



BERMUDA GOVERNMENT
MINISTRY OF HOME AFFAIRS

PATI Information Statement
April 1st, 2015

Name of Public Authority: Registry General

Introduction:

The general purpose of the Public Access to Information Act 2010 (PATI) is to 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.

Under PATI, public authorities are required to provide information statements which make information readily available to the public without the need for specific written requests. The statements are intended to encourage public authorities to proactively publish information and develop a culture of openness and transparency, which should increase public confidence.

This information statement commits the Registry General to making information available to the public as part of its normal business activities. The department will:

- Specify the information that it holds;
- Make information that it holds routinely available;
- Describe the methods by which specific information is made available, so that it can be easily identified and accessed by members of the public;
- List any fees charged for access to information described in this statement;
- Make this information statement available to the public; and
- Regularly review and update the information made available under this statement.

The information listed in this statement is available to the public, and can be divided into seven categories:

- Structure and Organization
- Services
- Strategic Management
- Finance and Administration
- Policies and Procedures
- Decisions and Recommendations
- Lists and Registers

Information Available to the Public:

- Full details of Births, Deaths and Marriages
- Full details of Mortgages, Deeds, and Voluntary Conveyances
- Full details of Land Transfer Notices
- Names, registration numbers, contact details of the principal officers and purposes of Registered Charities
- Financial Statements of Charities
- Names, addresses and professional qualifications of Architects, Psychological Practitioners, Professional Engineers and Surveyors
- Names and contact details of the principal officers for Trade Unions
- Names and contact details of the principal officers for Pension Trust Funds
- Names and contact details for Marriage Officers
- Local newspaper advertisements for Marriages, Charities, Architects, Psychological Practitioners, Professional Engineers and Surveyors
- Certified extracts from registers held in Registry General
- Annual Report of the Registrar General
- Full details of expired Patents
- Copies of specifications of registered Patents
- Full details of expired Designs
- Certified extracts from the Register of Patents
- Access to the electronically held Register of Trademarks
- Any document pertaining to a notice of opposition or an application for rectification
- Local newspaper advertisements for Trademarks
- Local newspaper advertisements for Patents
- Full details from the electronically held Register of .BM domain names

Information that may be Withheld:

- Information that is not held by the Registry General or which has been disposed of in accordance with a legally authorized disposal schedule;
- Information that is not readily available, for example, information that is contained in files that have been placed in archive storage, or is otherwise difficult to access
- Information which is exempt under a suite of Acts that govern the activities of the Registry General for example personal information; or commercially sensitive information
- Notices of Births
- Notices of Particulars of Births
- Notices of Deaths
- Notices of Intended Marriages
- Particulars of Marriages
- Charity Applications
- Architect Applications
- Professional Engineers Applications
- Professional Surveyors Applications
- Psychological Practitioners Applications
- Legal Executives
- Pension Trust Audited Financial Statements
- Pension Trust Actuarial Reports
- Adoption Orders
- Patent plans and specifications prior to registration
- Trademark documents filed, other than those specified in above section

Legislation

The legislation governing the conduct of the Registry General is as follows:

- Adoption of Children Act 1963
- Adoption of Children Act 2006
- Architects Registration Act 1969
- Architects Registration Act 1970
- Assistant Registrar General (Power and Duties) Act 1955
- Baha'i Marriage Act 1970
- Bermuda Immigration and Protection Act 1956 (See Section 102)
- Charities Act 2014
- Charities (Anti-Money Laundering and Anti-Terrorist Financing and Reporting) Regulations 2014
- Charities Regulations 2014
- Conveyancing Act 1983
- Copyright and Design Act 2004
- Copyright (Broadcasting Undertaking) Order 2014
- Copyright (Customs) Regulations 2014
- Copyright (Education Establishment) Order 2014
- Copyright (International Organisations) Order 2014
- Copyright (Librarians and Archivists) Copying of Copyright Material and Lending of Copies) Regulations 2014
- Copyright (Recording for Archives) (Designated Classes and Bodies) Order 2014
- Copyright (Subtitling of Television Broadcasts and Cable Programmes) (Designated Body) Order 2014
- Copyright and Rights in Performes (Notice of Seizure) Order
- Copyright Tribunal Rules 2014
- Corporate Bodies' Lands Act (No. 2) 1936
- Friendly Societies Act 1868
- Friendly Societies Act 1930
- Government Fees (Trade Marks and Service Marks) Amendment Regulations 2010
- Government Fees (Trade Marks and Service Marks) Regulations 1993
- Jewish Marriage Act 1946

