

# Bermuda Airport Authority

Building 332"East", 11 Waller's Point Rd. St George's DD03

## PATI Information Statement

### The Bermuda Airport Authority

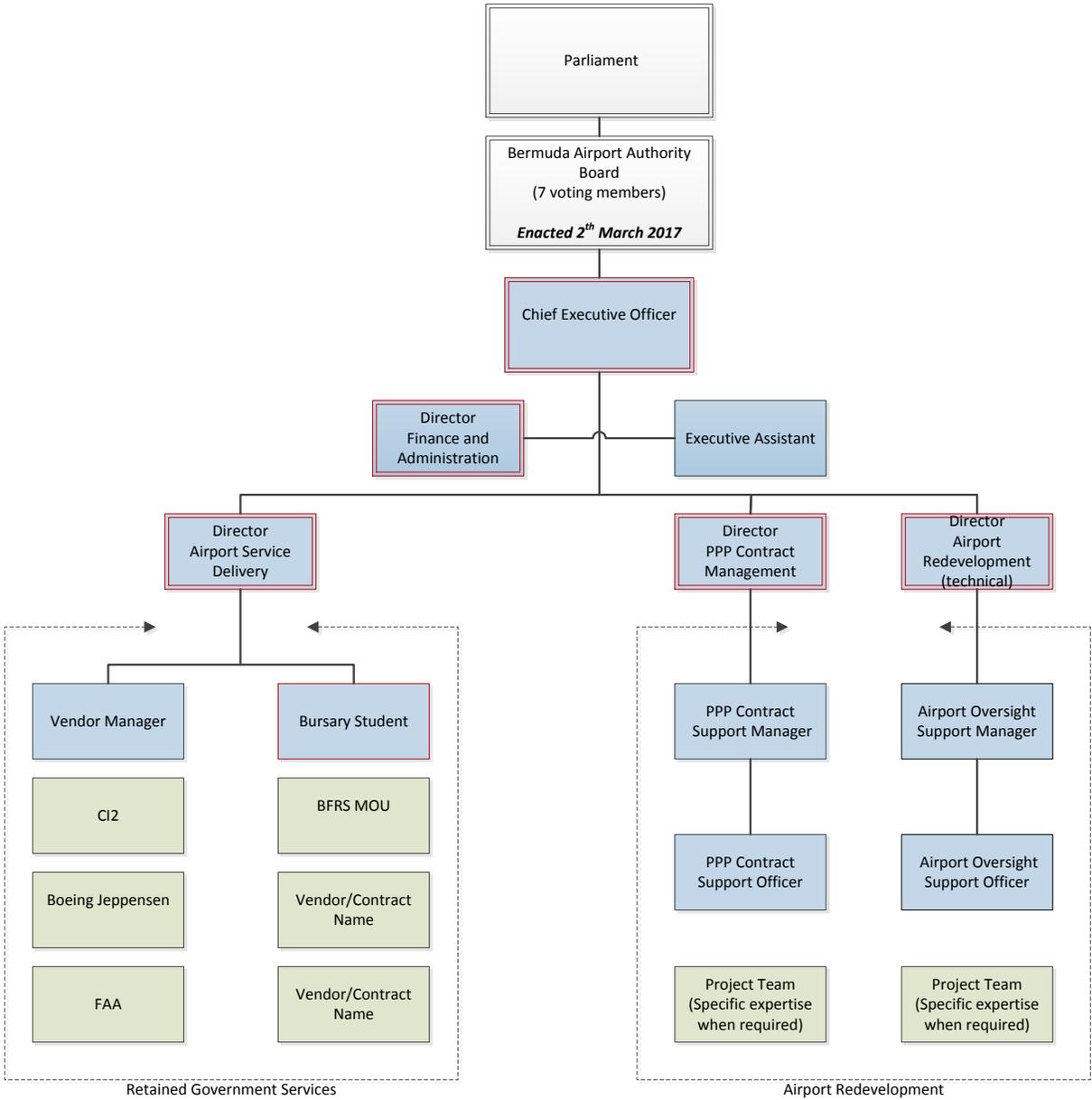
#### Introduction:

The purpose of the Public Access to Information Act 2010 is to make public authorities more accountable and open by giving the public access to information, subject to exceptions that are in the public interest. An information statement is required from each Authority, which provides an overview of the information, which is accessible, improving the efficiency of public administration and strengthening public trust.

