



GOVERNMENT OF BERMUDA

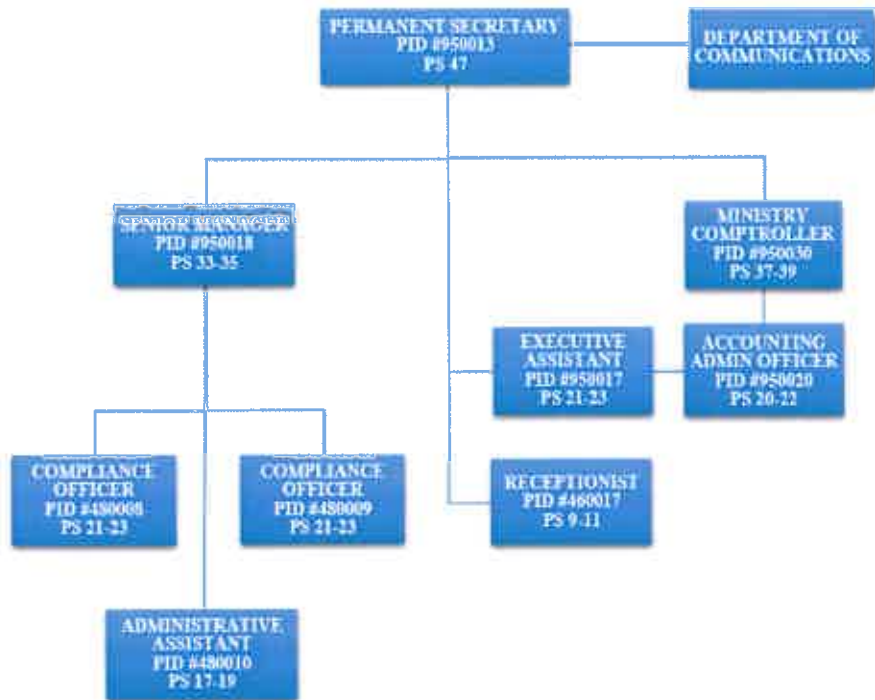
MINISTRY OF ECONOMIC DEVELOPMENT AND TOURISM

PATI Information Statement

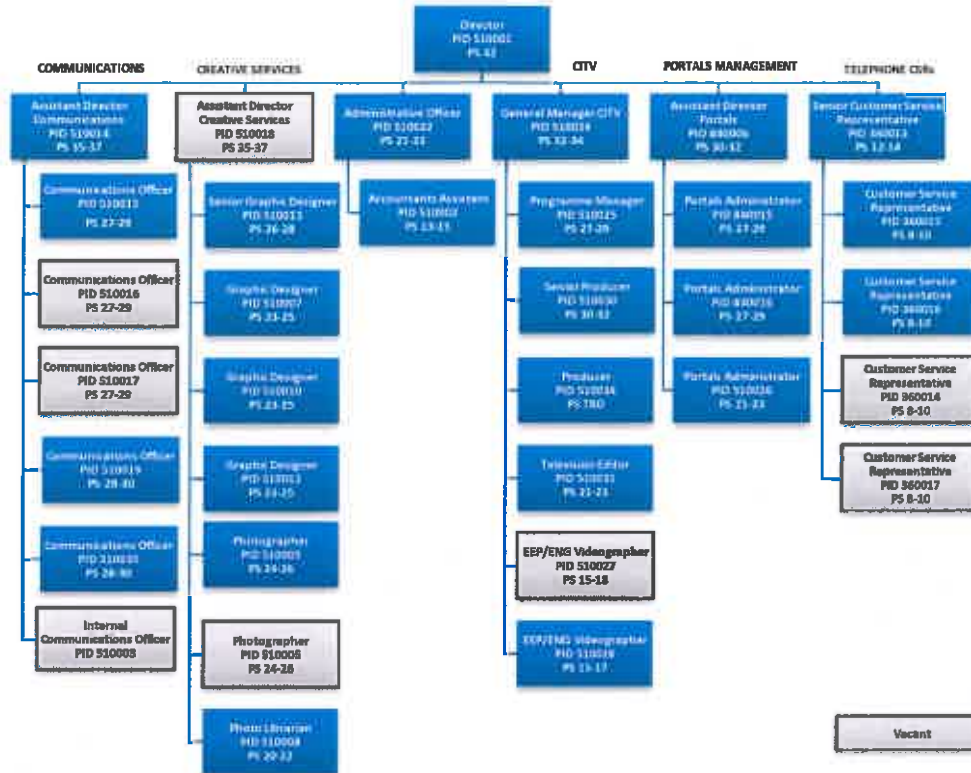
Name of Public Authority: MINISTRY HEADQUARTERS
Introduction: The general purpose of the Public Access to Information (Bermuda) Act 2010 (the Act) is to: a) Give the public the right to obtain access to information held by public authorities to the greatest extent possible, subject to exceptions that 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 Ministry of Economic Development and Tourism 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]

