



GOVERNMENT OF BERMUDA
MINISTRY OF FINANCE

PATI Information Statement

Name of Public Authority: Ministry of Finance Headquarters - Policy, Planning and Management Unit (HQ)

Introduction:

- The general purpose of the Public Access to Information Act 2010;

Under section 2 of the Public Access to Information Act 2012, the purpose of 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.

- The reason that the public authority has an information statement;

Under Section 5 of the Public Access to Information Act 2010, every public authority¹ in Bermuda must produce an information statement.

- The purposes and aims of the information scheme, and what the public authority hopes to achieve through the information statement;

This statement aims to make it easy to access key information about the Ministry of Finance's activities.

- Summary of what is in the information statement;

Who we are and what we do

What we spend and how we spend it

What our priorities are and how we are doing

How we make our decisions

Our policies and procedures

Lists and registers – none at this time

The information provided includes: Organisational structure of the Unit; governing legislation; functions and powers; services and programmes; information held - grouped into decision making; administrative or other record; further information (includes financial); contact details for the information officer and locations of the information statement.

Underlying documents supporting the budgets, expenditures and activities for the Ministry of Finance Headquarters and the various departments and Quangos that it supervises.

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

The Financial Secretary heads up the Unit and is supported by the Assistant Financial Secretary (Policy), the Administrative Officer and an Administrative Assistant.

The Ministry's core functions are discharged through five broad programme areas:

- Policy Planning and Management
- Fiscal Planning and Control
- Regulatory
- Economic and Financial Intelligence
- Treaty Management & Administration

Each Unit in the Ministry of Finance Headquarters has completed its own Information Statement.

Ministry of Finance Headquarters Organizational Chart is included at Annex I

***The Ministry of Finance will manage all information requests for the Public Authorities included in Annex II until further notice.**

Legislation

Governance Framework

- The Employment Act 2000
- Good Governance Act 2011
- The Human Rights Act 1981
- The Interpretation Act 1951
- Public Access to Information Act 2010
- The Public Service Commission Regulations 2001
- The Public Service (Delegation of Powers) Regulations 2001
- The Public Treasury (Administration and Payments) Act 1969
- The Bermuda Constitution Order 1968
- The Audit Act 1990

The primary legislative framework for the unit is as follows:

- Exempted Undertakings Tax protection Act 1966
- The Chartered Professional Accountants of Bermuda Act 1973
- Bermuda Public Accountability Act 2011.

Copies of the foregoing Acts and Regulations may be viewed at the following website:

<http://www.bermudalaws.bm/default.aspx>

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

Ministry of Finance Mission Statement

To formulate and implement sound fiscal policies and effectively manage the public finances. To direct policy implementation and oversee programme management operations within the Ministry, with a view to ensure an effective implementation of Government policy.

The Finance Ministry's key goals and objectives are:

- To facilitate balanced economic growth and development.
- To provide strategic direction and an overall framework for financial management and control of government activities.
- To safeguard Bermuda's economic interests in the face of challenges and threats in the changing

global economy.

Nature and scope of the Policy, Planning and Management Unit's activities

General Nature of Activities

The Policy, Planning and Management Unit provide overall direction and management of the Ministry Headquarters and supervisory oversight of the departments in the Ministry of Finance. Undertakes strategic economic planning, manages the Ministry's public relations and organizes the co-ordination, review and development of economic and financial policy.

Scope of activities

The scope of the Policy, Planning and Management Unit's activities is as follows:

- Supports the Financial Secretary and the Minister of Finance in coordinating the financial management of the Ministry of Finance Headquarters daily operation and the various Departments under its supervision. These Departments are: H. M. Customs, the Accountant General, the Department of Social Insurance, and the Office of the Tax Commissioner.
- Providing policy advice to the Financial Secretary and the Minister of Finance on a wide range of policy initiatives.

Customers and Location of Activities

The Policy, Planning and Management Unit provides services to the administrative and policy development needs of the Ministry of Finance Headquarters. Principally, the customers of the Policy, Planning and Management Unit are the Minister of Finance and the Financial Secretary. The Unit is located on the 2nd Floor of the Government Administration Building.

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:

- Services: See Section B above.
- Costs: All costs related to the delivery of services set out in Section B above, are set out in the Annual Approved Estimates of Revenue and Expenditure, under Head 10, Cost Center 20010.

Programmes:

- Not applicable.

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

- Administrative
- Advisory
- Financial
- Legislative
- Policy

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

Administrative Guidelines

- Various HR policies and guidance issued by the Department of Human Resources.

Data Protection Guidelines

- Computer Security Instructions published by ITO August 1997
- Information Sharing and Data Protection Policy Statement issued by ITO dated 28 January, 1998
- Electronic Records Management System: Government Records Center issued by the Government Archivist.

