



BERMUDA GOVERNMENT

Corporation of St. George

PATI Information Statement

Name of Public Authority: Corporation of St. George

Introduction:

- The purpose of the PATI Act 2010 is to give the public the right to obtain access to information held by public authorities to the greatest extent possible, subject to exceptions that are in the public interest or for the protection of the rights of others. The objective of the Act is to increase transparency and eliminate unnecessary secrecy with regard to information held by public authorities; to increase the accountability of public authorities, inform the public about the activities of public authorities including the manner in which they make decisions and have more information placed in the public domain as a matter of routine.

- The Corporation of St. George hopes that with PATI the constituents of the Town of St. George will have a clearer understanding of how decisions are made at the Corporation and how those decisions affect them. In addition it is hoped that this will enhance the relationship between the residents and the Corporation of St. George.

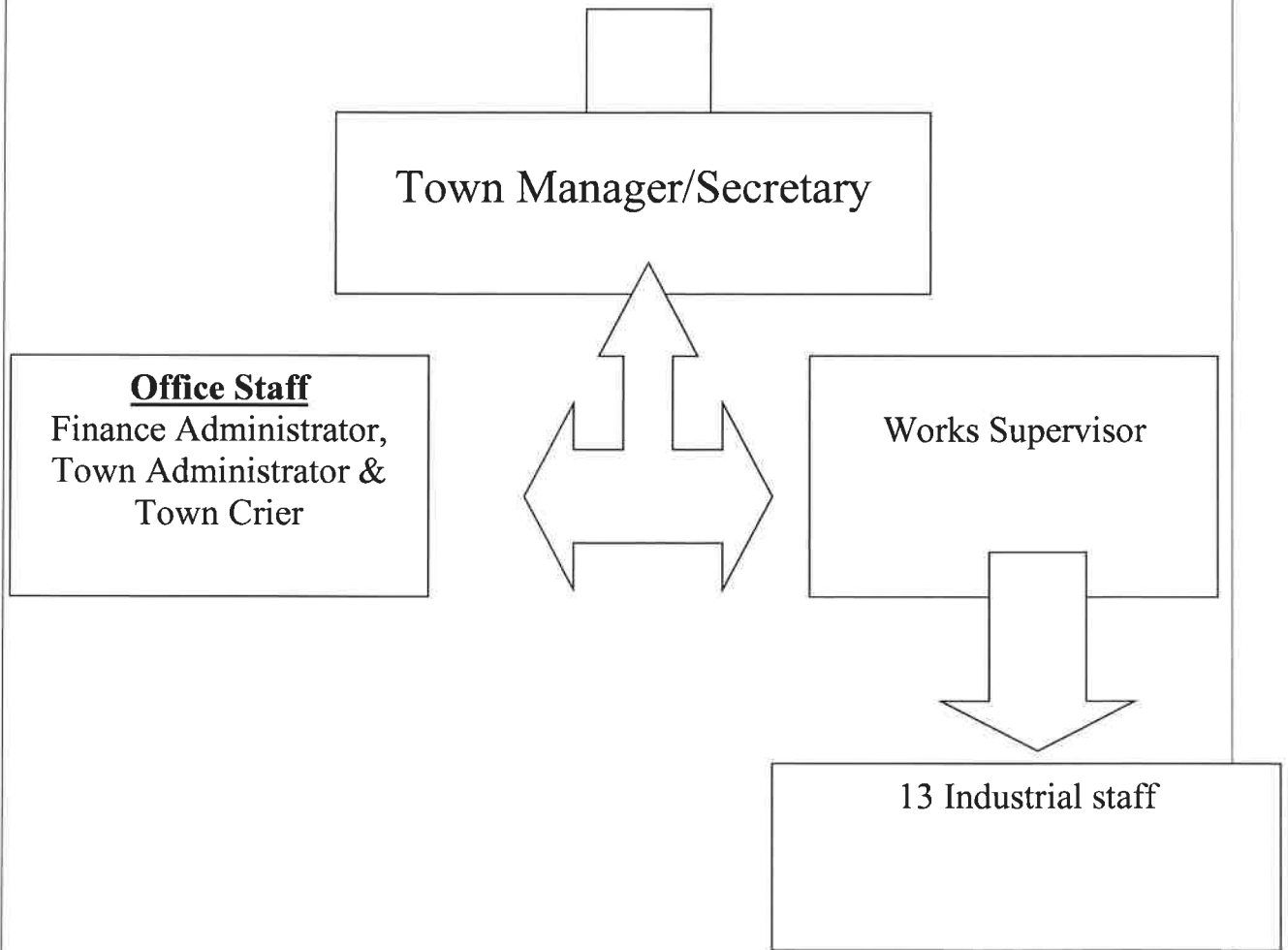
- Included in this Information Statement is the following information;
 - a) Structure, Organization & Legislation
 - b) Functions, powers, duties of the Authority
 - c) Obligations under PATI Act
 - d) Services & Programs provided by the Corporation of St. George
 - e) Records & Documents held by the Corporation
 - f) Administration Manuals
 - g) Decision making documents
 - h) Name of the Information Officer

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

The Corporation of St. George consists of the Mayor and eight Councillors who create policies and ordinances to guide the operations and services provided through the management and staff. Of the eight Councillors, two represent businesses and six represent the residents.

