



GOVERNMENT OF BERMUDA

**NON-MINISTRY
GOVERNMENT HOUSE**

PATI Information Statement

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

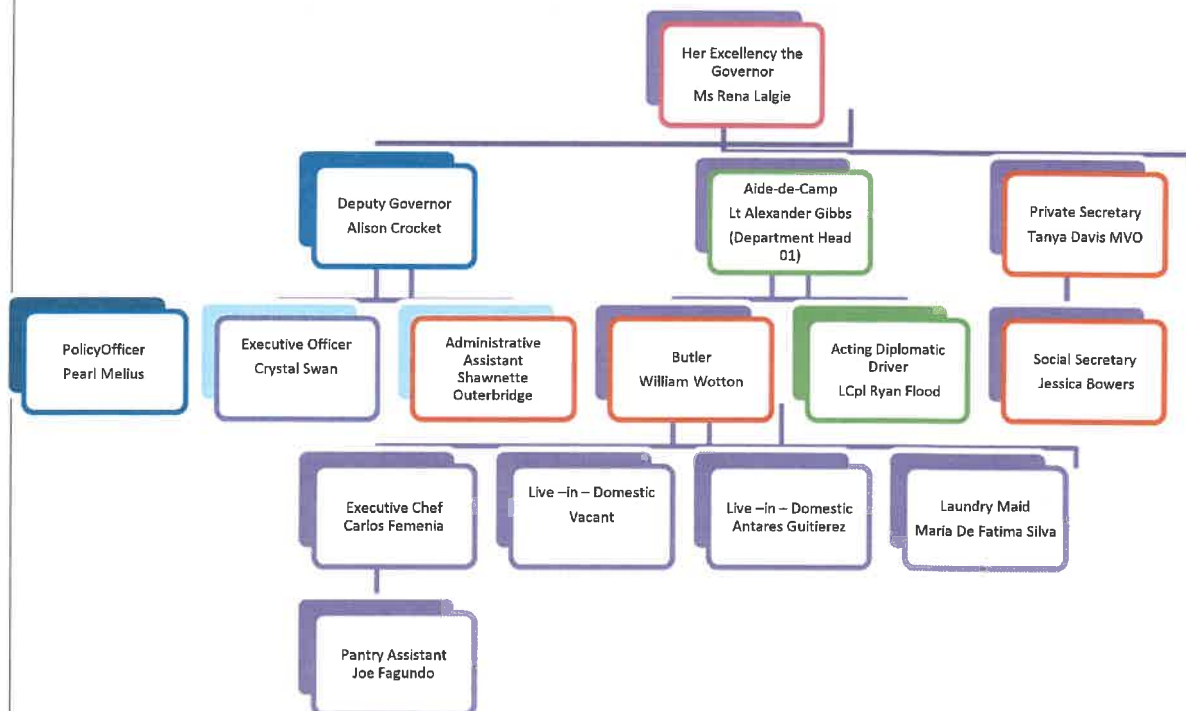
Legal professional privilege: where disclosure of records would be exempt from production in legal proceedings on the basis of legal professional privilege

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 2021



Legislation

Main legislation: The Bermuda Constitution 1968, sections 17 to 25.

Secondary legislation: See list at appendix A

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

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/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/her.

The Constitution reserves to the Governor responsibility for external affairs, defence (including the armed forces), internal security and the police, except insofar as he/she chooses to delegate. The Governor is the Commander-in-Chief of the Royal 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 Royal Bermuda Regiment, the Commissioner of Police and the Deputy Commissioner of Police, the Information Commissioner and the Privacy 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/her full constitutional and other responsibilities.

The Deputy Governor assists the Governor in the exercise of his/her functions relating to matters for which he/she 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, Commonwealth and Development Office (FCDO), 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 and Development Office 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
Email: macrocket@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 & Development 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 –[The Governor of Bermuda | Government of Bermuda](#)

Legislation listed may be found at Bermuda Laws Online – www.bermudalaws.bm

Annual expenditure for the past fiscal year can be found in the online Budget Book at <https://www.gov.bm/budget-2019>: 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: 4 January 2021

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:

 05/01/21

List of Legislation referencing the Governor

A

Acquisition of Land (Arbitration and Appellate Proceedings) Rules 1971
Acquisition of Land (Compulsory Purchase) (Forms) Regulations 1971
Acquisition of Land Act 1970
Acquisition of Land Regulations 1956
Advertisements Regulation Act 1911
Agriculture (Control of Animal Diseases) Regulations 1947
Agriculture (Inspection and Exportation of Nursery Stock) Regulations 1931
Agriculture (Inspection and Exportation of Produce) Regulations 1931
Agriculture Act 1930
Air Navigation (Fees for Certificates and Services) Regulations 2012
Antarctic Regulations 1998
Appeals Act 1911
Appropriation of Escheats Act 1870
Armaments (Control) Act 1964
Arms Exportation Act 1862
Audit Act 1990
Aviation Security and Piracy (Overseas Territories) Order 2000