- Legal Executive (Registration) Act 2011
- Legal Executive (Registration) Regulations 2014
- Maritime Marriage Act 1999
- Maritime Marriage Amendment Act 2004
- Marriage Act 1944
- Marriage Amendment Act 2002
- Merchandise Marks Act 1889
- Merchant Shipping (Return of Birth and Deaths) Regulations 1980
- Mortgage Registration Act 1786
- Muslim Marriage Act 1984
- Patents and Designs Act 1930
- Patents and Designs Rules 1903
- Pension Trust Funds Act 1966
- Printed Publications Act 1971
- Professional Engineers Registration Act 1972
- Professional Engineers Registration Regulations 1972
- Professional Surveyors Registration Act 1997
- Psychological Practitioners Act 1998
- Psychological Practitioners Registration Regulations 2003
- Registrar General (Recording of Documents) Act 1955
- Registrar General (Recording of Documents) Amendment Act 1999
- Registration (Births and Deaths) Act 1949
- Registration (Births and Deaths) Amendments Act 2003
- Timesharing (Licensing and Control) Act 1981
- Timesharing (Licensing and Control) Amendment Act 2005
- Trade Marks Act 1974
- Trade Marks and Service Marks Regulations 1993
- Trade Union Act 1965
- Trade Union Amendment Act 2002

Copies of the above legislation can be found online at www.bermudalaws.bm.

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

The Registrar General is appointed to discharge duties conferred or imposed under the suite of Acts and Regulations listed above in the Legislation paragraph of Section A. The Registrar General reports directly to the Permanent Secretary of the Ministry of Home Affairs, who in turn reports to the Minister. The Registrar General is assisted in the exercise of the statutory functions by such public officers as may from time to time be authorized by the Legislature. The Registry General consists of two main Sections, Vital and General Registrations and Intellectual Property Registrations. Both Sections are required to provide reliable systems for the storage of public records in relation to their respective areas, and to facilitate access to these records.

Vital and General Registrations Section

The mandate of the Vital and General Registrations Section is to provide a timely and efficient service when administering Acts governing the activities of its three units: Birth, Death and Marriage Registrations; Property, Professional and Organizational Registrations; and Administration.

- The function of the Birth, Death and Marriage Registration Unit is to register every birth, death and marriage that occurs in Bermuda or on Bermuda registered ships. The Unit also performs civil marriage ceremonies.
- The function of the Property, Professional and Organization Registration Unit is to register documents relating to land, other property and mortgages, as well as the acquisition of land by non-Bermudians and corporate bodies. The unit also maintains official registers of architects, professional engineers, professional surveyors, psychological practitioners, marriage officers, charitable organizations, friendly societies, pension trust funds, and trade unions.
- The function of the Administration Unit is to ensure that adequate resources are made available to facilitate the efficient and timely operation of the department.

Intellectual Property Registrations Section

Intellectual Property refers to creations of the mind or intellect. Creators of intellectual property seek protection to maintain an exclusive right to exploit their created works. The Intellectual Property Section facilitates the protection of intellectual property rights to an international standard, so that Bermuda remains a place where creativity and talent can thrive.

The mandate of the Intellectual Property Section is to provide a timely and efficient service with respect to Intellectual Property and other rights, such as:

- the registration of trade and service marks
- the registration of patents and industrial designs

- the provision of advice on protecting copyright and related rights
- the registration of domain names in the “.bm” country code top level domain

The role and functions of the Intellectual Property Section mirror those of the UK, US and other National IP Registries. The services provided to the public are mandated by legislation which directs the core duties and responsibilities of the IP Section (e.g. Trade Marks Act 1974, Trade Marks and Service Marks Regulations 1993, Patents and Designs Act 1930, Government Fees (Trade Marks and Service Marks) Amendment Regulations 2010).

Our website www.registrygeneral.gov.bm provides further details and the fees charged for all services offered by the Registry General.