**MINISTRY OF ECONOMIC DEVELOPMENT AND TOURISM
ORGANIZATION CHART 2018**



DEPARTMENT OF COMMUNICATIONS ORGANIZATION CHART



Legislation

Governing legislation:

- Bermuda Constitution Order 1968
- Bermuda Economic Development Corporation Act 1980
- Tourism Investment Act 2017
- Job Makers Act 2011

Tourism Regulation and Policy:

- Hotel (Licensing & Control) Act 1969
- Hotel (Licensing & Control) Regulations 1976
- Hotel Licensing (Appeals) Rules 1975
- Timesharing (Licensing & Control) Act 1981
- Timesharing (Licensing & Control) Regulations 1976
- Lotteries Act 1944

- **Hotels Concession Act 2000 & Guidelines**
- **Nine (9) Hotels Concession Orders**
 1. Fairmont Southampton Order 2013
 2. Fairmont Hamilton Order 2013
 3. Fairmont Hamilton Order 2014
 4. Coral Beach and Tennis Club Order 2015
 5. Pink Beach Order 2016
 6. Tucker's Point Order 2016
 7. Former Surf Side Order 2016
 8. Elbow Beach Hotel Order 2016
 9. Hamilton Princess and Beach Club Order 2016
- **Hotel Special Acts**
 1. St. George's Resort Act 2015
 2. Morgan's Point Resort Act 2014
- **Cruise Ship Casino Gaming Act 2013**

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

Mission Statement

The Ministry of Economic Development and Tourism will deliver appropriate services, policies and legislation in a responsive, timely and thorough manner. The Ministry will operate efficiently by placing the right people in the right jobs and streamlining systems and processes so that these people are empowered to work in an authoritative, collegial and collaborative manner with colleagues and stakeholders.

Functions

Administration and Policy

- Provides for the administrative salaries and operating expenses of the Ministry Headquarters

Duties

Administrative and Policy

Ministry Headquarters is responsible for:

- The formulation and coordination of all administrative, professional, technical and financial advice required by the Minister.
- Research and consultation during policy formulation and ensuring that policies of the Government are implemented.
- Liaison with other Government Ministries in promoting a joined-up, collaborative approach to governance.
- Preparation of the Annual Estimates of Revenue and Expenditure.
- The control of expenditure and for all other responsibilities as set out in Financial Instructions.
- Ensuring fiscal responsibility within Departments that comprise the Ministry.
- Preparation of all Cabinet Memoranda and other documents required by the Minister or Cabinet.
- Briefing the Minister with respect to any matter brought before the Legislature, particularly those matters for which the Minister has principal responsibility and the preparation of written Briefs where appropriate.
- Administration and coordination of all work carried out by the various Departments and for working collaboratively with Department Heads.

- Ensuring that all staff operate at high levels at all times – has overall responsibility for performance appraisals and the ongoing professional growth and development of staff.
- Review of Departmental initiatives/programmes to ensure that they are in sync with the overall objectives of Government and that they are completed on time and on budget.
- Ensuring that there is adherence to provisions of the Occupational Safety and Health Act 1982 and the Occupational Safety and Health Regulations 2009 throughout the Ministry.

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]

Summary of Services Provided

The Ministry Headquarters Administration is responsible for executing oversight of the Ministry's Operational Units.

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

Who we are and what we do

Roles and Responsibilities – The Job Description of each post sets out the post requirements.

- Permanent Secretary
- Ministry Comptroller
- Senior Manager
- Executive Assistant
- Accounting Administration Officer
- Compliance Officers
- Administrative Assistant
- Receptionist

Organizations the department is responsible for, partnerships and sponsorship:

- Department of Communications

Grants:

- Bermuda Tourism Authority
- Bermuda Economic Development Corporation
- Gaming Commission

What we spend and how we spend it

Budget – the Ministry of Economic Development and Tourism Headquarters budgetary statement is contained within HEAD 95.

