



BERMUDA

MINISTERS (CHANGE OF RESPONSIBILITIES  
AND STYLE) ORDER 2011

BR 5 / 2011

TABLE OF CONTENTS

- 1 Citation
- 2 Amends Department of Works and Engineering Act 1984
- 3 Amends references to Department of Works and Engineering Act 1984
- 4 References to Chief Surveyor and to inspection of maps etc
- 5 Other statutory amendments

SCHEDULE

The Premier, in exercise of the power conferred by sections 1 and 3 of the Ministers (Change of Responsibilities and Style) Act 1974, makes the following Order:

Citation

1 This Order may be cited as the Ministers (Change of Responsibilities and Style) Order 2011.

Amends Department of Works and Engineering Act 1984

2 (1) The Department of Works and Engineering Act 1984 ("the 1984 Act") is amended as follows.

(2) In the title and section 1 of the 1984 Act (short title) delete "Department of Works and Engineering Act" and substitute "Public Lands Act".

(3) In section 2 of the 1984 Act (interpretation)—

(a) at the end of the definition of "Department" insert ", or in relation to functions carried out by another Department, that other Department";

MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

(b) delete the definition of “Minister” and substitute—

“Minister” means the Minister responsible for works and engineering, or in relation to a matter which has been assigned to another Minister, that other Minister;”

(c) delete the definition of “Permanent Secretary” and substitute—

“Permanent Secretary” means the Permanent Secretary of the Ministry responsible for works and engineering, or in relation to a matter which has been assigned to another Minister, the Permanent Secretary of that other Ministry (including the Financial Secretary or Cabinet Secretary, as the case may be);”.

(4) In section 5(1) of the 1984 Act (general functions of the Minister)—

(a) delete “the Minister has the following general functions”;

(b) delete paragraph (a) and subparagraphs (i) and (ii) and substitute—

“(a) the Minister responsible for works and engineering shall have the charge and management of—

(i) public works and engineering, public water supply, public sewerage systems, parks and highways;

(ii) the construction, erection, improvement, maintenance and repair of such works, water supply, sewerage systems, parks and highways;”

(c) after paragraph (a) insert—

“(aa) the Minister responsible for public lands shall have the charge and management of—

(i) all public lands (other than parks and highways) and public buildings;

(ii) the construction, erection, improvement, maintenance and repair of such lands and buildings;”

(d) in paragraphs (b) and (c) for “paragraph (a)” in each place substitute “paragraph (a) or (aa)”.

(5) In section 6 of the 1984 Act (which established the Department of Works and Engineering) delete “Minister” in each place and substitute “Minister responsible for works and engineering”.

(6) In section 8(1) and (4) of the 1984 Act (power to sell or acquire certain land) delete “Minister” in each place and substitute “Minister responsible for public lands”.

(7) In the First Schedule to the 1984 Act (form of conveyance) delete the words from the beginning to “Act 1984” and substitute—

MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

"I [*name*], Minister responsible for [works and engineering] [public lands] in Bermuda in accordance with the Public Lands Act 1984".

Amends references to Department of Works and Engineering Act 1984

3 In consequence of the amendments in paragraph 2(2), in each of the following enactments, delete "Department of Works and Engineering Act" and substitute "Public Lands Act"—

Base Lands Development Act 1996, section 9(1)(a)

Bermuda Hospitals Board Act 1970, section 14A

Bermuda Housing Act 1980, section 55(1)

Bernard Park Regulations 1958, regulation 2

Education Act 1996, section 19(1)(c)

Land Reclamation Act 1964, section 7

Motor Car Act 1951, section 97

Occupiers' and Highway Authorities' Liability Act 1978, section 1(c)

Park Hyatt (St George's) Resort Act 2008, section 5(1)

Pembroke Marsh Canal Act 1969, sections 3, 8, 9 and 10

Post Office Regulations 1933, regulation 123A(1)(a)

West End Development Corporation Act 1982, section 20 and Third Schedule.

References to Chief Surveyor and to inspection of maps etc

4 (1) Any reference in any enactment to the Chief Surveyor of the Department of Works and Engineering shall be construed as a reference to the Chief Surveyor, or to such other public officer as may be carrying out duties previously performed by the Chief Surveyor.

