



BERMUDA GOVERNMENT

MINISTRY OF ECONOMY AND LABOUR HEADQUARTERS

PATI Information Statement

Name of Public Authority: Ministry of Economy and Labour Headquarters

Introduction:

The Public Access to Information 2010 (PATI) legislation was designed to make central Government, and the larger public sector, more open and accountable by giving the public the legally enforceable right to request and access information subject to limited and prescribed exemptions. Each public authority is required to produce an information statement that give the public an overview of the types of information accessible through the public authority.

This information statement provides information on the functions and services of the Ministry of Economy and Labour and the classes of records held.

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

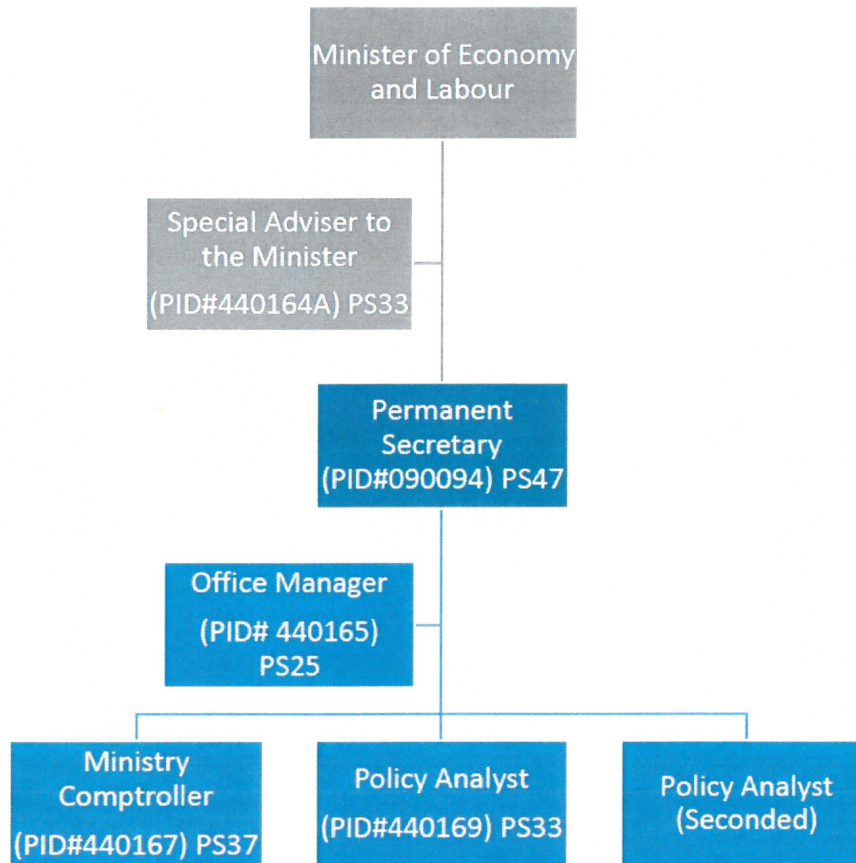
The Ministry of Economy and Labour comprises several departments and agencies, including Ministry Headquarters, the Department of Financial Assistance, the Department of Immigration, the Department of Workforce Development, the Department of Labour, the Department of Economic Development and the Department of Statistics.

The department head reports directly to the Permanent Secretary for Economy and Labour. In addition, the Ministry has responsibility for any statutory bodies or committees that may be appointed by the Minister from time to time. These boards report to the Minister through the Permanent Secretary.

The Ministry of Economy and Labour Headquarters is the coordinating body for the Departments that fall under the Economy and Labour banner. The Ministry Headquarters executes its duties by employing five (5) full-time employees.

Ministry of Economy and Labour Headquarters (Head 44)

(Updated 7 September 2023)



Legislation

Bermuda Economic Development Act 1980 (amended in 2006 and 2011)
Bermuda Immigration and Protection Act 1956 and various Regulations
Bermudian Status by Birth or Grant Register Act 1992
Child Day Care Allowance Act 2008 and Regulations 2008
Economic Development Act 1968
Electronic Transactions Act 1999
Employment Act 2000
Employment (Wage Commission) Act 2019
Financial Assistance Act 2011 and Regulations 2004
Labour Disputes Act 1992
Labour Relations Act 1975
National Training Board Act 1997 and various Regulations
Statistics Act 2002
Trade Union Act 1965
Trade Union and Labour Relations (Consolidation) Act 2021
Worker's Compensation Act 1965

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

The mission of the Ministry of Economy and Labour is “To drive economic growth and job creation.” The mission of the Ministry Headquarters is “To establish effective policy that helps foster the expansion of jobs and economic growth.”

The Ministry of Economy and Labour Headquarters provides leadership, oversight and coordination to address Ministry business; programme management and departmental operations with the Ministry; and formulation and implementation of policy and legislation within the Ministry.

Roles and Responsibilities

The Ministry of Economy and Labour Headquarters is responsible for providing advice on the formulation of policy within the Departments and public bodies regulated by the Ministry. Headquarters must also direct and coordinate operations and activities with the Ministry.

