Staff File
 - a) Applications and approvals for acting, and temporary relief staff and consultants.
 - b) Job Descriptions
 - c) Recruitment

- d) Relief
- e) Secondments/ Re-assignments
- f) Security Vetting
- g) Staff Files
- h) Interns
- i) Travel
- j) Work Permits
- k) Performance management documents for full-time staff.
- xi. Speech from the Throne
- xii. Safety and Health Reports (Findings and Recommendations of the Health and Safety Officer)
- xiii. Annual budget Briefs which describe the activities of the Department the previous year and supports the proposed budget for the next year.
- xiv. Government Agreements

b) Operational Records

N/A

c) 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 Memoranda and Conclusion 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
- n. Legislative amendments working files

- o. Audit – EDD compliance audit records of customers in relation to concierge or business development matters.

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

List and description of all administrative manuals/guidelines used by employees for administering or carrying out activities:

- 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. Financial Instructions
- f. Project Management and Procurement Code of Practice
- g. Writing Cabinet Memoranda, guidance document
- h. Policy to Law, guidance document
- i. Private Act Procedure, guidance document
- j. Making Public Policy Happen, guidance document
- k. Election Guidance Notes for Public Officers Servicing the Government of Bermuda
- l. Guidance for PATI procedures

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

List and description of all policies and guidelines for decision-making in respect to any person:

- a) Major Policy proposals and decisions:
 - 1. Electronic Transactions Act 1999
 - 2. The Standard for Electronic Transactions 2000
 - 3. Economic Development Act 1968
 - 4. Bermuda Immigration and Protection Act 1956
 - 5. Bermuda Immigration and Protection (Land-Holding Charges) Regulations 2007
 - 6. Bermuda Immigration and Protection (Licence Applications) Regulations 2007
 - 7. Bermuda Immigration and Protection (Minimum Annual Rental Values) Regulations 2008
 - 8. Bermuda Immigration and Protection (Rental and Use) Regulations 2007
 - 9. Bermuda Immigration and Protection (Tourist Accommodation and Hotel Residences) Regulations 2010
 - 10. Bermuda Immigration and Protection (Territorial Restrictions) Regulations 2007

11. BDA Law Reform Proposals

b) Public Consultations:

- Legislation

c) Minutes of Meetings:

1. ECAB
2. BDA Boards and Committees
3. BPSU Division 10 and General Council
4. Bermuda Global Fintech Advisory Board
5. EDD Staff Meeting
6. EDD Client Meetings
7. Joint Select Private Bills Technical Committee

f) Current policy documents of the Government and applicable laws of Bermuda.

g) Public Service disciplinary documents and decisions.

h) Reports of Government client projects (forming the foundation of Cabinet Memoranda).

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

Name and contact information:

Requests for information shall be in writing and directed to the Information Officer for the Economic Development Department:-

Maryem Biadillah, MBA
Senior Analyst
Economic Development Department
3rd floor, Ingham and Wilkinson Building
129 Front Street, 3rd Floor, Hamilton HM 12

PO Box HM2280
Hamilton HMJX

Telephone Number: 1 (441) 533-2015
Email address: mbiadillah@gov.bm

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

N/A

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

N/A

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: 30 December 2022

Locations of Information Statement:

Confirmed copies of Information Statement are available at the following sites:-

- | | | |
|--|---|---|
| 1. Your principal office:
Economic Development Department
Ingham and Wilkinson Building, 3rd Floor
Hamilton HM 12 | Y | |
| 2. The Bermuda National Library; | | Y |
| 3. The Bermuda Archives; | | Y |
| 4. Available electronically, email: mbiadillah@gov.bm | | Y |
| 5. Website for public authority www.gov.bm – | | |
| 6. Economic Development Home Page
(https://www.gov.bm/department/economic-development-department) | | Y |
| 7. Have you published a notice in the Gazette indicating the places where the information statement is available for the public? | | Y |
| 8. With the Information Commissioner. | | Y |

Signed and Dated:



Maryem Biadillah, Senior Analyst
30 December 2022