Name of Public Authority: The Office of the Governor, including the Deputy Governor’s Office

Introduction:

The Public Access to Information 2010 (PATI) legislation was designed to make central Government, and the larger public sector, more open and accountable by giving the public the legally enforceable right to request and access information subject to limited and prescribed exemptions. Each public authority is required to produce an information statement that gives the public an overview of the types of information accessible through the public authority. This information statement provides information on the functions and services of the Office of the Governor and the classes of records held.

Through this Information Statement the Office of the Governor hopes to provide assurance to the public that it is operating in line with best practices both locally and internationally.

The following information is not accessible, due to requirements of security or confidentiality, or exemption under the PATI Act 2010:

Information held in personnel files, unless that information is requested by the person themselves (subject to certain instances where disclosure may be allowed);

Exemptions according to the Act:

**Health or safety:** where disclosure would endanger the physical or mental health or the safety of an individual

**Information received in confidence**

**Cabinet documents**

**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

**Deliberations of public authorities:** where disclosure could undermine free and frank discussion and advice during the course of the deliberative process
Operations of public authorities: where disclosure could prejudice the effectiveness of operations of public authorities
Records for which disclosure could have an adverse effect on the financial and economic interests of Bermuda
National security, defence and international relations (e.g. Bermuda Regiment Aide Memoirs, Standard Operating Procedures)
Governor’s responsibilities and communications with the United Kingdom
Law enforcement records: where disclosure of certain types of information would prejudice law enforcement efforts or would endanger a person’s life or safety
Legal professional privilege: where disclosure of records would be exempt from production in legal proceedings on the basis of legal professional privilege
Records for which disclosure would be in contempt of court or a breach of parliamentary privilege
Disclosure prohibited by other legislation

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

The Office of the Governor Organisational Chart January 2019

Legislation

Secondary legislation: See list at appendix A
The **Mission Statement** of the Office of the Governor is to work in partnership with other Government Departments and the community for a stable, prosperous and well-governed Bermuda.

The **Governor of Bermuda** is appointed by Her Majesty The Queen on the advice of the British Prime Minister. He or she is responsible for the matters set out in the Bermuda Constitution, and for such other matters as The Queen, through her Ministers in London, assigns to him.

The Constitution reserves to the Governor responsibility for external affairs, defence (including the armed forces), internal security and the police, except insofar as he chooses to delegate. The Governor is the Commander-in-Chief of the Bermuda Regiment; and is also responsible for certain public appointments: the Attorney General, the Chief Justice, the Secretary to the Cabinet, the Auditor General, the Director of Public Prosecutions, the Ombudsman, the Commanding Officer of the Bermuda Regiment, the Commissioner of Police and the Deputy Commissioner of Police and the Information Commissioner.

British Ministers expect Governors to ensure, in all the Overseas Territories, high standards of probity, governance and adherence to international obligations; and to protect key values, such as the independence of the judiciary, the political impartiality of the public service, and integrity in the administration of justice. All Governors in the Overseas Territories are expected to work in close partnership with the locally elected Governments.

The **Deputy Governor** is appointed by the Governor in pursuance of instructions given by Her Majesty The Queen through a Secretary of State. The Deputy Governor acts as Governor during the Governor’s absences assuming his full constitutional and other responsibilities.

The Deputy Governor assists the Governor in the exercise of his functions relating to matters for which he is constitutionally responsible namely, the selection process for certain public appointments, external affairs, defence (including armed forces), internal security, and the police. In particular, the Deputy Governor chairs or is a member of various committees charged with work under these broad headings. He/She represents the Governor on the Emergency Measures Organization Executive Committee.

As a member of the Foreign and Commonwealth Office (FCO), the Deputy Governor is responsible to the Governor for ensuring that Bermuda meets the international obligations which the UK has assumed on its behalf, such as in relation to marine, aviation,
environment and human rights issues. He/She also processes applications for naturalisation and registration as British Overseas Territories Citizens.

**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 it 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]**

**Services:**
- Naturalisations and Registrations
- Presentation of Queen’s Certificates and Badges of Honour and Long-Service Awards to Police, Fire, Corrections and Regiment
- Sale of miniature Badges of Honour to recipients
- Housing of overseas guests (Government officials, members of the Royal Family, Foreign & Commonwealth officials)
Section D: Records and documents held [s5(1)d]

Employee personnel files
Vendor Files
Files relating to various matters held by the Deputy Governor’s office

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

Conditions of Employment and Code of Conduct
Employment Act 2000
Public Service Superannuation Act 1981
Financial Instructions
BPSU Collective Agreement
BIU Collective Agreement

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

Legislation as per Section A above

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

Deputy Governor
Government House
11 Langton Hill
Pembroke HM 13
Bermuda

Tel: (441) 292 3600
Fax: (441) 296 1930
Email: deputygovernor@gov.bm

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

The Office of the Governor, in addition to being an integral part of the Government of Bermuda, is also the Foreign & Commonwealth Office’s representation in Bermuda. United Kingdom Government documents are not covered by PATI legislation; the UK does however have its own legislation: Freedom of Information Act 2000 (http://www.legislation.gov.uk/ukpga/2000/36/contents)
Section I: Any Other Information To be Provided? [s5(1)i]

Further information can be found on the Government House portal page – [www.gov.bm/governor-bermuda](http://www.gov.bm/governor-bermuda)

Legislation listed may be found at Bermuda Laws Online – [www.bermudalaws.bm](http://www.bermudalaws.bm)

Annual expenditure for the past fiscal year can be found in the online Budget Book at [www.gov.bm/budget-2017](http://www.gov.bm/budget-2017); then select “Approved Estimates of Revenue and Expenditures for the Year 2017/18; then search for “Governor and Staff”.

### 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:** 2 January 2019

#### Locations of Information Statement:

*Confirm copies of Information Statement are available at the following sites:*

- Your principal office: The Office of the Governor [Y/N]
- The Bermuda National Library; [Y/N]
- The Bermuda Archives; [Y/N]
- Available electronically, [Y/N]
- Website for public authority ([www.gov.bm/governor-bermuda or www.gov.bm/public-access-information-pati]). [Y/N]
- Have you published a notice in the Gazette indicating the places where the information statement is available for the public? [Y/N]
- With the Information Commissioner. [Y/N]

**Sign and Date:**

[Signature]

11 January 2019