

# AS TABLED IN THE HOUSE OF ASSEMBLY

A BILL

entitled

## MUNICIPALITIES AMENDMENT ACT 2014

### TABLE OF CONTENTS

1	Citation
2	Amends section 14 of Municipalities Amendment Act 2013
3	Amends Third Schedule to the Municipalities Act 1923
4	Amends Hamilton Goods Wharfage and Storage Charges Ordinance 1967
5	Amends St. George's Goods Wharfage and Storage Charges Ordinance 1967
6	Commencement

WHEREAS it is expedient to amend the Municipalities Act 1923, the Municipalities Amendment Act 2013, and certain Municipal Ordinances which will be revived on the coming into operation of Part 4 of the Municipalities Amendment Act 2013, and to make connected provision;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

#### Citation

1 This Act may be cited as the Municipalities Amendment Act 2014.

#### Amends section 14 of Municipalities Amendment Act 2013

2 Section 14 of the Municipalities Amendment Act 2013 is amended by, after subsection (4), inserting—

“(4A) Any agreement that is rejected by the Legislature under subsection (4) shall be void ab initio.”.

#### Amends Third Schedule to the Municipalities Act 1923

3 In the Third Schedule to the Municipalities Act 1923, which is to be inserted by section 21(2) of the Municipalities Amendment Act 2013 on the commencement of Part 4 of that Act—

(a) delete paragraph 6 and substitute—

MUNICIPALITIES AMENDMENT ACT 2014

---

“6 Goods imported under a remission order (made under section 2 of the Customs Duty (Special Remission) Act 1951) which grants complete exemption from the payment of import customs duty on those goods.”; and

(b) in paragraph 7, delete—

“Customs Duty (Merck, Sharp and Dohme) Remission Order 2005  
Customs Duty (Bermuda Sloop Foundation - Spirit of Bermuda)  
Remission Order 2006  
Customs Duty (Infrasound Equipment) Remission Order 2008  
Customs Duty (Bermuda Zoological Society - Endurance) Remission  
Order 2009”.

Amends Hamilton Goods Wharfage and Storage Charges Ordinance 1967

4 In the Hamilton Goods Wharfage and Storage Charges Ordinance 1967 (which will be revived on the coming into operation of Part 4 of the Municipalities Amendment Act 2013, and which is set out in Schedule 2 to that Act), in paragraph 3(1)—

(a) delete “1.11%” and substitute “1.25%”; and

(b) delete all the words after “Revenue Act 1898 [title 14 item 10)]”.

Amends St. George’s Goods Wharfage and Storage Charges Ordinance 1967

5 In the St. George’s Goods Wharfage and Storage Charges Ordinance 1967 (which will be revived on the coming into operation of Part 4 of the Municipalities Amendment Act 2013, and which is set out in Schedule 2 to that Act), in paragraph 3(1)—

(a) delete “1.01%” and substitute “1.25%”; and

(b) delete all the words after “Revenue Act 1898”.

Commencement

6 (1) Subject to subsection (2), this Act shall come into operation when it receives the Governor’s assent.

(2) Sections 3, 4 and 5 of this Act shall come into operation on the commencement of Part 4 of the Municipalities Amendment Act 2013.

## MUNICIPALITIES AMENDMENT BILL 2014

### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Municipalities Act 1923, the Municipalities Amendment Act 2013, and two Municipal Ordinances which will be revived on the coming into operation of Part 4 of the Municipalities Amendment Act 2013.

Clause 1 is self-explanatory.

Clause 2 amends section 14 of the Municipalities Amendment Act 2013 by adding a provision which clarifies, and places beyond doubt, that any agreement rejected by the Legislature under that section shall be void ab initio.

Clause 3 amends the Third Schedule to the Municipalities Act 1923, which is to be inserted by section 21(2) of the Municipalities Amendment Act 2013. Paragraph (a) deletes paragraph 6 of the Schedule which refers to section 27 of the Revenue Act 1989 (commercial travellers' samples), and replaces it with a new paragraph 6 which relates to goods imported under certain Remission Orders. Paragraph (b) removes the references to four Remission Orders in paragraph 7 in consequence as they will be covered by new paragraph 6.

Clause 4 amends paragraph 3(1) of the Hamilton Goods Wharfage and Storage Charges Ordinance 1967 (which was repealed by the Municipalities Reform Act 2012 and which will be revived on the coming into operation of Part 4 of the Municipalities Amendment Act 2013), to replace the 1.11% rate of wharfage with 1.25%, to remove the reference to a separate rate for oil and other bulk liquids, and to delete the proviso which is spent.

Clause 5 amends paragraph 3(1) of the St George's Goods Wharfage and Storage Charges Ordinance 1967 (which was repealed by the Municipalities Reform Act 2012 and which will be revived on the coming into operation of Part 4 of the Municipalities Amendment Act 2013), to replace the 1.01% rate of wharfage with 1.25%, to remove the reference to a separate rate for oil and other bulk liquids, and to delete the proviso which is spent.

Clause 6 provides for when the various provisions of the Act come into operation.