

From: **Ayo Johnson** ayo@think.bm  
Subject: queries for Minister Fahy  
Date: January 18, 2015 at 1:48 PM  
To: [REDACTED]

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Dear [REDACTED]

I have a few questions for the Home Affairs Minister, if you would be kind enough to assist.

It has come to our attention that the Corporation of Hamilton is of the view that the Municipalities Amendment Act 2013 invalidated a number of Corporation of Hamilton ordinances.

We understand that the impact of this is to effectively strip the municipality of legal authority to regulate its property and collect fees from its ratepayers?

Further, we understand that meetings have been held between the Minister and the Corporation to address this matter.

What was the Minister's response to the Corporation's concerns and proposals?

I am in receipt of the Minister's response to a query by Bermuda Broadcasting Company in which he says *The Minister of Home Affairs today advised that he has had ongoing discussions with the Corporation in light of what they perceive to be invalid Ordinances. In summary the Ministry of Home Affairs view is neither the Municipalities Act 2013 nor the recent decision by Justice Kawaley invalidated any Ordinances. The Supreme Court of Bermuda confirmed that the Ordinances had to be validly enacted. Therefore, all validly enacted Ordinances are, valid.*

(Please confirm that that is an accurate quote from the Minister.)

What then is the impact of the following section (Part 3, section 17 (2)) in the Municipalities Amendment Act 2013?

*Any ordinances made, or purported to be made, by a Municipality at any time before this section comes into operation that has not been duly made, filed and numbered in the office of the Secretary to the Cabinet and published in accordance with the provisions of the Statutory Instruments Act 1977 shall be null and void.*

And what was the purpose of the provision if as the Minister said to BBC, no ordinances have been invalidated?

I would very much appreciate a response to these queries by my deadline today which is 7:30 pm.

Regards

Ayo

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