Organizational Chart

Elected Officials
Mayor & 8 Common Councillors



Legislation

Government Legislation, Regulation & Guidance

Municipalities Act 1923/Municipalities Amendment Acts 1994, 2013, 2014 & 2015

Municipalities Reform Act 2010

Municipalities (Election) Order 2015

St George's Extension Act 1953

St George's Sewerage Act 1943

St George's Traffic Order 1947

Parliamentary Election Act 1978
Parliamentary Election Rules 1979
Public Access to Information Act 2010/ Public Access to Information Amendment Act 2014
Public Access to Information Regulations 2014
Corporation of St George's (UNESCO World Heritage Fund and Levy) Act 2013
Employment Act 2000 *as amended*
Occupational Safety & Health Act 1982 *as amended*
Occupational Safety & Health Regulations 2009
Town of St George (Protection of Buildings of Special Interest) Act 1950
Development in the Town of St George (Planning Department)
Historic Town of St. George and Related Fortifications: Management Plan (Planning Department)
St George's Preservation Authority – Building/Restoration/Signage (guidelines only)

Municipality Ordinances

St George's (Corporation Lands) Ordinance 1974
St George's (Dangerous Commodities) Ordinance 1945
St George's (Dangerous Commodities) Ordinance 1949
St George's (Fire Prevention) Ordinance 1966
St George's (Rating) Ordinance 1972
St George's (Somers Gardens – Old Government Park) Ordinance 1974
St George's Building Ordinance 1926
St George's (Rating) Ordinance 1972
St George's Goods Wharfage and Storage Charges Ordinance 1967
St George's Port Dues Ordinance 1981
St George's Public Entertainment (Control) Ordinance 1949
St George's Sheds Ordinance 1926
St George's Traffic Order 1947
St George's Traffic (Ordinance) 1967

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

- The Corporation of St. George's main duty is the maintaining and running of the Town of St. George. In doing so the Corporation provides some residents with sanitary water service at a fee and sewerage disposal and trash collection, as well as maintaining the road ways and lighting infrastructure of the Town. In addition, the Corporation sets policy that will cover the activities in the Town, this includes but is not limited to parking regulations, activities and functions in the Town and ensuring the needs of the residents as well as the Businesses are met without favouring one over the other.

- Decisions made by the Corporation of St. George are made by the elected officials that consist of the Mayor and eight Common Councillors. Each decision is debated and voted on by the elected officials, with a majority decision needed, the Mayor does have the veto power to overrule any decision made by the majority of the elected officials.

In accordance with s. 7(11A) of the Municipalities Act 1923-“No resolution made by the Council decided on or after 7th May 2015, shall have effect unless and until it is approved by the Minister

responsible for Municipalities.

- The Mission of the Corporation of St. George is to serve the needs of our constituents by providing the services they require in a timely, professional and cost-effective way and to support the revitalization of the Town of St. George.

- All requests can be submitted to the Corporation of St. George to the attention of the Secretary

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 Programs [s5(1)c]

Services:

- **Services provided by the Corporation of St. George;**
 - a) **Trash collection, business and residential (not restaurants)**
 - b) **Maintain Sanitary water system**
 - c) **Maintain Sewerage System**

- d) **Maintaining all Town Owned thorough fares and streets**
- e) **Maintaining Town Docks and Wharfs**
- f) **Maintain Street Lighting**
- g) **Maintenance and rentals of Town owned buildings and property**
- h) **Maintain Public bathrooms**
- i) **Administer Permits**
- j) **Maintenance of Town Parks and gardens**

Programmes:

The organizing of activities in the Town, either by the Corporation or outside entities who wish to have events in the Town.

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

- Minutes of Corporation of St. George General Council Meetings and Corporation Committee Meeting Minutes
- Deeds of all Corporation owned properties
- Audited annual financial statements of the Corporation
- Requests for Proposals of all work outsourced by the Corporation or major projects that have been pursued for the benefit of the Town.

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

Terms & Conditions for the rental of Corporation property or parks
 Al Fresco Dining Policy
 Seaport Security Pass Application Form
 Employee Handbook
 Parking Permits
 Corporation Committee Terms of Reference
 Municipal Meeting Guide
 Financial Instructions

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

The Corporation makes decisions on issues in the following manner. All requests to the Corporation are submitted in writing addressed to the Town Manager/Secretary. If necessary,

the Town Manager/Secretary will refer the request to the appropriate committee for decision. Once a decision is made it is then sent to the General Council for approval. During the next monthly Corporation Council meeting the decision is voted on as a body and the decision of the General Council is passed on to the Minister for approval. Once approval is received from the Minister the individual or group that submitted the request is notified in writing.

