



BERMUDA GOVERNMENT

MINISTRY OF LEGAL AFFAIRS & CONSTITUTIONAL REFORM

PATI Information Statement

Name of Public Authority: Attorney-General's Chambers

Introduction:

The Public Access to Information Act 2010 (PATI) grants the Bermuda 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. It is designed to increase transparency with regard to the activities of public authorities and their decision-making processes, and to hold such authorities to a high standard of accountability. Each public authority is required by law to publish an information statement describing its organization, functions, policies and procedures, and the name of a contact person to whom requests under the Act are to be directed. The following information serves to fulfil this obligation and provide an overview for the public of the resources in the Attorney-General's Chambers which they are entitled to access.

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

The Attorney-General's Chambers is functionally divided into six programmes:

Administration – provides office support to the Attorney-General's Chambers

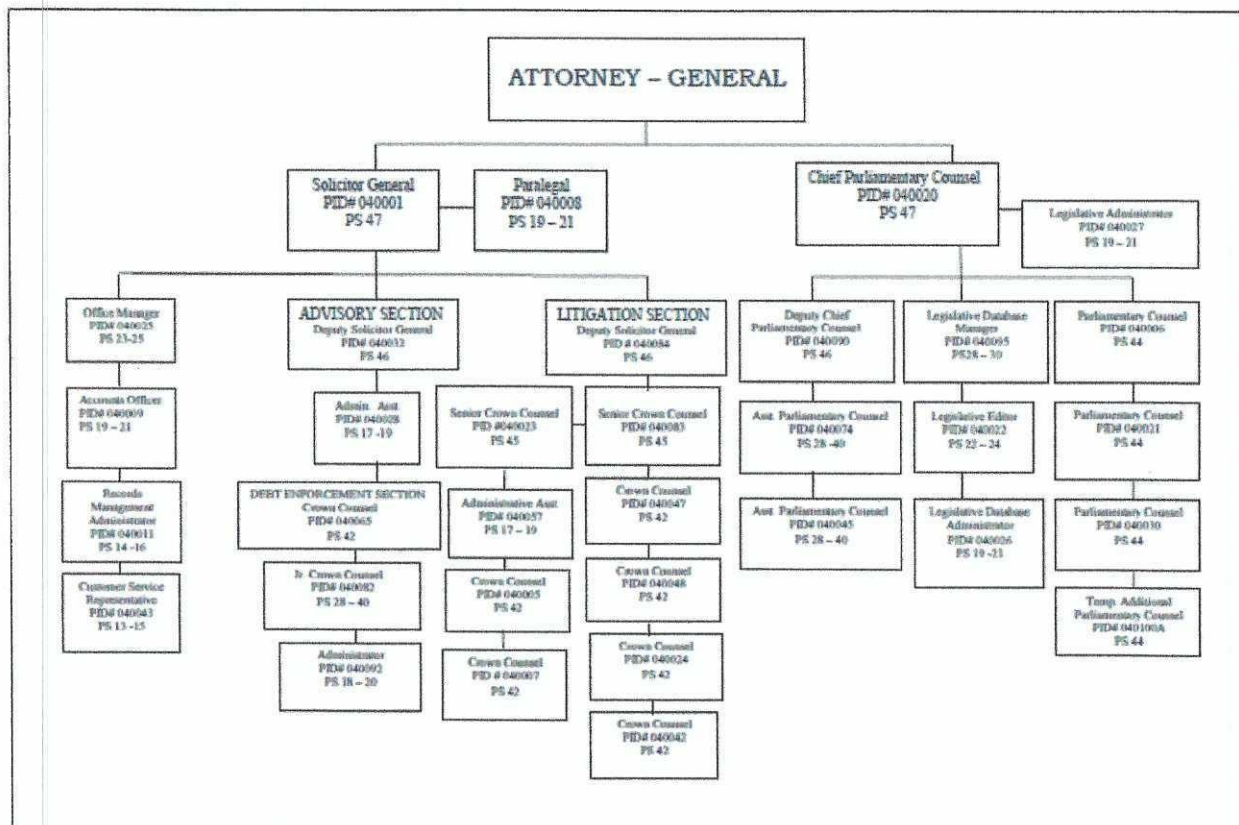
Advisory – advises Government departments and conducts litigation in the Civil Courts on behalf of the Government

Legislative Drafting – drafts Acts and Statutory Instruments for all Government departments and advises Ministers

Revised Laws – consolidates and publishes the laws of Bermuda

Debt Collection – assists the Government in the recovery of unpaid social insurance contributions, payroll tax, land tax and other taxes