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:

Vital and General Section

Evaluating staff overall performance and progress towards established targets; setting long term goals and objectives; development of assessment tools to evaluate the learning process of staff; preparing and revising laws and other regulatory instruments that affect the Vital and General Section's functions and responsibilities; promote public awareness of the services offered by the Vital and General Section.

Several performance measures have been put in place to ensure that the core services are delivered with high quality and in a timely manner, including:

Performance measures for the Property, Professional and Organization registration section:

1. To maintain the time required for the registering and indexing of mortgages, deeds and other legal documents to within one month of receipt of documents in the office.
2. To maintain the time required for the registering of land transfer notices to within ten (10) days of receipt of notices in the office.

Performance measures for the Births, Deaths and Marriages Section:

1. To maintain the time required for the registering of Births to within 10 days of receipt of the Notice of Particulars of Birth forms in the office.
2. To maintain the time required for the registering of Deaths to within 10 days of receipt of the Notice of Death forms in the office.
3. To maintain the time required for the registering of Marriages to within 10 days of receipt of the Particulars of Marriage forms in the office.

The department offers a counter service where Birth, Death and Marriage certificates may be ordered and received in two days for a fee. A same day express service is also offered for an additional express service fee.

Performance measures for the Administration Section:

1. Within budget constraints, to maintain 90% of staffing levels by ensuring that the number of vacancies at any time does not exceed 10% of the staffing complement.
2. To increase efficiency by ensuring that at least 25% of the staff receives cross training.

The administration of internal functions and management of resources is ensured through the managing of monetary resources; material resources; human resources; information resources; and relationships with clients, the public and other government agencies. General accounting policies are adopted and followed in accordance with the Financial Instructions.

- A budget of \$840,000 has been allocated to the Registry General Department for the period April 1, 2015 to March 31, 2016. Medium Term Budgeting Framework.

- The Administration section has been allocated a total of \$821,660 which is comprised of:
 1. Salaries (\$738,785)
 2. Training (\$5,000)
 3. Office supplies (\$20,000)
 4. Maintenance contracts on office equipment (\$19,400)
 5. Software maintenance (\$10,000)
 6. Printing costs (\$4,000)
 7. Travel (\$2,000)
 8. Various other costs necessary to maintain the department (\$7,975).

- The Property, Professional and Organization Registration Section was allocated \$110,269 which is comprised of:
 1. Salaries (\$103,969)
 2. Charity Commissioners Fees (\$9,600)
 3. Printing (\$5,800).

- This section also generates revenue and for this period the estimated amount of \$253,000 comprises:
 1. Registration of mortgages, chattel mortgages, deeds, voluntary conveyances and alien deeds (\$105,000)
 2. Registration of Land Transfer Notices (\$36,750)
 3. Searching of registers (\$28,000)
 4. Fees to register professionals, time sharing, certified copies and pension trust fees (\$15,750)
 5. Charity Registration Fees (\$69,250)
 6. Certified Copies (\$10,000)
 7. Time Share Fees (\$2,000)
 8. Professional Registrations (\$2,000).

- The Births, Deaths and Marriages Section have been allocated \$366,723 which comprises:
 1. Salaries (\$209,811)
 2. Advertising marriage notices (\$120,000)
 3. Special security paper (\$22,000)
 4. Courier charges (\$4,200)
 5. Credit/Debit Card fees (\$4,350).

- Revenue of \$651,899 has been estimated to be received by this section:
 1. Birth certificates (\$100,000)
 2. Death certificates (\$43,260)
 3. Other fees – births and deaths (\$3,345)
 4. Marriage licence fees (\$178,500)
 5. Maritime marriage licence fees (\$202,650)
 6. For marriage certificates (\$63,000)
 7. For maritime marriage certificates (\$26,250)
 8. Marriage ceremonies (\$25,956)
 9. Other marriage fees and special marriage licence fees (\$8,938).

Capital Acquisitions - \$50,000 has been allocated to purchase new Domain Name Registration System.