The primary objectives of the Ministry of Economy and Labour Headquarters are:

- Implement Comprehensive Immigration Reform by providing oversight of process improvements, policy and legislative changes, and IT system upgrades and enhancements.
- Oversee Financial Assistance Reform, including policy and legislative changes and operational enhancements.
- Oversee the Department of Workforce Development for the Reemployment and Reintegration Jobs Strategy.
- Oversee the Labour Relations Section to implement the new Labour Code (Employment Act amendments and consolidated Labour Law).
- Oversee the Department of Statistics for the distribution of data and other relevant
- Oversee the Economic Development Department to implement economic growth

Related Organizations

Government entities which fall under the Ministry of Economy and Labour include:

- Bermuda Economic Development Corporation (BEDC), and
- Employment and Labour Relations Tribunal
- Immigration Appeals Tribunal
- Labour Advisory Council (LAC)

The Ministry of Economy and Labour also funds and works closely with the Bermuda Business Development Agency (BDA), which is a private body.

To learn more about any of the public bodies for which this Ministry has responsibility, refer to the Information Statement published by the respective organization. Information Statements can be found online or at the physical address of the public body. They are also published yearly in the Official Gazette.

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]

The Ministry of Economy and Labour Headquarters sets strategy, determines policy and oversees Departments. Headquarters does not operate direct programmes and services.

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

The Ministry of Economy and Labour Headquarters holds the following documents:

- Cabinet Memoranda
- Cabinet Conclusions
- Public policies and strategies
- Legislation
- Public consultation documents

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

The Ministry of Economy and Labour Headquarters holds a final copy of its policy and procedure manuals and strategy publications.

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

(Records are likely a result of decision-making documents in procedures/guidelines etc. If don't have decision making documents need to create)

- Bullying and Sexual Harassment Policy Statement (*pursuant to the First Schedule of the Employment Act 2000*)
- Economic Investment Residential Certificate Policy
- Guide to the Minimum Hourly Wage Rate
- Guide to Working in Bermuda
- Independent Contractor Guidance

Depending on the scope of the decision to be made, the Ministry Headquarters will use one of the following methods to reach a decision.

Boards or Committees – Normally used when the policy or initiative considered has several stakeholders across several departments. Boards and committees are appointed by the Minister and report to the Minister through the Permanent Secretary for Economy and Labour.

Current boards include:

- Bermuda Economic Development Corporation (BEDC)
- Board of Immigration
- E-Commerce Advisory Board (ECAB)
- Employment and Labour Relations Tribunal
- Financial Assistance Review Board
- Immigration Appeals Tribunal
- National Workforce Development Advisory Board (NWAB)
- National Certification and Apprentice Board (NCAB)
- Wage Commission

Public Consultation – Normally used when input from the public is essential in the decision-making process. Public consultation is especially useful when the subject matter is of heightened public interest. Opinions from the public can be fielded through written submission or from public meetings.

Decision by Cabinet – Where a decision requires a financial outlay of more than \$100,000, the decision must be agreed by Cabinet. Likewise, decision that are cross-Ministry or that have a far-reaching effect on the public must be considered by Cabinet. The deliberations of the Cabinet are confidential and exempt from the Public Access to Information law.

Internal Review – Normally used when the Government is seeking to be proactive regarding new policies or initiatives, or amendments to existing policies or initiative. The results of the reviews often lead to further decision-making methods as outlined above.

In all cases, the Ministry of Economy and Labour Headquarters must adhere to Government wide manuals and guidance regarding decision-making processes.

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

Dr. Gina M. Tucker and Ms. Marisa Sharpe
Policy Analysts

Physical Address

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Telephone Direct: 294-0681

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

While the primary objective of PATI legislation is to promote a culture of openness and transparency within central government, there is certain information that will not be released to the public.

The Ministry of Economy and Labour Headquarters will not release to the public any information that could compromise security or confidentiality requirements or information that is exempt from disclosure under PATI legislation subject to a public interest test.

Such information exemptions include:

- Private individuals' information
- Legal professional privilege records
- Records related to the exercise of judicial or quasi-judicial functions by Tribunals
- Commercially sensitive information
- National security, defence and international relations
- Cabinet documents

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

The Ministry of Economy and Labour Headquarters has considerable information on its website www.gov.bm . We urge the public in their quest for information or data to make this website their starting point.

Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

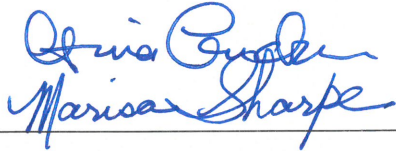
Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(1-5), PATI Act]:

Date Information Statement was updated: 5th September 2023

Locations of Information Statement:

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

- Ministry of Economy and Labour Headquarters Y
- The Bermuda National Library; Y
- The Bermuda Archives; Y
- Available electronically, Y
- Website for public authority (www.gov.bm); 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 September 12, 2023