Law Library – maintains a physical and electronic legal resource of books, periodicals and case law for Counsel in Chambers



Legislation

Legislation drafted by the Attorney-General's Chambers is governed by the *Computerization and Revision of Laws Act 1989* which requires the Attorney-General to prepare and maintain an active and an historic electronic database in which to store all enactments and applied laws of Bermuda since 1989. The Act instructs the Attorney-General to publish an active electronic database, and make any necessary changes, corrections and updates in it. The database is available to the public at www.bermulalaws.bm

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

In summary, the Attorney-General's Chambers provide legal advice to the Government, conduct litigation on its behalf and prepare draft legislation in accordance with instructions prepared by departments pursuant to a decision of the Cabinet.

Mission statement:

As legal advisors to the Government, the Attorney-General's Chambers are committed to providing high quality legal advice and litigation services and to drafting sound legislation, mindful of the need to protect the public interest and to safeguard and preserve the fundamental rights and freedoms enshrined in our Constitution. In doing so, we also pledge to uphold the traditions of equity, fairness and justice inherent in the legal profession whilst

simultaneously remaining on the cutting edge of legal trends and technologies to ensure that we are abreast of and in accord with global trends.

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

- To provide an **information statement** for the public and publicize 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 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, s47(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 PATI and subsequent Regulations and Codes of Practice [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 Programs [s5(1)c]

Services:

The Attorney General's Chambers do not provide any legal advice or other legal services to members of the public.

The website of Bermuda laws is available free of charge at www.bermudalaws.bm. It consists of annual files (laws as enacted) and the consolidated files which show the law as it is in force (current to within a few weeks).

Programs:

The Attorney General's Chambers do not provide any programs for members of the public.

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

Records obtained or created by the Attorney-General's Chambers in the course of carrying out its functions are not accessible to the public under section 4 of PATI with the exception of records related to the general administration of the Attorney General's Chambers. The Attorney General's Chambers employ an Office Manager who is responsible for maintaining personnel records of staff members within the Attorney General's Chambers. These records fall within Part 4 "Exempt Records", under sections 23 and 24 of PATI, and as such are exempt from disclosure to the public on the grounds that they are personal information. Section 23(2) provides exceptions to this and Section 24(2) details what "personal information" does not include. The Attorney-General's Chambers' accounting records are maintained by the Financial Comptroller within the Ministry of Legal Affairs who keeps the following accounting records that are accessible to the public:

- (1) Salaries;
- (2) Membership fees;
- (3) Office Supplies;
- (4) Repair and Maintenance of Office and Office Equipment;
- (5) Drinking Water;
- (6) Books, periodicals and subscriptions; and
- (7) Fixed Assets

In addition, the Attorney-General's Chambers have administrative contracts that are accessible to the public.

Budgetary records for the Attorney-General's Chambers are produced and maintained by the Financial Comptroller in Chambers. All Government Departments' budgetary information (i.e. Approved Estimates and Revenue for the Year) are published on the Bermuda Government Ministry of Finance website (www.gov.bm). Specific requests for accounting records can be made directly to the Attorney-General's Chambers Financial Comptroller by the public which are then handled on a case-by-case basis.

The active legislative database is published and accessible to the public via the website: www.bermudalaws.bm

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

The Attorney General's Chambers do not produce an employee manual. Employees refer to the *Code of Conduct and Conditions of Employment* and the *BPSU Collective Bargaining Agreement*.

The Legislative Drafting section of the Attorney-General's Chambers follows the process outlined in the manual *Summary of the Legislative Process* in the drafting of legislation. This document is used for teaching purposes only as it summarizes the process of law creation from policy inception to enactment and publication.

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:

- (1) The Conditions of Employment and Code of Conduct; and
- (2) The Collective Bargaining Agreement
- (3) Dignity at Work Policy and Complaint Procedure published by the HR Department
- (4) Civil Service Performance Appraisal Guidance Handbook published by the HR Department

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

The PATI Information Officer will be Ms. Linda Simons, (Office Manager) of the Attorney-General's Chambers, #43 Church Street, Hamilton HM 12, Tel. 292 2463.

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:*

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: 6th [date] January, 2023

Locations of Information Statement:

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

- Your principal office: Attorney General's Chambers, 4th floor, Global House, 43 Church Street, Hamilton HM 12
- The Bermuda National Library
- The Bermuda Archives
- Available electronically
- Website for public authority www.gov.bm
- With the Information Commissioner

Sign and Date



6-1-2023