



IN EXERCISE of the powers conferred on me by section 1A of the Commission of Inquiry Act 1935, I, **MICHAEL H DUNKLEY**, Premier of Bermuda, do hereby appoint

SIR ANTHONY HOWELL MEURIG EVANS (Chairman)

HON JOHN BARRITT

FIONA ELIZABETH LUCK

KUMI DUANE BAMIDELE BRADSHAW

(hereinafter, "the Commission")

to inquire into the following matters, which are, in my opinion, for the public welfare:

Having regard to the Report of the Auditor General on the Consolidated Fund of the Government of Bermuda for the Financial Years ending 31 March in 2010, 2011, and 2012, and with regard to any matters arising under Section 3 of the Report to –

Scope of Inquiry

1. Inquire into any potential violation of law or regulations, including the Civil Service Conditions of Employment and Code of Conduct, Financial Instructions, and Ministerial Code of Conduct, by any person or entity, which the Commission considers significant and determine how such violations arose;

References to other agencies

2. Refer any evidence of possible criminal activity, which the Commission may identify, to the Director of Public Prosecutions and the Police;
3. Refer any evidence of possible disciplinary offences, which the Commission may identify, to the Head of the Civil Service;
4. Draw to the attention of the Minister of Finance any matter, which the Commission may identify, appropriate for surcharge under section 29 of the Public Treasury (Administration and Payments) Act 1969;
5. Draw to the attention of the Minister of Legal Affairs (as the Enforcement Authority for Bermuda) any matter, which the Commission may identify, appropriate for civil asset recovery under Part IIIA of the Proceeds of Crime Act 1997;

6. Draw to the attention of the Attorney-General any matter, which the Commission may identify, appropriate for civil proceedings before the courts;

Recommendations for the future

7. Consider the adequacy of current safeguards and the system of financial accountability for the Government of Bermuda;
8. Make recommendations to prevent and/or to reduce the risk of recurrences of any violation identified and to mitigate financial, operational and reputational risks to the Government of Bermuda;

Any other matter

9. Consider any other matter which the Commission considers relevant to any of the foregoing.

AND I DIRECT that the inquiry shall commence as soon as is practicable from the date of this appointment and shall be conducted in Hamilton, Bermuda or any other location(s) which the Commission may consider necessary or appropriate in furtherance of the inquiry, and at such times as they may deem appropriate.

AND I FURTHER DIRECT that the Commission shall submit findings and recommendations to the Premier within twenty weeks of the date of appointment or such longer period as the Premier may from time to time direct.

AND I FURTHER DIRECT that, without prejudice to the powers granted to the Commission under the Commissions of Inquiry Act 1935, the Commission shall conduct such parts of the inquiry that it may deem appropriate *in camera*.

AND I FURTHER DIRECT that the Commission shall exercise all such powers as may be necessary for the purposes of this inquiry and as may lawfully be exercised by the said Commission.

GIVEN under my hand this 24th day of February 2016.

Michael Dunkley

**HON MICHAEL H DUNKLEY, JP, MP
PREMIER**