Elections:

Corporation elections are held every three years during the first week following the first Sunday in May of the third year. Residents of the Municipality on a Parliamentary Register are eligible to vote in Corporation of St. George elections. An extraordinary election is held if a member of the Corporation dies or resigns from office.

In accordance with Municipalities Amendment Act 2018, an ordinary Municipal election shall not be held in 2018.

Policy Statement

The Corporation of St. George will ensure that it is accountable and transparent to the public for its actions.

Description

The Corporation of St. George acknowledges that it is responsible for providing good government with respect to matters within its jurisdiction in an accountable and transparent manner by:

- Facilitating public access to information about the Town's services and programs, and encouraging public participation to ensure that the Town's decision making process is conducted openly and in a manner that is responsive to the needs of constituents and receptive to their opinions
- Delivering high quality services to constituents and actively seeking input for enhancing service delivery and achieving best practices
- Promoting the efficient and effective use of public resources in a manner that permits constituents the opportunity to evaluate the Town's performance in this regard

Definition

Accountability – The principle that the Town will be responsible to its constituents for the decisions it makes and policies it implements, as well as its actions or inactions.

Constituents – The individuals who reside in the Town of St. George and businesses, institutions, and other entities which have premises in the Town

Transparency – The principle that the Town's decision making process should be open and accessible to the public. Also, that the Town ought to actively encourage and foster public access to and participation in its decision making process

Policies and Practices

I. Financial Matters

- External audits summary published and provided to the Government
- Budget process – approved by Corporation Finance Committee and then

ratified by full Council.

2. Public Participation

- The goal of the Corporation of St. George is to ensure that as much as possible the meetings of its Council, Standing Committees, and Subcommittees of Council are conducted in a fair and honest way for the benefit of the Town.
- The Corporation of St. George facilitates public involvement in its activities by providing for and hosting a variety of public meetings and public presentations to inform constituents of initiatives being considered by the Town

Tendering and Quotes

A consistent approach to purchasing across the Corporation is essential to achieve value for money with the following objectives:

- I. Fairness, i.e. quotations and/or tenders will be treated equally;
- II. Conduct of business openly and without restrictive practice;
- III. A variety of suppliers are given the opportunity to quote;
- IV. Compliance with internal control directives.

The Process

In all instances:

- I. The signing authority levels referred to in the Financial Instructions must be adhered to.
- II. Alternative prices should be sought wherever possible and practical and from as wide a range of suppliers as is practicable.
- III. The same supplier should not be used repeatedly without good reason, e.g. consistently better prices or quality, or a centrally tendered supply, such as photocopy paper.
- IV. Employees may be called upon to justify the selection of specific vendors.

Goods and Services below \$5,000

No specific requirements (other than those applying in all instances).

Goods and Services below \$20,000

Shall be obtained on the basis of at least 3 *written* quotes(where possible)

Goods and Services over \$20,000

- I. Shall be obtained on the basis of at least 3 *written* quotes.(where possible)
- II. Employees shall ensure that, over the course of time, the range of suppliers requested to provide quote is as wide as practicable.
- III. The employee initiating the request shall clearly state all the relevant information necessary to secure an accurate price.
- IV. A closing date/time for submission of bids must be stated and strictly observed.
- V. The quotes must be submitted to the Finance Committee for decision.
- VI. The lowest price must be accepted or reasons for not accepting the lowest price must

be documented. The reasons for acceptance of the vendor must be submitted to the executive management upon request.

- vii. Unsuccessful suppliers should not be allowed to re-submit a lower quotation price – the first quotation must be accepted.
- viii. Successful and unsuccessful suppliers should be notified in writing.
- ix. Where applicable quotations for an annual supply should be sought to obtain quantity discounts.
- x. When requesting quotations from foreign suppliers, ensure that total landed cost is used to compare to local quotations. Landed cost should include purchase price, foreign exchange, bank charges, freight, duty and all handling costs.
- xi. The process must be clearly documented by the employee and all pertinent records retained on file.

Major Capital Projects- Above \$50,000

- i. A Request for Proposal is produced by the Corporation and advertised in the Official Government Gazette.
- ii. A closing date/time for submission of proposals is strictly observed.
- iii. Upon receipt of submissions, all submissions will be reviewed by the Committee under which the scope of the work falls. The Committee will make its recommendation to the full Council.
- iv. Once the Committee recommendation is taken to the full Council the decision is either ratified or overturned.
- v. The recommendation is submitted to the Minister for approval.
- v. Once a decision has been made by the Minister the successful and unsuccessful applicants will be notified in writing.

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

Candy-Lee Foggo
Town Manager/Secretary
Corporation of St. George
#5 Ordnance Island
St. George's GE 05
Bermuda
Tel: 297-1532
E-mail: cfoggo@stgeorge.bm

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

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

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: December 2018

Locations of Information Statement:

- Your principal office: (#5 Ordnance Island, St. George GE 05) Y/N
- The Bermuda National Library; Y/N
- The Bermuda Archives; Y/N
- Available electronically, Y/N
- Website for public authority 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:  24/1/19