Financial Guidelines

- Financial Instructions issued by the Ministry of Finance.
- Budget Preparation Manual issued by the Ministry of Finance.

Health and Safety

- Health and Safety Policy issued by the Cabinet Office.

Policy Development Guidelines

- The Legislative Process Guidance Note issued by the Cabinet Office.
- The Preparation of Cabinet Memoranda Guidance Note issued by the Cabinet Office.
- Making Policy Happen in Bermuda Guidance Note issued by the Cabinet Office.

Other Guidance notes

- Election Guidance Notes issued by the Cabinet Office.

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

- Ministry of Finance Business Plan.
- Ministry of Finance Legislative Agenda.
- Formulation of underlying policies for National Budget.

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

Pamela Burrows
Ministry of Finance
Government Administration Building
30 Parliament Street
Hamilton HM 12
Bermuda
Email: pburrows@gov.bm
Tele: 295-5151, ext.1270

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

Not Applicable.

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

Not Applicable.

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: March 24th 2015

Locations of Information Statement:

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

- | | |
|---|---|
| • Your principal office: 2nd Floor Government Administration Building | Y |
| • The Bermuda National Library; | Y |
| • The Bermuda Archives; | Y |
| • Available electronically, | Y |
| • Website for public authority (will be posted on website). | 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 |

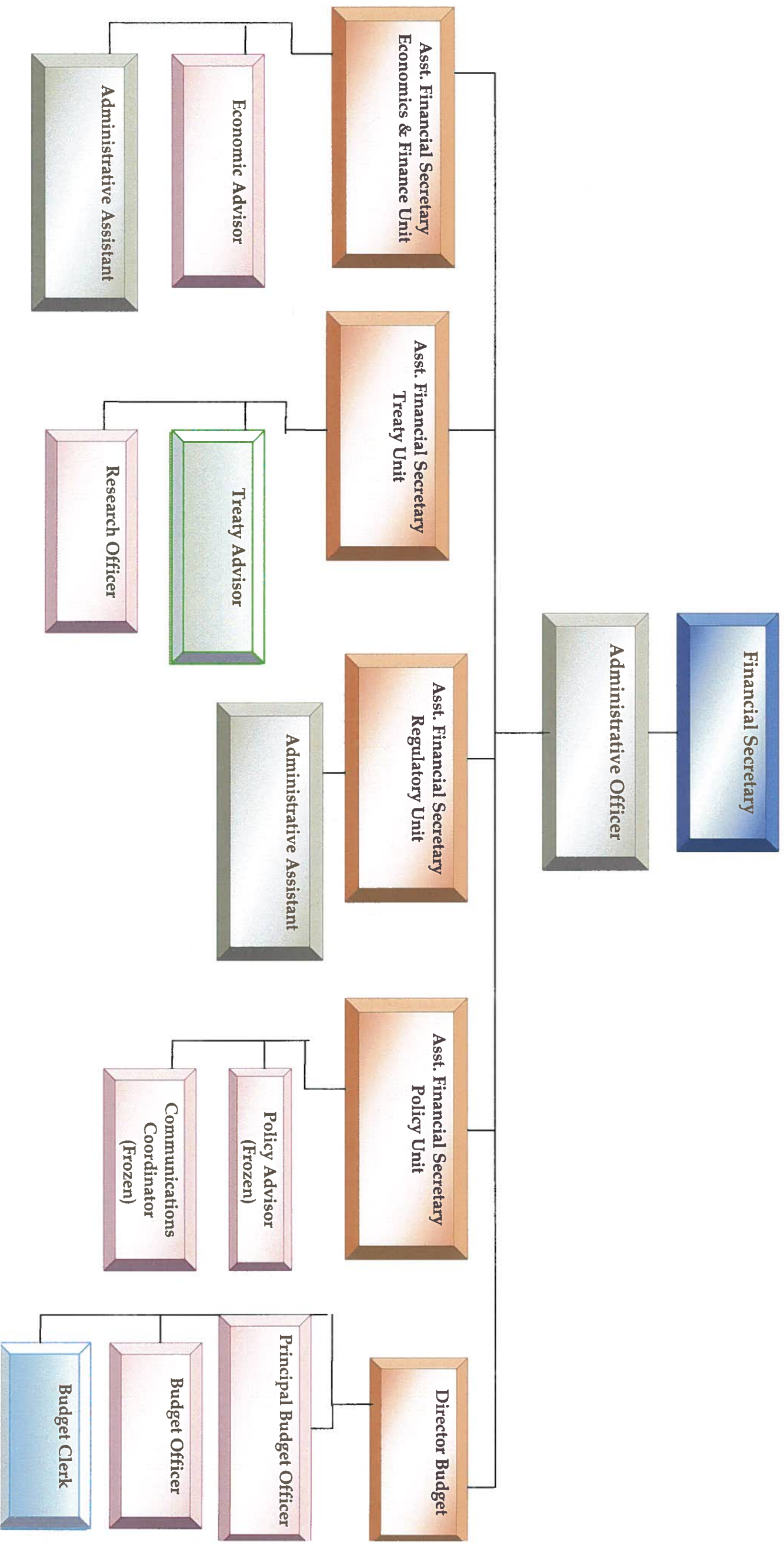
Sign and Date:



