

## GOVERNMENT OF BERMUDA

### MINISTRY OF HOME AFFAIRS

#### PATI Information Statement

**Name of Public Authority: DEPARTMENT OF ENERGY**

##### Introduction:

The Public Access to Information Act of 2010 not only gives the public the statutory right to information about how its government works, but also affirms an obligation on Government to provide information as requested. In an effort to be as transparent as possible in its operations, the Department of Energy issues this statement to provide insight into its operations, services, and obligations to the public. The information provided includes operating procedures, documents that govern the way the Department makes decisions, as well as some broad and general information about what the Department does on a day-to-day basis.

Note that, despite the name of the Department, it is now responsible for Telecommunications, Space and Satellite as the Department of Energy and the Department of Telecommunications merged in 2018.

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



##### Legislation

- Electricity Act 2016
- Electricity (License Threshold) Regulations 2016

- Submarine Communications Cables Act 2020
- Regulatory Authority Act 2011
- Telecommunications Act 1986 (only those sections relating to Broadcasting)
- Electronic Communications Act 2011
- Obscene Publications Act 1973
- Public Telecommunications Service (License) Regulations 1998
- Cable Television Service Regulations 1987
- Subscription Radio Service Regulations 2003
- Television Broadcasting Service Regulations 1987
- Films (Control of Exhibition) Act 1959
- Prohibited Publications Act 1963
- Political Broadcasting Directions 1980
- Telecommunications Radio (Stock) Regulations 1987
- Sound Broadcasting Service Regulations 1994
- Satellite Network Notification and Coordination Regulations 2007
- Government Fees Act 1965
- Government Authorities (Fes) Act 1971
- Class One Radio (Broadcasting Service and Subscription Radio Service in the Broadcasting Frequency Bands) 1987

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

### **Powers of the Department of Energy**

Under section 11 of the Electricity Act 2011 and section 6(2) of the Telecommunications Act 1986, the Director supports the Minister responsible for Energy and Telecommunications in the discharge of his duties according to those Acts.

### **Duties of the Department of Energy**

The Department of Energy develops policy, legislation and regulation to promote, advocate and develop policy and legislation for the Energy, Telecommunications, Space and Satellite industries. The Department is primarily a policy-making department, which also provides public education and outreach on those sectors. The Director reports to the Permanent Secretary of the Ministry responsible for the Department of Energy.

The duties of the Department also include inspecting telecommunications and radio facilities in relation to any Broadcasting functions, collecting fees from Broadcasters, maintaining the license database, and administering new licenses and renewals. The Department is responsible for the administration of the Broadcasting and Telecommunications Commissions as well.

## **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 [s 19]
- 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 Department of Energy provides the following services:

- Ongoing development and support of policies, programmes and legislation to support the goals of the White Paper 2011.
- Technical support to the Ministry and other departments for matters under its remit.
- Development and support for internal policies and initiatives to enable the Public Service to lead by example in the areas of energy conservation, efficiency and the adoption of renewable and alternate energy technologies.
- Consultation to other Departments for all energy, broadcasting and satellite matters
- Management of the Broadcasting and Telecommunications Commissions
- Management of the filing and coordination of satellite networks through Bermuda
- Collection of data for the International Telecommunications Union from industry
- Management of licenses and complaints in the Broadcasting sector

## **Programmes:**

The Department is tasked primarily with the implementation of policies in the Energy, Telecommunications and Space Sector, which have included rebate programmes, outreach and education initiatives like summer camps for students, conferences and Public Service Announcements. The Department of Energy is currently carrying out the LED Initiative, which is distributing LED light bulbs to all households in Bermuda.

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

### **Licenses**

The Department holds the following records:

- Broadcasting Licenses
- Satellite filings
- Carrier Fees Records

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

- Financial Instructions
- Departmental Procedures for the Department of Energy
- Government of Bermuda Conditions of Employment and Code of Conduct
- Bermuda Occupational Safety and Health Regulations 2002

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

- Government of Bermuda Conditions of Employment and Code of Conduct
- Collective Bargaining Agreement between the Government of Bermuda and the BPSU
- Dignity at Work Policy and Complaints Procedures
- Relevant legislation as noted in Section A
- Bermuda Occupational Safety and Health Regulations 2002
- Financial Instructions
- Department Business Plan

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

**Contact Jeane Nikolai**

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**Email address [jnikolai@gov.bm](mailto:jnikolai@gov.bm)**

**Web-address at [www.energy.gov.bm](http://www.energy.gov.bm)**

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

Web-address at [www.gov.bm](http://www.gov.bm)

**Section I: Any Other Information To be Provided? [s5(1)i] NONE**

**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:** 12 January 2024

**Locations of Information Statement:**

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

- Your principal office: 3<sup>rd</sup> Floor, Government Administration Building Y
- The Bermuda National Library; Y
- The Bermuda Archives; Y
- Available electronically, Y
- Government Portal Y
- Have you published a notice in the Gazette indicating the places where the information statement is available for the public? Y
- With the Information Commissioner. Y

**Sign and Date: 12 January 2024**

