

BERMUDA BUSINESS DEVELOPMENT AGENCY

PATI Information Statement

Name of Authority: Bermuda Business Development Agency (BDA)

Introduction:

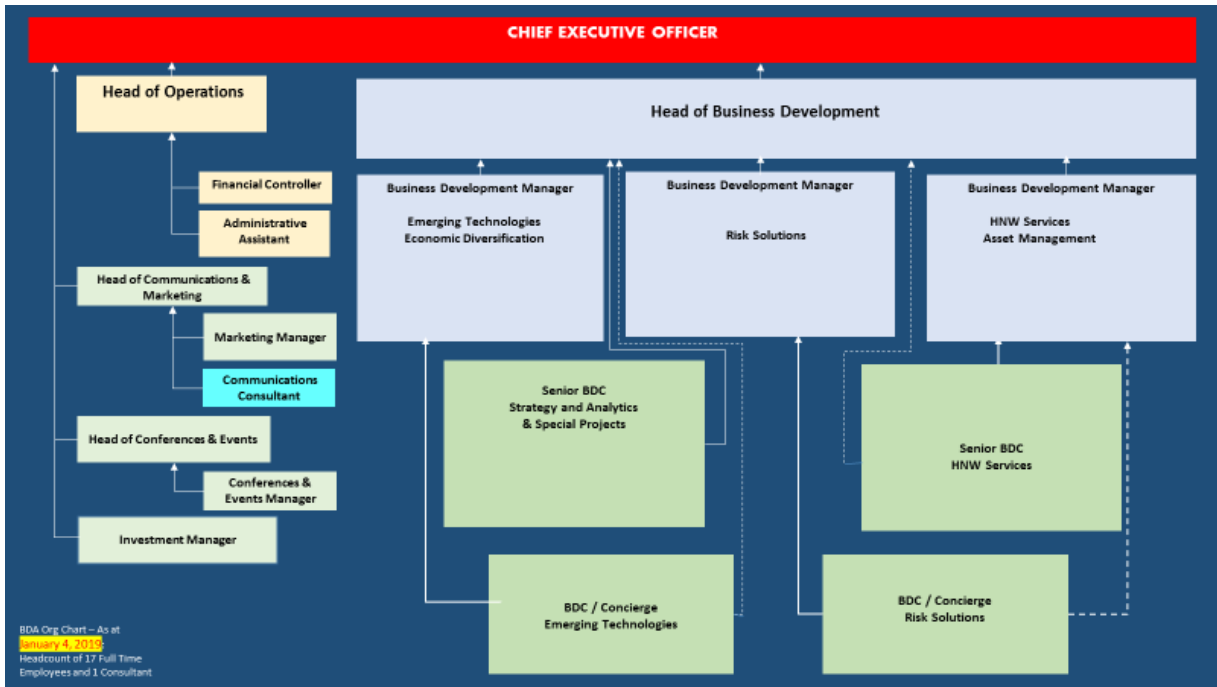
The general purpose of the Public Access to Information (Bermuda) Act 2010 (the Act) is to:

- a) Give the public the right to obtain access to information held by entities that are substantially funded by monies authorized by the Legislature to the greatest extent possible, subject to exceptions that are in the public interest or for the protection of the rights of others;
- b) Increase transparency, and eliminate unnecessary secrecy, with regard to information held by entities that are substantially funded by monies authorized by the Legislature;
- c) Increase the accountability of entities that are substantially funded by monies authorized by the Legislature;
- d) Inform the public about the activities of entities that are substantially funded by monies authorized by the Legislature, including the manner in which they make decisions; and
- e) Have more information placed in the public domain as a matter of routine.

Every entity that is substantially funded by monies authorized by the Legislature is required to have an information statement under the Act. This information statement provides a description of the BDA and its functions and structures, a summary of services, and descriptions of the classes of records held. Brief summaries of administrative manuals, policies, rules and guidelines are also provided.

Under the Act, Bermudians and Bermuda residents have the right to request and have access to any record held by a public authority, other than an exempt record. Some records fall within Part 4 of the Act, such as information received in confidence pursuant to Section 26 and information related to the deliberative process pursuant to Section 29. Therefore, not all records can be accessed. Each entity is required to make a determination as to whether a record must be released, in whole or in part, or is exempt from disclosure in accordance with the Act and the Regulations.

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



Legislation

The BDA has no legislation governing the Agency other than the Companies Act 1981.