24/3/2015

ANNEX I

MINISTRY OF FINANCE HEADQUARTERS March 2015



ANNEX II

MINISTRY OF FINANCE PUBLIC AUTHORITIES

TAX APPEAL TRIBUNAL PANEL
Taxes Management Act 1976

APPEALS TRIBUNAL – BANKS & DEPOSIT COMPANIES
Banks & Deposit Companies Act 1999

APPEALS TRIBUNAL – CONTRIBUTORY PENSIONS
Contributory Pensions Act 1970

APPEALS TRIBUNAL – CREDIT UNIONS
Credit Unions Act 2010

APPEALS TRIBUNAL – GOVERNMENT EMPLOYEES (HEALTH INSURANCE)
GEHI (Health Insurance) Act 1986

APPEALS TRIBUNAL – INSURANCE
Insurance Act 1978

APPEALS TRIBUNAL – INVESTMENT BUSINESS
Investment Business Act, 2003

**Note for all Tribunals.*

Tribunals are not public authorities.

With regard to disclosure of records of the Tribunal, section 4(1)(a) expressly states that the Act does not apply to records relating to the exercise of quasi-judicial functions by a tribunal. However, under section 4(2)(a), this does not extend to records relating to general administration. Requests for such records can be made to the Ministry of Finance Headquarters, as the public authority responsible for the Tribunal.

AUDIT COMMITTEE
Audit Act 1990

BERMUDA DEPOSIT INSURANCE COMMITTEE
Deposit Insurance Act 2011

BERMUDA PUBLIC ACCOUNTABILITY BOARD
Bermuda Public Accountability Act 2011

BERMUDA PUBLIC FUNDS INVESTMENT COMMITTEE
Public Funds Act 1954

BETTING LICENSING AUTHORITY
Betting Act 1975

GOVERNMENT EMPLOYEES (HEALTH INSURANCE) MANAGEMENT COMMITTEE
Government Employee (Health Insurance) Act 1986

INSURANCE ADVISORY COMMITTEE
Insurance Act 1978
Mr. John Williams

PRICE CONTROL COMMISSION
Price Commission Act 1974

TAX CONVENTION ADVISORY COMMITTEE
USA-Bermuda Tax Convention Act 1986



GOVERNMENT OF BERMUDA

MINISTRY OF FINANCE

PATI Information Statement

Name of Public Authority: Ministry of Finance headquarters - Fiscal Planning & Control Unit (Budget Office)

Introduction:

- The general purpose of the Public Access to Information Act 2010;

Under section 2 of the Public Access to Information Act 2012, the purpose of 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.

- The reason that the public authority has an information statement;

Under Section 5 of the Public Access to Information Act 2010, every public authority¹ in Bermuda must produce an information statement.

- The purposes and aims of the information scheme, and what the public authority hopes to achieve through the information statement;

This statement aims to make it easy to access key information about the Ministry of Finance's activities.

- Summary of what is in the information statement;

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What we spend and how we spend it

What our priorities are and how we are doing
How we make our decisions

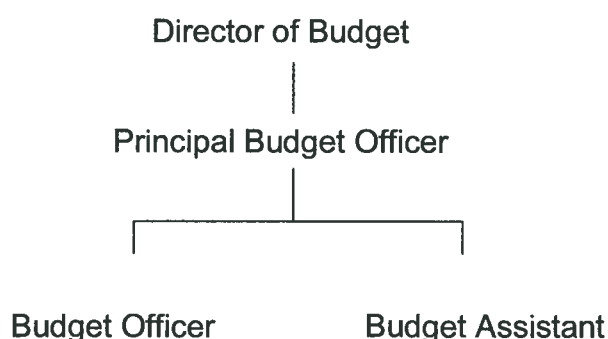
Our policies and procedures

Lists and registers – none at this time

The information provided includes: Organisational structure of the Unit; governing legislation; functions and powers; services and programmes; information held - grouped into decision making; administrative or other record; further information (includes financial); contact details for the information officer and locations of the information statement.

¹ Section 1 of the Act defines a public authority to mean an entity listed in column 1 of the Schedule; Sub-clause 12 of Column 1 of Schedule 1 defines a public authority to include every department of the Government.