Intellectual Property Section

The IP Section is responsible for the following services:

- Receiving and examining Trade and Service Mark applications and granting Trade Mark and Service Mark rights
 - Receiving and examining Design applications and granting Design rights
 - Receiving and examining Patent applications and granting Patent rights
 - Advising the Bermuda Government and public on copyright and related rights protection
 - Providing information on all aspects of intellectual property
 - Promoting awareness on intellectual property rights
 - The registration of country-code top-level .BM domain name
 - Reviewing and formulating intellectual property policies and legislation
- The Intellectual Property Section has been allocated a total of \$541,126 which is comprised of:
 1. Salaries (\$423,708)
 2. Training (\$3,810)
 3. Office supplies (\$4,000)
 4. Software maintenance (\$65,000)
 5. Printing costs (\$1,000)

6. Travel (\$11,000)
7. Advertising notices (\$25,000)
8. Conservation Services (\$0)
9. Board and Committee Fees (\$2,000)
10. Various other costs necessary to maintain the department (\$5,608).

- This section also generates revenue and for this period the estimated amount of \$1,586,360 comprises:

1. Trade Mark Applications (\$250,000)
2. Trade Mark Assignments (\$18,200)
3. Trade Mark Registration (\$208,000)
4. Trade Mark Renewals (\$416,000)
5. Trade Mark Other (\$80,000)
6. Patent Fees (\$4,160)
7. IP Certificates (\$70,000)
8. Domain Registration Fees (\$540,000)

Programmes

World Intellectual Property (IP) Day which is held annually on April 26th. World IP Day increases the level of awareness of Intellectual Property Rights and its protection in Bermuda, ensures that Bermudian entrepreneur and artist are aware of their rights locally and internationally, and promotes creativity.

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

Registers held by the Vital and General Section:

- Birth Registers from 1866 to Present
- Death Registers from 1866 to Present
- Marriage Registers from 1866 to Present
- Land Transfers by Parish and by Year from 1972 to Present
- Parish Vestry Assessment Books
- Parish Vestry Land Transfer Notices
- Mortgage Registers from 1866 to Present

- Voluntary Conveyance Registers from 1866 to Present
- Deeds Registers from 1866 to Present
- Alien Deed Registers from 1866 to Present
- Charity Register from 1965 to Present
- Architects Register from 1971 to Present
- Professional Engineers Register from 1973 to Present
- Professional Surveyors Register from 2001 to Present
- Psychological Practitioners Register from 2003 to Present
- Trade Union Register.

All Other Information Held by the Vital and General Section:

- Notice of Births
- Notices of Particulars of Births
- Notices of Deaths
- Notices of Intended Marriages
- Particulars of Marriages
- Charity Applications
- Architect Applications
- Professional Engineers Application
- Professional Surveyors Applications
- Psychological Practitioners Applications
- Corporate Bodies Memorandums
- Mortgage Memorandums
- Alien Deed Memorandums
- Land Transfer Notices
- Deeds Memorandums
- Voluntary Conveyance Memorandums
- Trade Union Applications.

Registers held by the Intellectual Property Section:

- Trademark Register – official and complete record of all trade/service marks register in Bermuda
- Patent Register - official and complete record of all patents register in Bermuda
- Design Register - official and complete record of all designs register in Bermuda
- “.bm” Domain Name Register - official and complete record of all country code .BM domain names register in Bermuda.

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

The following policies and procedures are used:

- Policies and Guidance Registered Charitable Organizations
- Aide Memoire – Information related to Intended Marriages in Bermuda
- Note to Marriage Officer Licence Application
- Marriage Officer Policies
- Maritime Marriage Aide Memoire
- Professional Engineers – Letter of Disclosure and Release
- Architect Application Requirements
- Psychological Practitioners – Continuing Professional Development.
- Training manual for trademark examination
- Training manual for .BM domain registration
- Record management file plan for projects/initiatives.

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

The Acts and Regulations that are listed in the “Legislation” paragraph in Section A establish the decision making requirements for each relevant section of the Registry.

In particular, the Charities Act 2014 empowers the Registrar General to oversee the charitable sector in consultation with the Charity Commissioners. The decisions made can be appealed to the Minister responsible for Charities. The Minister’s decisions can be appealed to the Supreme Court on a point of Law empowers the Registrar General to oversee the charitable sector in consultation with the charity commissioners.

The Architects, Professional Engineers, Professional Surveyors and Psychological Practitioners Acts all

established Councils to review approve or deny their respective applications. Under these Acts, appeals are made to the Secretary to the Cabinet for a decision by the Cabinet.