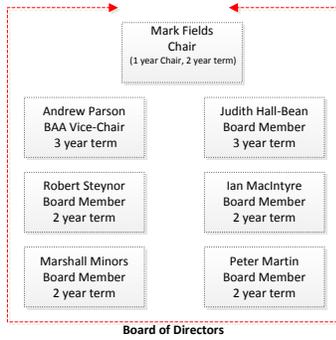
This statement provides key information for the Bermuda Airport Authority (BAA) summarizes as follows:

1. The general functions of the BAA;
2. Organizational structure;
3. Summary of services provided;
4. Vision and Mission statement;
5. List of Legislative Acts and Regulations defining the BAA's scope of operations and responsibility;
6. Description of the role of the Statutory Board of Directors and a list of the members;
7. Incumbency list;
8. Contact information in the event that a member of the public wishes to access information.

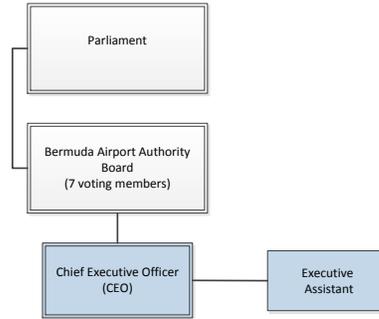
# Section A: Organization Structure



# Section A1: Bermuda Airport Authority Board of Directors



## Bermuda Airport Authority (BAA)



*Board Structure and Committees  
March 2017  
Board of Directors  
Technical Committee  
Financial Committee  
Human Resources Committee*



Governed by the Bermuda Airport Authority Act 2017

## **Section B: Legislation**

The Bermuda Airport Authority discharges its duties in accordance with the Bermuda Airport Authority Act 2017.

Other applicable Acts are:

Airport Redevelopment Concession Act 2017

Bermuda Civil Aviation Authority Act 2016

Electronic Transactions Act 1999

Employment Act 2000

Public Treasury (Administration and Payments) Act 1969

Acquisition of Land Act 1970

Public Lands Act 1984

National Pension Scheme (Occupational Pensions) Act 1998

Health Insurance Act 1970

Stamp Duties Act 1976

Customs Tariff Act 1970

The Foreign Currency Purchase Tax Act 1975

Land Valuation and Tax Act 1967

Statutory Instruments Act 1977

Available on Bermuda Laws at [www.bermudalaws.bm](http://www.bermudalaws.bm)

## **Section C: Functions, powers, duties of the Authority**

Interpretation

“Agreement” means collectively, the entirety of the agreement between Bermuda Skyport Corporation Limited "Skyport" and the Bermuda Airport Authority for the redevelopment and operation and maintenance of the L.F. Wade International Airport, including the amended and restated Project Agreement, as amended, supplemented, extended, novated or restated from time to time and each and every other agreement between the Skyport and the Authority relating to the Airport by which Skyport and the Authority or their respective assigns are bound;

## **Principal functions of the Authority**

1) The principal functions of the Authority shall be to redevelop, operate, maintain, manage, oversee, administer and perform all functions and operations of the L.F. Wade International Airport, including (without limitation) the following principal functions— notwithstanding subsections (1)(d) and (3)(b) of section 32B of the Public Treasury (Administration and Payments) Act 1969, to oversee on behalf of the Government the performance by Skyport and Aecon Construction Group Inc., of the Agreement and the works to be carried out under the Agreement on the Leased Lands, and upon the expiration of the Agreement to take over the responsibility for operating, maintaining, and servicing the Airport; to enter into all contracts, agreements and arrangements that the Authority is required to enter into, execute and deliver, including without limitation the novation agreement with Canadian Commercial Corporation, the Government and Skyport, whereby the Government and the Canadian Commercial Corporation will be released from their respective obligations under the project agreement and the Authority will become entitled to all right, title and interest of the Government in the project agreement and assume all of the Government's duties, liabilities and obligations under the project agreement and Skyport will become entitled to all right, title and interest of Canadian Commercial Corporation in the project agreement and assume all of Canadian Commercial Corporation's duties, liabilities and obligations under the project agreement; to perform the Authority's obligations under the Agreement; to own, either in whole or in part, or manage, alone or jointly with another person, the Airport; to take all proper measures for the safety, security, management, control, operation, marketing and development of the Airport; to deliver or procure the delivery of the Retained Government Services, other Governmental Services, and Excepted Authority Activities; to provide such services and facilities at the Airport including Commercial Services of any kind as the Authority considers necessary or desirable, having regard to the development of air transport, the promotion of tourism and the efficiency, economy and safety of operation of the Airport; to regulate the fees and charges specified in the Agreement; to promote investment in and at the Airport; and to engage in any business activity, either alone or in conjunction with other persons and either within or outside Bermuda, that the Authority considers to be advantageous to the development, operation, maintenance or servicing of the Airport.