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



Legislation

Insert governing Legislation:

Governance Framework

- The Employment Act 2000
- Good Governance Act 2011
- The Human Rights Act 1981
- The Interpretation Act 1951
- The Public Service Commission Regulations 2001
- The Public Service (Delegation of Powers) Regulations 2001
- The Public Treasury (Administration and Payments) Act 1969

The primary legislative framework for the unit is as follows:

Appropriation Act
Supplementary Appropriation Act
The Public Treasury (Administration and Payments) Act 1969
Government Fees Act 1965 and the Government Fees Amendment Regulations

Copies of the foregoing Acts and Regulations may be viewed at the following website:

<http://www.bermudalaws.bm/default.aspx>

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

The Fiscal Planning & Control Unit or more commonly known as the Budget Office, is primarily responsible for the management, collection and collation of the Consolidated Fund budget data for both Capital and Current Account Expenditure. This includes:

- Preparation and formulation of the annual budget estimates, utilizing the Zero-Based budgeting and the introduction of the Medium-Term Expenditure methodologies.
- Production and distribution of all Budget Publications utilizing external publication services, Gov't web-site and DCI
- Review and development of the annual Capital Expenditure Plan to support the Government's capital programme priorities
- Monitor and report to the Financial Secretary and the Minister of Finance on the overall Government's financial performance for both expenditures and revenues utilizing the Gov't financial system
- Provide advice to Cabinet and all Government departments/quangos on all budgetary related matters both preparation and control

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

Same for all public authorities

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
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- To **respond to information requests** in a timely manner [s12-16]
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- 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:

- Services: See Section B above and also:
 - Budget Preparation and control training
 - Financial Performance reporting distribution
 - Electronic Departmental Budget Folders management
- Costs: All costs related to the delivery of services set out in Section B above, are set out in the Annual Approved Estimates of Revenue and Expenditure, under Head 10, Cost Center 20020.

Cost of services: \$475K

Programmes:

Open-Budget reporting
Full implementation of Medium-Term budgeting
Mid-Year Performance reporting

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

Budget Office Control files
Electronic/Manual Departmental Files
Capital Expenditure Plan

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

Budget Office Staff Procedural manuals

- Training Manuals
 - (a) Budget Monitoring & Control
 - (b) Budget Preparation
 - (c) EnterpriseOne (E1)

Administrative Guidelines

- Various HR policies and guidance issued by the Department of Human Resources.

Data Protection Guidelines

- Computer Security Instructions published by ITO August 1997 [draft?]
- Information Sharing and Data Protection Policy Statement issued by ITO dated 28 January, 1998
- Electronic Records Management System: Government Records Center issued by the Government Archivist.

Financial Guidelines

- Financial Instructions issued by the Ministry of Finance.
- Budget Preparation Manual issued by the Ministry of Finance.

Health and Safety

- Health and Safety Policy issued by the Cabinet Office.

Policy Development Guidelines

- The Legislative Process Guidance Note issued by the Cabinet Office.
- The Preparation of Cabinet Memoranda Guidance Note issued by the Cabinet Office.
- Making Policy Happen in Bermuda Guidance Note issued by the Cabinet Office.

Other Guidance notes

- Election Guidance Notes issued by the Cabinet Office.

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

- (a) Monthly Performance Reports – indicates both expenditure and revenue positions of all Ministries/Departments
- (b) Ministry of Finance Business Plan
- (c) Ministry of Finance Legislative Agenda
- (d) Capital Expenditure Plan – 6 year expenditure profile of all Government capital projects which exceed \$100,000
- (e) Throne Speech
- *(e) Pre-Budget Report – outlines the Government's initial and proposed budget development strategy
- (f) Medium Term Expenditure Framework – 3 year cash limit projections of expenditure and revenue for all ministries
- *(g) Budget Statement
- *(h) Approved Estimates of Revenue & Expenditure
- (i) Mid-Year Review – Governments Financial Performance
- *(j) Consolidated Fund Financial Statements
- (k) Audit Reports
- (k) All Public Sector Collective Bargaining Agreements

* Currently available on Ministry of Finance web-site

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

Insert name and contact information:

Denise Saunders
30 Parliament Street
Hamilton HM 12
Bermuda
297 7501
dsaunders@gov.bm

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

*Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information:*

Not applicable

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

Not applicable

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: March 24th 2015

Locations of Information Statement:

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

Your principal office: 2nd Floor Government Administration Building	Y
The Bermuda National Library;	Y
The Bermuda Archives;	Y
Available electronically,	Y
Website for public authority (will be posted on website).	Y
Have you published a notice in the Gazette indicating the places where the information statement is available for the public?	Y
• Information Commissioner.	With the Y

Sign and Date:



