

BERMUDA GOVERNMENT

MINISTRY OF PUBLIC WORKS

PATI Information Statement

Name of Public Authority: Department of Public Lands and Buildings (PLB)

Introduction:

The purpose of the Public Access to Information Act is to —

- a) 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;
- b) increase transparency, and eliminate unnecessary secrecy, with regard to information held by public authorities;
- c) increase the accountability of public authorities;
- d) inform the public about the activities of public authorities, including the manner in which they make decisions; and
- e) have more information placed in the public domain as a matter of routine.

PLB is responsible for the effective management of all public lands and buildings through sound asset management, facilities management and building maintenance practices. Guided by the Public Land Act of 1984 and other operation specific legislation, the Department provides a wide range of public services in management of Government property, commercial and residential leases and licenses; while managing licenses and leases for the foreshore and seabed, managing a maintenance and repairs programme to all Government buildings, and ensuring that Government has adequate insurance for its Property Assets.

The purpose for this information statement to increase transparency, and eliminate unnecessarily perceived secrecy, with regard to the allocation of the Government's Public lands.

This statement shall contain the following: —

- a) a description of the structure and organization of the authority and the legislation governing the authority;
- b) a description of the functions, powers and duties of the authority, including its obligations under this Act;
- c) a summary of the services that the authority provides, including ongoing programs of the authority;
- d) a description of all classes of records that are held by the authority, in sufficient detail to facilitate the exercise of the right of access under this Act;
- e) a description of all manuals used by employees of the authority in administering or carrying out the programs and activities of the authority;
- f) a description of the policies, rules and guidelines used by the authority to make decisions or recommendations in respect to any person;

- g) the name and contact information of the person designated by the authority under section 62 as the person to whom requests under this Act may be directed;
- h) any other information that the head of the authority considers relevant for the purpose of facilitating access by the public to information held by the authority; and
- i) any other information that may be prescribed as outlined in the Public Access to Information Act 2010.

Information that CAN be accessed through the PATI Act is as follows:-

- a) Government Owned Property description and use
- b) Status of Occupancy of Government Owned Properties
- c) Name of Current Occupier/ Tenant/ Lessee of Government Owned Properties
- d) Status of the Occupancy; limited to length of lease terms where applicable
- e) Location of all properties that Government leases
- f) The Annual rent Government budgets for same
- g) Length of Lease terms of same properties
- h) An account of all current tenders for projects and properties
- i) An account of all applicants and application information for current tenders
- j) A notice of the successful application
- k) The Information of applications in an OPEN Tendering Process
- I) The criteria of selection in the Tendering Process



Legislation Base Lands Development Act 1996 Base Lands Development Amendment Act 2006. Base Lands Development Act 2010 Bermuda Constitution Order 1968 Bermuda Housing Act 1980 Bermuda National Parks Act 1986 Bermuda National Parks Amendment Act 2009 Companies Act 1981 Condominium Act 1986 Golf Courses (consolidation) Act 1998 Health & Safety at Work Amendment Act 2004 Land Reclamation Act 1951 Land Reclamation Act 1964 Landlord & Tenant Act 1974 Ministers (Change of responsibilities and Style) Order 2011 Municipalities Reform Act 2010 Occupational Safety and Health Act 1982 Occupational Safety and Health Regulations 2009 Occupational Safety and Health Ticketing regulations 2012 Public Access to Information Act 2010 Public Lands Act 1984 Survey of Bermuda (Parish Boundaries) Act 1899 Survey of Bermuda (Parish Boundaries) Act 1900 Survey of Bermuda Act 1962 Railway Purchase Act 1946 Rent Increases (Domestic Premises) Control 1978 Development and Planning Act 1974 Park Hyatt (St. George's) Resort 2008 Sale of Reclaimed Lands 1951 Works and Engineering Act 1984

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

Mission Statement

To manage Government property and provide national mapping to enable the delivery of effective public services.