B

Baha'i Marriage Act 1970
Base Lands Development Act 1996
Bermuda Airport Authority Act 2017
Bermuda Arts Council Act 1969
Bermuda Civil Aviation Authority Act 2016
Bermuda Constitution Order 1968
Bermuda Economic Development Corporation Act 1980
Bermuda Fire and Rescue Service Act 1982
Bermuda Hospitals Board Act 1970
Bermuda Immigration and Protection Act - Part VI Transitional Provisions
Bermuda Immigration and Protection Act 1956
Bermuda International Conciliation and Arbitration Act 1993
Bermuda Monetary Authority Act 1969
Bermuda National Trust Act 1969
Bermuda Nursing Association Act 1957
Bermuda Police Association Regulations 1968
British Nationality (Supplemental Provisions) Act 1949
Broadcasting Commissioners Act 1953
Building Authority (Petroleum) Regulations 1962

C

Canadian Forces (Privileges and Immunities) Act 1965
Civil Airports Act 1949
Civil Airports Amendment Act 1994

Civil Airports Amendment Act 2008
Civil Aviation (Investigation of Air Accidents and Incidents) Regulations 2018
Civil Establishment (Validation) Act 1998
Civil Establishment Act 1998
Code of Practice (Tape Recording of Interviews with Suspects) Order 2001
Colonial Prison Service Medal Regulations 1978
Colonial Prisoners' Expenses Act 1892
Commission for Unity and Racial Equality Act 1994
Commissioners for Oath and Notaries Public Act 1972
Commissions of Inquiry Act 1935
Companies Act 1981
Condominium Act 1986
Constituency Boundaries Order 1996
Constitution Amendment (Consequential Provisions) Act 1973
Constitution of Bermuda (Constituency Boundaries) Order 2010
Constitution of Bermuda (Constituency Boundaries) Order 2017
Consular Relations Act 1971
Contributory Pensions Act 1970
Copyright and Designs Act 2004
Coroners Act 1938
Corporate Bodies' Lands Act (No 2) 1936
Court of Appeal Act 1964
Criminal Appeal Act 1952
Criminal Appeals (Vacation) Rules 1964
Criminal Code Act 1907
Criminal Justice (International Co-operation) (Bermuda) Act 1994
Crown Proceedings Act 1966
Customs Department Act 1952

D

Defence Act 1965
Defence (Coast Guard Unit) Amendment Act 2018
Dental Practitioners Act 1950
Development and Planning Act 1974
Development of Land (Airport Approaches) Act 1956
Diplomatic Privileges Act 1980
Dockyard Port Act 1905

E

Education Act 1996
Efficiency Decoration (Bermuda) Regulations 1965
Electronic Communications (Integrated Communications Operating Licence) Regulations 2013
Electronic Communications Act 2011
Emancipation Act 1834
Emergency Powers Act 1963
Employment of Children and Young Persons Act 1963
Environment Protection (Overseas Territories) (Specified Amount) Regulations 1989

Escheats Act 1871
Evidence Act 1905
Explosive Substances Act 1974

F

Films (Control of Exhibition) Act 1959
Financial Intelligence Agency Act 2007
Fines and Penalties Act 1864
Firearms Act 1973
Food and Environment Protection (Designated Person) Order 1989
Foreign Recruiting Act 1874
Friendly Societies Act 1868
Fugitive Offenders (Forms) Order 1968
Fumigation (Control) Act 1945

G

Golf Courses (Consolidation) Act 1998
Government Employees (Disability etc Benefits) Act 1953
Government Fees Regulations 1976
Government House Act 1913
Government Housing Areas Act 1971
Governor's (Bermuda Regiment Powers) Delegation Directions 1998
Governor's Orders for the Bermuda Regiment (Long Service Badges) 1972
Governor's Passages Allowance Act 1963
Governor's Salary Act 1931

H

Hamilton Sewerage Act 1917
Hotels (Licensing and Control) Act 1969
Human Rights Act 1981

I

Internal Audit Act 2010
International Organizations (Immunities and Privileges) European Space Agency Order 2011
International Organizations (Immunities and Privileges) I.M.F. Order 1983
International Organizations etc (Immunities and Privileges) Act 1948
International Sanctions (Afghanistan) (United Nations Measures) Regulations 2012
International Sanctions (Al-Qaida) (United Nations Measures) Regulations 2012
International Sanctions (Belarus) (Restrictive Measures) Regulations 2011
International Sanctions (Delegation of Governor's Functions) Notice 2018
International Sanctions (Egypt) (Restrictive Measures) Regulations 2011
International Sanctions (Iran) (Nuclear Proliferation)(Restrictive Measures) Regulations 2012
International Sanctions (Iran) (Restrictive Measures) Regulations 2012
International Sanctions (Syria) (Restrictive Measures) Regulations 2011
International Sanctions (Libya) (Restrictive Measures) Regulations 2011
International Sanctions (Tunisia) (Restrictive Measures) Regulations 2011
International Sanctions Notice 2013