24/3/2015



**GOVERNMENT OF BERMUDA
MINISTRY OF FINANCE**

PATI Information Statement

Name of Public Authority: **Ministry of Finance Headquarters - Economics and Financial Intelligence Unit**

Introduction:

- The general purpose of the Public Access to Information Act 2010;

Under section 2 of the Public Access to Information Act 2012, the purpose of 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;
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- Summary of what is in the information statement;

Who we are and what we do

What we spend and how we spend it

What our priorities are and how we are doing
How we make our decisions

Our policies and procedures

Lists and registers – none at this time

The information provided includes: Organisational structure of the Unit; governing legislation; functions and powers; services and programmes; information held - grouped into decision making; administrative or other record; further information (includes financial); contact details for the information officer and locations of the information statement.

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

Insert structure of Authority (organizational chart preferable – text if deemed necessary):

¹ Section 1 of the Act defines a public authority to mean an entity listed in column 1 of the Schedule; Sub-clause 12 of Column 1 of Schedule 1 defines a public authority to include every department of the Government.

The Assistant Financial Secretary heads up the Unit and is supported by the Economic Advisor.

Legislation

Insert governing Legislation:

Governance Framework

- The Employment Act 2000
- Good Governance Act 2011
- The Human Rights Act 1981
- The Interpretation Act 1951
- The Public Service Commission Regulations 2001
- The Public Service (Delegation of Powers) Regulations 2001
- The Public Treasury (Administration and Payments) Act 1969

The primary legislative framework for the unit is as follows:

- The Audit Act 1990
- The Public Funds Act 1954
- The Price Commission Act 1974
- The Customs Department Act 1952
- The Custom Tariff Act 1970 and related legislation
- The Revenue Act 1898
- The National Pension Scheme (Occupational Pensions) Act 1998 and related legislation
- The Government Employees (Health Insurance) Act 1986
- The Contributory Pensions Act 1970 and related legislation
- The Deposit Insurance Act 2011
- The Credit Unions Act 2010
- The Government Loans Act 1978
- The Government Fees Act 1965
- Ministers and Members of the Legislature (Salaries and Pensions) Act 1975
- Public Service Superannuation Act 1981

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

Ministry of Finance Mission Statement

To formulate and implement sound fiscal policies and effectively manage the public finances. To direct policy implementation and oversee programme management operations within the Ministry, with a view to ensure an effective implementation of Government policy.

Nature and scope of the Economic and Financial Intelligence Unit's activities

General Nature of Activities

The Economic and Financial Intelligence Unit provides research and analysis of economic and financial conditions to facilitate sound decisions on public policy and fiscal management. Responsibilities of the staff in the unit include economic forecasts, economic modeling, projections of GDP and the development of key economic indicators. Analysis and commentary on economic and financial statistics are provided, and an annual and mid-year review and outlook are produced.

Scope of activities

The scope of the Economic and Financial Intelligence Unit's activities is as follows:

- Develop the annual budget for the Ministry Headquarters within the current parameters and guidelines of overall financial policy in consultation with the Financial Secretary and Director of Budget.
- Review and develop long-term economic policy options and related financial policy guidelines in conjunction with the Financial Secretary.
- Provide economic forecasting, economic modelling, projections of GDP and the development of key economic indicators.

- Provide analysis and commentary on economic and financial statistics including the annual production of and full year and mid-year National Economic Report of Bermuda.
- Manage the relationship with credit rating agencies and has the responsibility for Government's debt management policy.

Customers and Location of Activities

The Economic and Financial Intelligence Unit provides advice to various Government Boards such as the Bermuda Hospitals Pension Committee Board and the Bermuda Economic Development Corporation Board and is closely involved in the administration of numerous customs duty relief regimes. In addition, staff in the Unit oversees the public pension funds along with the Bermuda Public Funds Investment Committee. This unit delivers presentations to Unions on the state of the economy and on occasions represents Government negotiation teams during union negotiations.

Strategic Management

The Economic and Financial Intelligence Unit liaises with the departments within the Ministry of Finance assigned by the Financial Secretary to provide advice on policy, administrative and operational issues and to ensure that these issues are promptly addressed.

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

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- 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]

Insert a summary of services and programmes provided by the authority:

Services:

- Services: See Section B above.
- Costs: All costs related to the delivery of services set out in Section B above, are set out in the Annual Approved Estimates of Revenue and Expenditure, under Head 10, Cost Center 20030.

Programmes:

- Not applicable.

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

List and describe the classes of records held by the authority:

- Administrative
- Advisory
- Financial
- Legislative
- Policy

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

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

Administrative Guidelines

- Various HR policies and guidance issued by the Department of Human Resources.