The following policies and procedures are used by the Department:

- Policies and Guidance for Registered Charitable Organizations
- Aide Memoire – Information related to Intended Marriages in Bermuda
- Note to Marriage Officer Licence Application
- Marriage Officer Policies
- Maritime Marriage Aide Memoire
- Professional Engineers – Letter of Disclosure and Release
- Architect Application Requirements
- Psychological Practitioners – Continuing Professional Development.
- Practice Notes Nos. 1 – 25 in reference to Trade and Service Marks services
- Occupational Safety and Health Act 1982
- Occupational Safety and Health Regulations 2009
- International Corporation for Assigning Names and Number (ICANN) Policy
- Uniform Dispute Resolution Policy
- Employment Act 2000
- Collective Bargaining Agreement.

Decisions and recommendations to the management and daily operations are made using the following forums and evaluation forms:

- Regular Meetings with the Registrar General
- Staff Meetings
- Performance Appraisals
- Job Forward Plans
- Bermuda Public Services Union Members Meetings.

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

Please contact:

Mrs. Patricia Colbert

PATI Information Officer

Tel: (441) 297-7707

Email: pecolbert@gov.bm

The General Registry will adhere to its obligations under section 12 of the PATI Act, and any requirements relating to disability or discrimination, when providing information in accordance with this information statement.

Information will be provided in the language in which it is held. Where the Registry General is legally required to translate any information, it will do so.

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

Methods of Accessing Information:

Information available under the Registry General's information statement will usually be accessible through the methods described below.

Online:

Information regarding services offered by the Registry General are on our website www.registrygeneral.gov.bm and relevant documents can be downloaded in PDF format.

If the website link is broken or down, you can log directly onto the Government of Bermuda website www.gov.bm and click on "Government A-Z" or use the "Search" facility to locate the Registry General.

Email:

If information listed in our information statement is not published on the website, it may be sent to you by email. You can email the Information Officer at pecolbert@gov.bm to request information. Please provide a telephone number so that we can call you to clarify details if necessary.

Phone:

Documents listed in the information statement can also be requested by telephone. Please call Mrs. Patricia Colbert on (441) 297-7707 to request information.

Post:

All information listed in the information statement will usually be available in hard copy. Requests may be addressed to:

Registry General
1stFloor, Government Administration Building
30 Parliament Street
Hamilton HM 12

In your request, please provide your name and address, and full details of the information or documents

you would like to receive. You may wish to provide a telephone number so that we can call you to clarify details in necessary.

Personal Visits:

You can visit the Registry General directly to obtain copies of available information listed in the information statement upon payment of the prescribed fee. The information can be obtained by you personally conducting a search of the Registers or requesting an officer to conduct the search on your behalf for the prescribed fee.

Please note that the Vital and General Section of the Registry General is located on the 1st Floor of the Government Administration Building, while the Intellectual Property Section is located on the 4th Floor of the same building.

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

There are 20 members of staff. The allocation of staff includes:

1. Registrar General
2. Assistant Registrar General (Vital and General)
3. Assistant Registrar General (Intellectual Property)
4. Administrative Officer
5. Secretary
6. Accounts Clerk
7. Legal and Compliance Officer
8. Validation and Compliance Administrator
9. Land Transfer Clerk
10. Registration Clerk
11. Senior Marriage Clerk
12. Receptionist
13. Births and Deaths Clerk
14. Data Verification Clerk
15. Trademarks Officer
16. Domain Name Officer
17. Examiner
18. Trademarks Administrator
19. Trademarks Clerk Senior
20. Trademarks Clerk

The office is open at 8.30am to 5pm from Mondays to Fridays.

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: *April 1, 2015*

Locations of Information Statement:

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

Registry General, 1stFloor
Government Administration Building, 30 Parliament Street
Hamilton HM 12

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|---|-----|
| • The Bermuda National Library; | Y/N |
| • The Bermuda Archives; | Y/N |
| • Available electronically (www.registrygeneral.gov.bm). | 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: Patricia Colbeck-April 1, 2015

Total Posts 20

Vacant Posts 4

REGISTRY GENERAL

MINISTRY OF HOME AFFAIRS

Current Organizational Chart as at April 1, 2015