2) The functions of the Authority specified in this section shall be exercised and discharged in such manner as not to conflict or be inconsistent with—the terms and conditions of the Letter of Entrustment [from the Foreign and Commonwealth Office, United Kingdom to the Governor of Bermuda acting on behalf of the Government dated 17 July 2015 as amended, extended or superseded from time to time]; any provision of law in force in Bermuda relating to civil aviation or any direction, order or notice made, given or issued under any such provision of law; the functions of the Civil Aviation Authority; any international convention relating to civil aviation adhered to for the time being by the United Kingdom Government or by the Government, in so far as such provisions apply in relation to civil aviation or civil airports in Bermuda; any agreement relating to civil aviation or civil airports in Bermuda entered into and for the time being subsisting between the United Kingdom or the Government and any other jurisdiction; and the terms and conditions of the Agreement.

#### **General duty of the Authority**

1) It shall be the general duty of the Authority at all times— to conduct its business in a cost-effective and efficient manner; to take such steps either alone or in conjunction with other persons as are necessary for the efficient operation, safety, management and development of the Airport; to have regard to the safety standards relating to the operation of aircraft and air navigation applied and enforced by the Bermuda Civil Aviation Authority; to oversee operations within the Airport.

2) Should any Court proceedings be issued against the Authority, the Court may make such order, including an order for costs, as it thinks fit, provided that the Court may not issue an order requiring the Authority to pay compensatory or punitive damages for actions taken in the performance of its duties, unless such order is in accordance with the Agreement.

#### **General powers of the Authority**

1) For the purposes of carrying out its functions, but subject to the provisions of the Bermuda Airport Authority Act 2017 ("Act"), the Authority shall have the power— to carry on such business and other activities; to do all such things and enter into all such transactions, as appear to the Authority to be necessary, or advantageous, for it to carry on or perform or enter into, for or in connection with the discharge of its functions.

2) Without prejudice to the generality of the foregoing provisions of this Act, but subject to the provisions of this Act, for the purposes of carrying out its functions, the Authority may— engage such staff, consultants and other persons as it considers necessary, on such terms and conditions as it considers appropriate, subject to the requirements of applicable law of Bermuda; make such charges, as the Authority may determine, for the provision of its services under this subsection for the purpose of the Authority’s functions; open and operate interest bearing bank accounts within or outside Bermuda; with the approval of the Minister and the Minister of Finance, borrow money and otherwise raise capital in accordance with this Act; and except to the extent prohibited by this Act or any other provision of law, with the consent of the Minister, delegate in writing any of the functions conferred on the Authority under sections 4 or 6.

### **Section D: Obligations under PATI Act 2016**

- To provide an information statement for the public and promulgate it.
- To provide other information to the public so that the public needs only to have minimum resort to the use of the Bermuda Authority Act 2017 to obtain information. This includes:
  - General information, e.g. activities of the Authority
  - Log of all information requests and their outcomes
  - Quarterly expenditures (upon request)
  - Contracts valued at \$50,000 or more
- To respond to information requests in a timely manner.
- To track information requests, and provide this data to the information Commissioner.
- To respond to requests for the Information Commissioner.
- To amend personal information held by the Authority that is wrong or misleading following a written request by the person to whom the information was released.
- To conduct an internal review if formally requested.
- To give evidence for review by the Information Commissioner, or for judicial review.
- To provide an annual written report to the information Commissioner of the status of information requests.
- To do anything else as required under the PATI Act and subsequent Regulations 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.
- To designate one **of its officers to be** the person to whom requests are directed.

## Section E: Oversight Function

The BAA is responsible for overseeing all operations within the Airport including the redevelopment of the Airport and its maintenance and operation by Skyport and to carry out certain functions relating thereto, such as managing and reporting on the performance of Skyport.

## Section F: Records and Documents held

### Administration

- Legislation & Regulations
- Policies & Procedures
- Human Resources Files
- Accounting/Finance Records

### Operations

- All BApA contracts and MOUs
- Operation Records
- Retained Government Services Records

## Section G: Administration (all public access) manuals

Employee Handbook

## Section H: Decision-making documents

- Business Plan
- Financial Plan
- Strategic Plan

## Section I: The BAA Information Officer for PATI requests

Ms. Sherrita Steede, Executive Assistant, email: [ssteede@bapa.bm](mailto:ssteede@bapa.bm) Tel: 747-0233

## Section J: Any Other Information

The Bermuda Airport Authority website is [www.bapa.bm](http://www.bapa.bm) and provides up to date information to the public in relation to the oversight and marketing function BAA provides.

BAA can be contracted:

Building 332 "East"  
11 Waller's Point Rd.  
St George's DD03  
Tel: 747-0233  
Email: info@bapa.bm

## Section K: Information Statement Copies and Update

Date Information Statement was updated: 10<sup>th</sup> April, 2017

Locations of Information Statement:

- BAA's principle office
- BAA's website (to be developed)
- The Bermuda National Library
- The Bermuda Archives
- Availability electronically