International Sanctions Notice 2017
International Sanctions Regulations 2013
Interpretation Act 1951
Interpretation Act 1978 UK
Interpretation Amendment Act 2018

J

Jewish Marriage Act 1946
Judgements (Reciprocal Enforcement)(Australia) Order 1988
Judgements (Reciprocal Enforcement) Act 1958
Judgements Extension Order 1956
Jurors Act 1971
Justices of the Peace (Validation) Act 1994

L

Land Reclamation Act 1964
Land Tax (Exemption) Order 1967
Land Title Registration Act 2011
Land Valuation and Tax Act 1967
Law Reform Commission Act 2009
Legislature (Appointment, Election and Membership Controversies) Act 1968
Limited Liability Company Act 2016
Liquor Licence Act 1974

M

Magistrates Act 1948
Maintenance Orders (Reciprocal Enforcement) Act 1974
Marine Board Act 1962
Maritime Security Act 1997
Medical Practitioners Act 1950
Mental Health Review Tribunal Rules 1968
Merchandise Marks Act 1889
Merchant Shipping (Registration of Ships) Regulations 2003
Merchant Shipping Act 2002
Merchant Shipping Amendment Act 2009
Ministers (Change of Responsibilities and Style) Act 1974
Motor Car (Examination, Licensing and Registration) Regulations 1952
Motor Car Act 1951
Motor Car Insurance (Third Party Risks) Act 1943
Municipalities Act 1923

N

National Drug Commission Act 1993

O

Ombudsman Act 2004

P

Parish Councils Act 1971
Parliament Act 1957
Parliamentary Election Act 1978
Patents and Designs Act 1930
Patents and Designs Rules 1903
Pensions and Gratuities (Additional War Service) Act 1954
Pensions and Gratuities (War Service) Act 1947
Personal Information Protection Act 2016
Police (Conditions of Service) Order 2002
Police (Discipline) Orders 1975
Police Act 1974
Police Amendment Act 2003
Police Complaints Authority Act 1998
Police (Conduct) Orders 2016
Police (Performance) Orders 2016
Post Office (Departmental Administration) Regulations 1933
Post Office Act 1900
Post Office Regulations 1933
Printed Publications Act 1971
Prisons Act 1979
Private Investigators and Security Guards Act 1974
Private Roads (Vesting) Orders 1949 to 1968
Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Regulations 2008
Prohibited Publications Act 1963
Prohibition of Gaming Machines Act 2001
Promissory Oaths Act 1969
Protection from Escheats Act 1943
Protection of Trading Interests Act 1981
Provisional Collection of Revenue Act 1975
Provost Marshal General Act 1965
Public Access to Information Act 2010
Public Carriage Act 1949
Public Funds Act 1954
Public Garage and Filling Station Regulations 1952
Public Health Act 1949
Public Holidays Act 1947
Public Order Act 1963
Public Service (Delegation of Powers) Regulations 2001
Public Service Commission Amendment Regulations 1997
Public Service Commission Regulations 2001
Public Service Commission Amendment Regulations 2016
Public Service Commission Amendment (No 2) Regulations 2017
Public Service Commission Amendment Regulations 2018
Public Service Superannuation Act 1981
Public Treasury (Administration and Payments) Act 1969

Q

Quarantine Act 2017

R

Racing (Control Commission) Act 1964

Radiation Act 1972

Registration (Births and Deaths) Act 1949

Regulations for the Award of the Colonial Fire Brigade Long Service Medal

Regulations for the Award of the Colonial Police Long Service Medal

Regulations for the Award of the Colonial Special Constabulary Medal

Rehabilitation of Offenders Act 1977

Rent Increases (Domestic Premises) Control Act 1978

Revenue Act 1898

Road Traffic Act 1947

Royal Bermuda Regiment (Junior Leaders) Act 2015

Royal Bermuda Regiment Governor's Amendment Orders 2018

Royal Bermuda Regiment Governor's Orders 1993

Rules of the Court of Appeal for Bermuda

Rules of the Supreme Court 1985

S

St George's Sewerage Act 1943

Statutory Instruments Act 1977

Summary Offences Act 1926

Supreme Court (Representation and Vacancy Petitions) Rules 1968

Supreme Court Act 1905

Survey of Bermuda (Parish Boundaries) Act 1899

Survey of Bermuda (Parish Boundaries) Act 1900

T

Telecommunications Act 1986

Timesharing (Licensing and Control) Act 1981

Town of St George (Protection of Buildings of Special Interest) Act 1950

Trading with the Enemy Act 1939

U

United Kingdom Forces (Jurisdiction of Courts) Act 1973

United States Bases (Termination of Agreements) Act 2002

United States of America Consular Establishment (Acquisition of Land) Act 1953

W

West End Development Corporation Act 1982

Wireless Telegraphy (Licence) Regulations 1961

Workers' Compensation Act 1965

Y

Young Offenders Act 1950