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

The BDA encourages direct investment and helps companies start up, re-locate or expand their business in Bermuda. An independent, public-private partnership, we connect prospective businesses to industry professionals, regulatory officials, and key contacts in the Bermuda Government to facilitate jurisdictional decision-making. The agency is funded by both a grant from the Ministry of Economic Development and Tourism of the Bermuda Government and from financial contributions from the private sector. The operations are governed by an experienced Board of Directors comprised of senior industry professionals representing the diversity of Bermuda's financial services sector. The Bermuda Government has one Board seat. The BDA's mission is to carry out proactive, targeted marketing and business development strategies to stimulate growth in the Bermuda economy so that companies can create and maintain jobs.

The BDA engages industry focus groups comprised of industry representative who, by collaboration, guide the development of strategies and approaches to achieving our mandate.

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]

Services:

The BDA provides access to information and resources to assist companies with their jurisdictional decision-making. The BDA implements marketing and business development strategies to stimulate growth in our economy. As a public-private partnership, the BDA connects you to Bermuda industry professionals and key contacts in the Bermuda Government and regulatory officials at the Bermuda Monetary Authority.

The services provided are complimentary.

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

The BDA has established a set of records which will facilitate the exercise of the right of access under PATI. Such records are governed and maintained in accordance with applicable legislation as well as common corporate practice. The records held are classified as:

- 1) Human Resources and Personnel Records for previous and current employees
- 2) Income
- 3) Salaries, Benefits and Other Administrative Operating Costs
- 4) Communications and Marketing
- 5) Business Development
 - a) Asset Management
 - b) High Net Worth
 - c) Risk Solutions
 - d) Economic Diversification
 - e) Emerging Technologies
 - f) Cross Pillar
- 6) Other

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

The BDA governs its daily practices and has guidelines, procedures, codes of conduct and manuals to serve as an operation guide to its employees, managers and officers. Such materials include, but are not limited to:

1) The Employee Handbook and Code of Conduct

The BDA's compilation of the policies, procedures, working conditions, and behavioural expectations that guide BDA employee actions.

2) Procurement Policy

The BDA's recommended policies for obtaining goods and services for the Company.

3) Employment Act 2000

Bermuda Legislation to promote the fair treatment of employers and employees by providing minimum standards of employment, by establishing procedures and notice periods for the termination of employment, by providing employees with protection against unfair dismissal, and by establishing the Employment Tribunal; and to make connected provision.

4) Safety and Health Policy

The BDA's policy is to provide and maintain, in compliance with the Occupational Safety and Health Act 1982 (effective 2004), working conditions that are safe and without risks to health to all employees.

5) All other written legislation which governs such activity described in this Statement

The materials as described above are used in administering and carrying out programmes, mandates and daily activities of the BDA.

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

Current policy documents of the BDA and applicable laws of Bermuda

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

Name: Heather C Bean

Title: Head of Operations

Location: Maxwell Roberts House, 6th Floor, No. 1 Church Street, Hamilton HM 12

Telephone Number: +1 (441) 292-7774

Electronic Mail: heather@bda.bm

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

The BDA undertakes to give the public the right to obtain access to its information to the greatest extent possible, subject to exceptions that are in the public interest or for the protection of the rights of others.

The BDA has undertaken to be transparent and has eliminated unnecessary secrecy with regard to its information.

The BDA endeavours to inform the public about its activities. Regular public announcements are made via press releases picked up in the local media. The Agency issues periodic pillar updates to its stakeholders constantly informing them of its activities. Information is also readily available on our website: www.bda.bm. Our executives speak regularly in public fora and are happy to discuss BDA business and decision making with interested members of the public. We place pertinent information in the public domain as a matter of routine.

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

The BDA hours of operation are: Monday to Friday, 8:30 am to 5:00 pm.

The BDA offices are closed on Bermuda Government public holidays.

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: **January 4, 2019**

Locations of Information Statement:

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

- Your principal office: (Maxwell Roberts House, No. 1 Church Street, Ham.) **Y/N**
- The Bermuda National Library; **Y/N**
- The Bermuda Archives; **Y/N**
- Available electronically, **Y/N**
- Website for Entity (www.bda.bm). **Y/N**
- Have you published a notice in the Gazette indicating the places where the information statement is available for the public? **Y/N**
 - With the Information Commissioner. **Y/N**

Sign and Date:

January 4, 2019