Estates Section

The Estates Section is responsible for the day-to-day estate management of Government land and buildings and ensuring that all Government owned land is managed, traded and utilized in an efficient and effective manner in order to provide effective public services.

Buildings Section

The Buildings Section is mandated under the Works and Engineering Act., 1984, to maintain Government's building estate in addition this section also manages small minor works and capital projects for the government.

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]

Estates Section

The Estates Section is mandated to service all Government's operational property requirements, and the effective management of the Government Estate extending to several hundred buildings, over 1500 acres of land and the Crown foreshore and territorial waters.

In addition, the Section is responsible for implementing several statutory functions pursuant to

the Acquisition of Lands Act 1970, the Sale of Reclaimed Lands Act 1951, and the Works & Engineering Act 1984. This package will permit the Section to undertake core estate management duties, and will permit the discharge of statutory functions with some revenue generation. Rent reviews, lease renewals, accommodation requirements, and foreshore encroachments can start to be proactively completed.

The Section is manages the Government's Insurance cover based on a premium payment of current value. The total number of buildings insured is 1125 for \$2.32 Billion property value.

It is the responsibility of the Estates Section to liaise with and advise the Building Section on the maintenance requests and the Lands Survey Section, Planning regarding infrastructure and strategy on the boundary, topographic, and hydrographic surveys, and address assignments of the Government's properties.

Buildings Section

The Buildings Section is responsible for managing the delivery of all services related to daily maintenance, responses to client department calls, planning the maintenance to buildings based on identified life cycle projections as well as the compliance with the Safety and Health Act and customer's identified needs.

The Section works closely with the Ministry of Education to develop a planned maintenance programme by identifying and prioritizing works based on Safety and Health, infrastructure and school operations.

The total budget allocated to the Department of Public Lands and Buildings is Nineteen Million, Mine Hundred and Nineteen Thousand Dollars (\$19,919,000) for fiscal year 2020/21

Land Surveys and Mapping

The Land Survey Section is responsible for providing the Government with traditional land topographical surveys, cadastral, hydrographical surveys and construction surveying surveys. The Surveys Section is also the National Mapping Office responsible for updating and maintaining the Geographic Information System (GIS) base data layers that are utilized by many Government Departments in conjunction with their own services. The package primarily deals with day-to-day operational issues, tasks and requests for spatial related information and current capital works associated with Works and Engineering departmental objectives. The Section is responsible for assigning postal addresses for all of Bermuda properties.

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

All property lease and license records Records of Government Properties (PIMS) Records of Government Insurance Premium Construction Projects Tendering policy and submittals

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

Administrative Manuals and Narratives

Building Section Narrative and Flow Chart Estates Section Narrative and Flow Chart Foreshore Encroachment Narrative and Flow Chart

Procedural Flowcharts

Acquisitions Agricultural Lettings Alien Registry **Complaints Procedures** Condo Registration Debts and Income Management **Empty Property** Encroachment Foreshore Encroachment Key Holding Lease Renewal New Lease Registration Non-Residential Leases Option Appraisal Payment of Invoice Portfolio Management Purchasing Protocol **Rent Review** Tenders

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

Internal Policies and Procedures

Financial Instructions Government Office Space Standards Code of Practice for Procurement PFA 2002 – Procurement of Contract Services PFA 2000 – Purchasing of Goods and Materials

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

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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 av for inspection by the public at reasonable times by [s5(1-5), PATI Act]:			
Date Information Statement was updated: February 7, 2021			

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

Your principal office: (3rd Floor Government Administration Building)	Y/ N
The Bermuda National Library;	Y /N
The Bermuda Archives;	Y/ N
Available electronically,	Y/ N
Website for public authority (insert site)	Y /N

Have you published a notice in the Gazette indicating the places where the information statement is Y/N available for the public?

With the Information Commissioner.

Sign and Date:

January 9 2022

Y/N

Chief Surveyor