Data Protection Guidelines

- Computer Security Instructions published by ITO August 1997
- Information Sharing and Data Protection Policy Statement issued by ITO dated 28 January, 1998
- Electronic Records Management System: Government Records Center issued by the Government Archivist.

Financial Guidelines

- Financial Instructions issued by the Ministry of Finance.
- Budget Preparation Manual issued by the Ministry of Finance.

Health and Safety

- Health and Safety Policy issued by the Cabinet Office.

Policy Development Guidelines

- The Legislative Process Guidance Note issued by the Cabinet Office.
- The Preparation of Cabinet Memoranda Guidance Note issued by the Cabinet Office.
- Making Policy Happen in Bermuda Guidance Note issued by the Cabinet Office.

Other Guidance notes

- Election Guidance Notes issued by the Cabinet Office.

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

Insert list and description of all policies and guidelines for decision making in respect to any person:

- Ministry of Finance Business Plan
- Ministry of Finance Legislative Agenda
- Historical Financial Information
- Economic Indicators
- Financial Statements
- Actuary Reports

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

Insert name and contact information:

Denise Saunders
 30 Parliament Street
 Hamilton HM 12
 Bermuda
 297 7501
dsaunders@gov.bm

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

Insert any other information that you think might be useful for the public to know, so as to decrease requests for information:

Not applicable

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

Not applicable

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Locations of Information Statement:

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

- | | |
|---|---|
| • Your principal office: 2nd Floor Government Administration Building | Y |
| • The Bermuda National Library; | Y |
| • The Bermuda Archives; | Y |
| • Available electronically, | Y |
| • Website for public authority (will be posted on website). | 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: 

24/3/2015



GOVERNMENT OF BERMUDA
MINISTRY OF FINANCE

PATI Information Statement

Name of Public Authority: Ministry of Finance Headquarters - Regulatory Unit

Introduction:

- The general purpose of the Public Access to Information Act 2010;

Under section 2 of the Public Access to Information Act 2012, the purpose of 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;
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- (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.

- The reason that the public authority has an information statement;

Under Section 5 of the Public Access to Information Act 2010, every public authority in Bermuda must produce an information statement.

- The purposes and aims of the information scheme, and what the public authority hopes to achieve through the information statement;

This statement aims to make it easy to access key information about the Ministry of Finance's activities.

- Summary of what is in the information statement;

Categories of information contained in the information statement are as follows:

Who we are and what we do

What we spend and how we spend it

What our priorities are and how we are doing

How we make our decisions

Our policies and procedures

Lists and registers – none at this time

The information provided includes: Organisational structure of the Unit; governing legislation; functions and powers; services and programmes; information held - grouped into decision making; administrative or other record; further information (includes financial); contact details for the information officer and locations of the information statement.

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

Insert structure of Authority (organizational chart preferable – text if deemed necessary):

Led by the Assistant Financial Secretary Regulatory Unit, the Unit comprises two (2) people who ensure that the Unit carries out the individual missions of its strategic ownership goals. The Regulatory Unit administers the financial services regulatory component of the operations of the Ministry of Finance at the organisational level. The Unit is based in the Government Administration Building within the Ministry's Headquarters and it conducts its work in Bermuda and overseas.

Legislation

Insert governing Legislation:

Governance Framework

- Bermuda Constitution Order 1968 (section 110)
- The Audit Act 1990
- The Employment Act 2000
- Good Governance Act 2011
- The Human Rights Act 1981
- The Internal Audit Act 2010
- The Interpretation Act 1951
- The Public Service Commission Regulations 2001
- The Public Service (Delegation of Powers) Regulations 2001
- The Public Treasury (Administration and Payments) Act 1969

Legislative Framework for financial institutions

The primary legislative framework for the regulatory component of the Ministry of Finance is as follows:

- The Banks and Deposit Companies Act 1999
- The Bermuda Monetary Authority Act 1969
- Bermuda Public Accountability Act 2011¹
- The Corporate Service Providers Business Act 2012
- The Exchange Control Act 1972
- The Financial Intelligence Agency Act 2007²
- The Insurance Act 1978
- The Investment Business Act 2003
- The Investment Funds Act 2006
- The Money Service Providers Regulations 2007
- The Proceeds of Crime Act 1997³
- The Trusts (Regulation of Trust Business) Act 2001

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

This information may include:

- A short plain language explanation of services provided or functions carried out;
- The method used by the authority to make decisions;
- Mission Statements of the public authority;
- Any reporting framework.

Ministry of Finance Mission Statement

To formulate and implement sound fiscal policies and effectively manage the public finances. To direct policy implementation and oversee programme management operations within the Ministry, with a view to ensure an effective implementation of Government policy.

¹ Not yet in force.

² Section 7 of the Act gives the FIA a power to disclose information to the Minister of Finance.