- Budget Book

Budget setting procedures and governance – The Ministry of Economic Development Headquarters internal spending is overseen by the Permanent Secretary who has overall responsibility for budget submissions and compliance, subject to controls and procedures as per financial instructions.

- Financial Instructions
- List of contracts with values
- Monthly Financial Performance Summaries
- Total Staff Expenses
- Contracts and Procurement Policy – As per the standard for all Government Departments and in Line with Financial Instructions
 - Contracts and Procurement Policy
- Current Invitations to Tender – n/a
 - tender process
 - selection process

Strategies & Plans, Performance Indicators, Audits, Inspections and Reviews

- Business Plans – There is a Business Plan for HEAD 95 MINISTRY OF ECONOMIC DEVELOPMENT AND TOURISM produced by the Permanent Secretary of the Ministry of Economic Development and Tourism.
- Statistics – The Ministry Headquarters does not collect statistical data.
- Performance Reviews – All of the Ministry's employees participate in the performance review programme as set out on the HR policy.

- performance review policy
- Performance Measures / Output Measures – Performance measures are listed in the Ministry’s Business Plan and Output Measures are contained in the Budget Book.
 - Business Plan
 - Budget Book
- Grants – Final reports are required of all grant awardees.
 - Bermuda Economic Development Corporation
 - Bermuda Tourism Authority
 - Gaming Commission

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

- Policies and Procedures**
- Conducting Ministry Business
 - Delivering Services
 - Recruitment and Employment of Staff – is handled in collaboration with the Human Resources department.
 - Employment Act 2000
 - Terms and Conditions of Service
 - BPSU Agreement
 - Customer Service
 - Records Management and Personal Data Policies–The Ministry Headquarters adheres to the established practices through the Government.
 - Charging Regimes and Policies – At this time all publications which can be provided are made available free of charge.

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

- How we make decisions**
- Department Meetings – decisions are made by the Permanent Secretary, with consultation with the Minister, who holds delegated responsibility for the Ministry Headquarters
 - Working Groups – Planning committees are used for the purpose of carrying out large scale projects or tasks
 - agendas or minutes
 - Decisions by Cabinet – Where required, Cabinet Memoranda are composed for subsequent review and decision.
 - Public Consultations - Transparent and effective public consultations are used to gather feedback on policy and/or legislative initiatives. The Ministry Headquarters endeavors to:
 - Involve, as far as practicable, all stakeholders
 - Give interested parties an opportunity to express their views/opinions fully and in an informed way
 - Use submitted responses to help understand the possible effect of any action taken

- Avoid lengthy delays as the markets subject to the regulation change very quickly
- Run consultation processes as efficiently as practicable
- Policy proposals and/or changes – From time to time a review of policies is carried out or external developments require a change. Whenever necessary, updates or revisions to policy may be made and communicated to staff by the Permanent Secretary.
 - research findings / background / reports & papers
- Internal communications guidance, criteria used for decision making, internal instructions, manual and guidelines – Information is channeled through the Permanent Secretary via emails, memoranda, and meetings.

Decision-making processes and records of decisions:

Depending on the type of project, there are different tools used to assist the decision making process (matrix, methodology schematic, etc.).

- Major Policy proposals and decisions:
- Background information for major policy proposals and decisions:
- Public Consultations:
- Minutes of Meetings:
- Reports and papers provided for consideration at senior-level meetings:
- Internal communications, guidance, criteria used for decision-making, internal instructions, manuals and guidelines:

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

Rhonda Woods-Smith
 Policy Analyst
 Ministry of Economic Development and Tourism
 Government Administration Building - 3rd Floor
 30 Parliament Street
 Hamilton HM 12

 Email: rsmith@gov.bm
 Tel: 294-9160

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

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

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

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: 31st March, 2015

Locations of information Statement:

- Principal office: Y/N
 Ministry of Economic Development and Tourism
 Government Administration Building - 3rd Floor
 30 Parliament Street
 Hamilton, Bermuda HM12
 Tel: (441) 296-1574
 Fax: (441) 296-0137
 Email: med@gov.bm
- The Bermuda National Library; Y/N
- The Bermuda Archives; Y/N
- Available electronically, Y/N
- Website for public authority: www.gov.bm
- 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:

Phanda Woodwith 13, June 2018