(2) Any reference in any enactment to a map, plan or drawing being available for inspection at the office of the Ministry or Department of Works and Engineering shall be construed as a reference to its being available for inspection at the office of the Senior Land Surveyor with the Department of Land Surveys and Registration.

Other statutory amendments

5 The enactments specified in column 1 of the Schedule to this Order are amended in the manner specified in column 2.

MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

SCHEDULE

(Paragraph 5)

<u>Column 1</u>	<u>Column 2</u>
Acquisition of Land Act 1970	In section 1, in the definition of "Minister", delete "works and engineering and related matters" and substitute "public lands".
Adoption of Children Act 1963	In section 2(4)(iii), delete "of Labour and Home Affairs" and substitute "responsible for immigration".
Age of Majority Act 2001	In section 16, delete "legislative affairs" and substitute "the Legislature".
Agriculture Act 1930	In section 1, in the definition of "Minister", after "environment" insert "or such other Minister to whom responsibilities under this Act are assigned".
Agriculture Act 1930	In section 4, delete "responsible for agriculture and fisheries and related matters".
Agriculture Act 1930	In section 4(k), after the word "Minister" insert "responsible for conservation services".
Architects Registration Act 1969	In section 1, delete the definition of "Minister" and substitute—  " "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;".
Assistant Registrar-General (Powers and Duties) Act 1955	In section 2(1), delete "registration matters" and substitute "the Registry General".
Base Lands Development Act 1996	In section 9(4), delete "responsible for Works and Engineering and Housing".
Bermuda Arts Council Act 1969	In section 1, in the definition of "Minister", delete "Archives" and substitute "culture".

MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

Bermuda Bar Act 1974	In section 25A, delete "of Justice" and substitute "responsible for justice".
Bermuda College Act 1974	In section 1, delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for the Bermuda College;".
Bermuda College Buildings Reserve Fund Act 1987	In section 2, delete the definition of "Minister" and substitute—  " "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;".
Bermuda College Buildings Reserve Fund Act 1987	In section 7, delete "Education" and substitute "the Bermuda College".
Bermuda Hospitals Board Act 1970	In section 1(1), delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for health;".
Bermuda Housing Act 1980	In section 2, delete the definition of "the Minister" and substitute—  " "Minister" means the Minister responsible for housing;".
Bermuda Housing Trust Act 1965	In section 1, delete the definition of "the Minister" and substitute—  " "Minister" means the Minister responsible for housing;".
Bermuda Housing Trust Act 1965	Delete section 9 and substitute—  "Assistance from Government Departments 9 With the approval of the appropriate Minister, the facilities of the Departments of Land Surveys and Registration, Public Lands and Works and Engineering, shall

MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

	be available to the Trust, free of charge, for the preparation of plans, supervision of building and the preparation of estate roads."
Bermuda Immigration and Protection Act 1956	<p>In section 2(1), delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for immigration, or such other Minister to whom responsibilities under this Act have been assigned;".</p>
Bermuda National Parks Act 1986	<p>In section 2, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for parks;".</p>
Bermuda National Trust Act 1969	<p>In section 5A(1), delete "development and".</p>
Bermuda National Trust Act 1969	<p>In section 5A(1), delete "(the Minister of the Environment)" and substitute "(the Minister responsible for the environment)".</p>
Bermuda National Trust Act 1969	<p>In section 5A(2), delete "of the environment" and substitute "responsible for the environment".</p>
Bermuda Small Business Development Corporation Act 1980	<p>In section 2, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for the Bermuda Small Business Development Corporation;".</p>
Broadcasting Commissioners Act 1953	<p>In section 1, delete the definition of "the Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for telecommunications;".</p>

## MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

Building Act 1988	In section 2(1), in the definition of "Minister" delete "building operation" and substitute "planning".
Channels Improvement Act 1937	In section 1, delete "of Marine and Air Services" and substitute "responsible for marine and ports services;".
Charities Act 1978	In section 1, delete the definition of "Minister" and substitute—  " "Minister means the Minister responsible for charities;".
Civil Airports Act 1949	In section 1(1), delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for civil aviation;".
Civil Aviation (Air Transport Licensing) Act 2007	In section 2, delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for civil aviation;".
Clean Air Act 1991	In section 3(2)(c), delete "Works" and substitute "works and engineering".
Contributory Pensions Act 1970	In section 1(1), delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for social insurance;".
Copyright and Designs Act 2004	In section 2, delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for intellectual property;".
Corporation of St. George's (Dues on Air Freight) Act 1952	In paragraphs (a) and (b) of section 3, delete "the control and management of air transport facilities" and substitute "civil aviation";

MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

Credit Unions Act 1982	<p>In section 2, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;"</p>
Credit Unions Act 2010	<p>In section 2, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;"</p>
Criminal Code Act 1907	<p>In paragraphs (a), (b) and (c) of section 68(9) and section 70B(d), delete "Social Rehabilitation" and substitute "drug prevention".</p>
Criminal Code Act 1907	<p>In section 70N(4), delete "Social Rehabilitation" and substitute "corrections".</p>
Criminal Code Act 1907	<p>In section 71E(6) and (7), delete "responsible for the treatment of offenders" and substitute "responsible for corrections".</p>
Criminal Injuries (Compensation) Act 1973	<p>In section 1(1), delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for justice;"</p>
Criminal Justice (International Co-Operation) (Bermuda) Act 1994	<p>In section 2, delete the definition of "the Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for drug prevention;"</p>
Dangerous Vessels Act 1990	<p>In section 2, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for marine and ports services;"</p>



MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

Defence Act 1965	In section 7(2) and 11(7) and paragraph 1A(1) of the First Schedule, delete "security services" and substitute "defence".
Development and Planning Act 1974	In section 29(2),(3) and (4) delete "Minister of Tourism" (in each place) and substitute "Minister responsible for tourism".
Drug Trafficking Suppression Act 1988	In section 2, delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for drug prevention;".
Economic Development Act 1968	In section 1, delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for the Bermuda Small Business Development Corporation;".
Electronic Transactions Act 1999	In section 2, delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for electronic commerce;".
Electronic Vehicle-Registration Act 2007	In section 2, in its correct alphabetical place, insert—  " "Minister" means the Minister responsible for transport;".
Electronic Vehicle-Registration Act 2007	In section 12, delete "responsible for Transport".
Employment Act 2000	In section 3, delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for labour and training;".
Employment of Children and Young Persons Act 1963	In section 1(1)(a)(v), delete "relations and related matters" and substitute "and training".

## MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

Endangered Animals and Plants Act 2006	<p>In section 2, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for conservation services;"</p>
Energy Act 2009	<p>In section 2, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for energy;"</p>
Exchange Control Act 1972	<p>In section 1, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;"</p>
Exempted Partnerships Act 1992	<p>In section 2(1), delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;"</p>
Financial Intelligence Agency Act 2007	<p>In section 18(b), delete "of Justice" and substitute "responsible for justice".</p>
Golf Courses (Consolidation) Act 1998	<p>In sections 4 and 5(2), delete "and Transport".</p>
Historic Wrecks Act 2001	<p>In section 2, delete the definition of "the Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for conservation services;"</p>
Hotels Concession Act 2000	<p>In section 2(1), in the definition of "Minister", delete "of Tourism" and substitute "responsible for tourism;"</p>
Human Rights Act 1981	<p>In section 2(1), in the definition of "the Minister" delete "Human Rights" and substitute "human affairs".</p>

MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

Insurance Act 1978	<p>In section 1(1), delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;".</p>
International Cooperation (Tax Information Exchange Agreements) Act 2005	<p>In section 2, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;".</p>
Investment Business Act 2003	<p>In section 2, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;".</p>
Investment Funds Act 2006	<p>In section 2(1), delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;".</p>
Land Reclamation Act 1964	<p>In section 1, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister responsible for public lands;".</p>
Limited Partnership Act 1883	<p>In section 1A, delete the definition of "Minister" and substitute—</p> <p>" "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;".</p>
Marine Offences Procedure Act 2006	<p>In section 2, in the definition of "Minister" delete "of Justice" and substitute "responsible for justice".</p>

## MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

Midwives Act 1949	In section 1, delete the definition of "the Minister" and substitute—  “ “Minister” means the Minister responsible for health;”.
Minor Dredging Works Act 1945	In section 1(1), delete "of Marine and Air Services" and substitute "responsible for marine and ports services".
Miscellaneous Taxes Act 1976	In section 16(f), delete "of Education" and substitute "responsible for education".
Miscellaneous Taxes (Rates) Act 1980	In section 9A(2), delete “of Tourism” and substitute “responsible for tourism”.
Motor Car Act 1951	In section 2(1), in the definition of "the Minister" delete “of Transport” and substitute “responsible for transport”.
Motor Taxi (Special Permits) Act 1970	In section 1, in the definition of "the Minister" delete “of Transport” and substitute “responsible for transport”.
Motor-Cycles and Auxiliary Bicycles (Special Measures of Control) Act 1953	In section 1, in the definition of "the Minister" delete “of Transport” and substitute “responsible for transport”.
National Training Board Act 1997	In the First Schedule, in paragraph 1(4)—  (a) in paragraph (a), delete "of Education" and substitute “responsible for education”;  (b) in paragraph (b), delete "of Works and Engineering" and substitute “responsible for works and engineering”.  (c) in paragraph (c) delete “of Labour, Home Affairs and Public Safety” and substitute “responsible for labour”.
Overseas Partnerships Act 1995	In section 2(1), delete the definition of “Minister” and substitute—

MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

	<p>“Minister” means the Minister of Finance or such other Minister as may be appointed to administer this Act;”.</p>
Park Hyatt (St George’s) Resort Act 2008	<p>In section 2, in the definition of “Minister”, delete “works and engineering and related matters” and substitute “public lands”.</p>
Patents and Designs Act 1930	<p>In section 2, delete the definition of “Minister” and substitute—</p> <p>“Minister” means the Minister responsible for intellectual property;”.</p>
Pensions and Gratuities (War Service) Act 1947	<p>In section 1, in the definition of “Minister”, delete “delegated affairs” and substitute “defence”.</p>
Post Office Act 1900	<p>In section 2, delete the definition of “Minister” and substitute—</p> <p>“Minister” means the Minister responsible for the Post Office;”.</p>
Protected Species Act 2003	<p>In section 2, delete the definition of “Minister” and substitute—</p> <p>“Minister” means the Minister responsible for conservation services;”.</p>
Protection of Birds Act 1975	<p>In section 1(1), delete the definition of “Minister” and substitute—</p> <p>“Minister” means the Minister responsible for conservation services;”.</p>
Real Estate Agents’ Licensing Act 1976	<p>In section 1, delete the definition of “Minister” and substitute—</p> <p>“Minister” means the Minister of Finance or such other Minister as may be appointed to administer this Act;”.</p>
Road Traffic Act 1947	<p>In section 28(1) and (3), delete “of Education” and substitute “responsible for education”.</p>

MINISTERS (CHANGE OF RESPONSIBILITIES AND STYLE) ORDER 2011

---

Road Traffic Act 1947	In the proviso to section 18, delete "of Health and Social Services" and substitute "responsible for health";
Segregated Accounts Companies Act 2000	In section 2(1), delete the definition of "the Minister" and substitute—  " "Minister" means the Minister of Finance or such other Minister as may be appointed to administer this Act;".
Trade Marks Act 1974	In section 1(1), delete the definition of "Minister" and substitute—  " "Minister" means the Minister responsible for intellectual property;".
Treatment of Offenders Board Act 1979	In section 2, delete the definition of "the Minister" and substitute—  " "Minister" means the Minister responsible for corrections;".
Workers' Compensation Act 1965	In section 2(1), in the definition of "the Minister" delete "relations" and substitute "and training".
Young Offenders Act 1950	In section 2(1), in the definition of "the Minister" delete "prisons" and substitute "corrections".

Made this 23rd day of February 2011

Premier and Minister of Finance