³ Section 40 of the Proceeds of Crime Act 1997 covers disclosure of Government Departments.

The scope of the Regulatory Unit's activities is as follows:

- Support the Minister of Finance and the Financial Secretary in coordinating the financial services regulatory policy initiatives of the Government pursuant to the Throne Speech and the Ministry of Finance policy/legislative agenda.
- Oversee the Ministry of Finance component of the financial services legislative program together with the Bermuda Monetary Authority and the Ministry of Legal Affairs, pursuant to the Ministry of Finance Legislative Agenda, the Ministry of Finance EU Engagement Strategy, and the Bermuda Monetary Authority's Annual Business Plan.
- Provide policy advice to the Financial Secretary and the Minister of Finance on anti-money laundering policy initiatives together with the Ministry of Legal Affairs, and the National Anti-Money Laundering Committee, pursuant to the National Anti-Money Laundering Strategy.
- Provide policy advice to the Financial Secretary and the Minister of Finance on matters related to the regulatory component of financial services, and audit directives issued by the European Union together with EU Counsel, pursuant to the Ministry of Finance Business Plan.
- Provide policy advice to the Insurance Advisory Committee on matters related to the insurance sector.

Reporting framework (statutory obligations)

- Except for certain publication responsibilities retained by the Bermuda Monetary Authority, all Statutory Instruments are tabled in both Houses of the Legislature.
- The National Anti-Money Laundering Committee reports to the Minister of Legal Affairs, pursuant to section 49 of the Proceeds of Crime Act 1997.
- The Bermuda Monetary Authority is required to submit to the Minister of Finance within four months after the end of each financial year an annual report of its operations and a report of its annual statement of accounts pursuant to section 28(1) of the Bermuda Monetary Authority Act, 1969. The Minister of Finance is required to table a copy of the report and the annual statement of accounts in both Houses of the Legislature.

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

Same for all public authorities

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]

Insert a summary of services and programmes provided by the authority:

Services:

- Services: See Section B above.
- Costs: All costs related to the delivery of services set out in Section B above, are set out in the Annual Approved Estimates of Revenue and Expenditure, under Head 10, Cost Center 20020.

Programmes:

Provide information that a public authority holds which relates to:

- Programmes that are offered to the public;
- Programmes and services that are going to be implemented; and
- Any programme that would be of public interest.

- Not applicable.

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

List and describe the classes of records held by the authority: (Complete an inventory of all records and documents in your programme)

- Administrative
- Advisory
- Compliance
- Financial
- Legislative
- Policy

(Standard needs to be agreed for all MoF Units)

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

Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities: (Records are likely a result of decision making documents in procedures/guidelines etc. If there is no policy and procedures manual, one needs to be created)

Administrative Guidelines

- Various HR policies and guidance issued by the Department of Human Resources.

Data Protection Guidelines

- Computer Security Instructions published by ITO August 1997
- Information Sharing and Data Protection Policy Statement issued by ITO dated 28 January, 1998
- Electronic Records Management System: Government Records Center issued by the Government Archivist.

Financial Guidelines

- Financial Instructions issued by the Ministry of Finance.
- Budget Preparation Manual issued by the Ministry of Finance.

Health and Safety

- Health and Safety Policy issued by the Cabinet Office.

Policy Development Guidelines

- The Legislative Process Guidance Note issued by the Cabinet Office.
- The Preparation of Cabinet Memoranda Guidance Note issued by the Cabinet Office.
- Making Policy Happen in Bermuda Guidance Note issued by the Cabinet Office.

Other Guidance notes

- Election Guidance Notes issued by the Cabinet Office.

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

Insert list and description of all policies and guidelines for decision making in respect to any person:
(Records are likely a result of decision making documents in procedures/guidelines etc. If don't have decision making documents need to create)

- Ministry of Finance Business Plan
- Bermuda Monetary Authority Annual Business Plan (legislative component)
- National Anti-Money Laundering Strategy

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

Insert name and contact information:

Pamela Burrows
Ministry of Finance
Government Administration Building
30 Parliament Street
Hamilton HM 12
Bermuda
Email: pburrows@gov.bm
Tele: 295-5151, ext.1270

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

Insert any other information that you think might be useful for the public to know, so as to decrease requests for information:

Not applicable

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

Not applicable

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: March 24, 2015

Locations of Information Statement:

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

Your principal office: 2nd Floor Government Administration Building	Y
The Bermuda National Library;	Y
The Bermuda Archives;	Y
Available electronically,	Y
Website for public authority (will be posted on website).	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/N

Sign and Date:  24/3/2015

GOVERNMENT OF BERMUDA

MINISTRY OF FINANCE

PATI Information Statement

Name of Public Authority: Ministry of Finance Headquarters - Treaty Unit

Introduction:

- The general purpose of the Public Access to Information Act 2010;

Under section 2 of the Public Access to Information Act 2012, the purpose of 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.

- The reason that the public authority has an information statement;

Under Section 5 of the Public Access to Information Act 2010, every public authority [1][1] in Bermuda must produce an information statement.

- The purposes and aims of the information scheme, and what the public authority hopes to achieve through the information statement;

This statement aims to make it easy to access key information about the Ministry of Finance's activities.

- Summary of what is in the information statement;

Who we are and what we do

What we spend and how we spend it

What our priorities are and how we are doing

How we make our decisions

Our policies and procedures

Lists and registers – none at this time

The information provided includes: Organisational structure of the Unit; governing legislation; functions and powers; services and programmes; information held - grouped into decision making; administrative or other record; further information (includes financial); contact details for the information officer and locations of the information statement.

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

Insert structure of Authority (organizational chart preferable – text if deemed necessary):

Lead by the Assistant Financial Secretary (Treaties), the Unit also includes a Treaty Adviser, and Research Officer. (The organization of the Treaty Unit is currently under review)

Legislation

Legislation

Insert governing Legislation:

Governance Framework

- The Employment Act 2000
- Good Governance Act 2011
- The Human Rights Act 1981
- The Interpretation Act 1951
- The Public Service Commission Regulations 2001
- The Public Service (Delegation of Powers) Regulations 2001
- The Public Treasury (Administration and Payments) Act 1969

The primary legislative framework for the unit is as follows:

- The International Cooperation (Tax Information Exchange Agreement) Act 2005
- The USA Bermuda Tax Convention Act 1986

Copies of the foregoing Acts and Regulations may be viewed at the following website:
<http://www.bermulaws.bm/default.aspx>

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

This information may include:

- A short plain language explanation of services provided or functions carried out;
- The method used by the authority to make decisions;
- Mission Statements of the public authority;

Any reporting framework.

Ministry of Finance Mission Statement

To formulate and implement sound fiscal policies and effectively manage the public finances. To direct policy implementation and oversee programme management operations within the Ministry, with a view to ensure an effective implementation of Government policy.

Nature and scope of the Treaty Unit's activities

The Treaty Unit is responsible for negotiating Tax Information Exchange Agreements (TIEAs), other agreements relating Tax Information Exchange and associated agreements, with member countries of

the EU, G20, Organisation for Economic Cooperation and Development (OECD) and white listed jurisdictions and other jurisdictions, and administering such tax agreements.

Activities – The Assistant Financial Secretary provides policy advice, governance, and administrative services on policy matters on tax treaty negotiation, management and administration; in addition to working closely wide range of stakeholders to safeguard Bermuda's economic interests and fostering and facilitating international cooperation.

Customers and Location of Activities: G20, Organization for Economic Cooperation and Development ("the OECD"), members of the Global Forum on Transparency and Exchange of information for Tax Purposes, UK FCO, the Governor, the Cabinet, members of the Legislature, Government agencies as well as statutory committees in Bermuda, civil society, public and private organizations, and public servants.

Strategy management: The Treaty Unit administers tax treaty negotiation, management and administration and international tax cooperation to contribute to the Finance Ministry's key goals and objectives: to facilitate balanced economic growth and development; provide strategic direction and an overall framework for financial management and control of government's activities; to safeguard Bermuda's economic interests in the face of challenges and threats in the changing global economy.

Key strategic ownership goals for the Treaty Unit: Negotiate, Sign, administer and manage TIEAs to assist in advancing the international economic policy objectives of the Ministry of Finance and comply with the internationally agreed tax standard of the G20 and OECD.

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
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- 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]
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- To provide an **annual written report** to the Information Commissioner of the status of information requests [s58 (3)].
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 - Fees** for Requests for information
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 - 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:

- Services: See Section B above.
- Costs: All costs related to the delivery of services set out in Section B above, are set out in the Annual Approved Estimates of Revenue and Expenditure, under Head 10, Cost Center 20040.

Programmes:

- Not applicable.

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

- Administrative
- Advisory
- Financial
- Legislative
- Policy

Bermuda's Tax treaties are uploaded to tax link on the public web site of the OECD

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

Pamela Burrows
 Ministry of Finance
 Government Administration Building
 30 Parliament Street
 Hamilton HM 12
 Bermuda
 Email: pburrows@gov.bm
 Tele: 295-5151, ext.1270

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

*Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information:*

Not Applicable

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

Not Applicable

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: March 24, 2015

Locations of Information Statement:

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

Your principal office: 2nd Floor Government Administration Building	Y
The Bermuda National Library;	Y
The Bermuda Archives;	Y
Available electronically,	Y
Website for public authority (will be posted on website).	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:



24/3/2015