

# Information Statement

## Public Authority: Board of Agriculture

### Introduction

This document is the Information statement for the Board of Agriculture (the Board). In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement. The Board is regulated by legislation under the Ministry responsible for the Environment.

The purpose of this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Several classes of information are exempt [sections 21 to 40, PATI Act], although subject to the public interest test, including: Personal information; Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; Legal, Court and Parliamentary privilege documents.

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### Key and Definitions

- Act means Agriculture Act 1930
- Council means the Board of Agriculture
- Ministry means the Ministry the Environment
- Department means the Department of Environment and Natural Resources (DENR)
- PATI means Public Access To Information
- Square brackets [ ], refer to sections of the PATI Act, unless another Act is indicated

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

*Insert structure of Authority (text, and figure if latter useful):*

The Board may consist of a maximum of 12 persons and not less than 5

- a. There shall be a chairman and a deputy chairman appointed by the Minister from among the members
- b. The Director of the Environment and Natural Resources is *ex officio* member of the Board.
- c. At any meeting of the Board the Minister may preside over the meeting; however, in general the meeting is presided over by the Chairman or, in the absence of the Chairman, the Deputy Chairman.

- d. In the absence of both the Chairman and Deputy Chairman, members present may elect someone from among their number to act as Chairman
- e. A simple majority of the members present in Bermuda shall constitute a quorum
- f. Every question or matter to be determined by the Board at any meeting shall be decided by a majority of the votes of the members present and voting on the question or matter: provided that in the event of an equal division of votes the person presiding at the meeting may, if he thinks fit, give a second or casting vote.
- g. Fees shall be paid to the members of the Board in accordance with the Government Authorities (Fees) Act 1971

*Insert governing Legislation:*

- Agriculture Act 1930 and Regulations
- Agriculture (Control of Animal Diseases) Regulations 1947
- Agriculture (Control of Plant Diseases and Pests) Regulations 1970
- Agriculture (Importation and Sale of Potatoes) Regulations 1936
- Agriculture (Improvement of Livestock) Regulations 1947
- Agriculture (Inspection and Exportation of Nursery Stock) Regulations 1931
- Agriculture (Inspection and Exportation of Produce) Regulations 1931
- Agriculture (Japanese Beetle) Order 1939
- Agriculture (Soil Erosion) Regulations 1967

**Section B1: Functions, powers, duties of the Authority [s5(1)b]**

*Insert functions, powers and duties:*

**Functions of Board**

Under Section 3 of the Act, the Minister may consult with the board or take advice from the board on any matter relating to agriculture (and “related matters”) as he shall see fit while retaining the full authority to act in his/her discretion on such matter. As such, the functions of the Board are:

- a. To consult and advise on the practice of agriculture and horticulture in Bermuda
- b. Promote the improvement of plants and livestock and their protection against diseases.
- c. Promote good practices in poultry and livestock care and management.
- d. Promote the prevention and control of soil erosion through the promotion of proper agricultural and horticultural practices.
- e. Promote the marketing of the agricultural produce of Bermuda
- f. Advise on the need for inquiries concerning the practice of agriculture.
- g. Promote the recording of statistical data and publication of reports.
- h. Promote the study of agriculture and dissemination of information regarding techniques of agriculture and the holding of agricultural exhibitions.

**Powers and Duties of Board**

1. The Board has no powers under the Act and functions only in an advisory capacity for the Minister.

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*(same for all public authorities)*

**Obligations of the Council under the PATI Act**

1. To provide an **information statement** for the public and promulgate it [s5],
2. 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:
  - a. General information, e.g. activities of the Authority
  - b. Log of all information requests and their outcome
  - c. Quarterly expenditure (upon request) [s6(5)]
  - d. Contracts valued at \$50,000 or more.
3. To **respond to information requests** in a timely manner [s12-16]
4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
5. To respond to requests from the Information Commissioner [s9]
6. 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]
7. To conduct an **internal review** if formally requested [part 5]
8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
10. To **do anything else as prescribed** under the PATI Act and Regulations [s59, 60], including:
  - a. **Managing Fees** for Requests for information
  - b. Management and maintenance of **records**
  - c. **Following procedures** for administering the Act
11. To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
12. To **designate an officer** to be the person to whom requests are directed [s62]

**Section C: Services and Programmes provided [s5(1)c]**

*Insert a summary of services and programmes provided by the authority:*

**Services**

1. The Board maintains a list of Registered Farmers.

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

*Insert list and description of the classes of records held by the authority:*

**Activities of the Board**

1. The board meets monthly on the last Thursday to consult on matters relevant to the agriculture sector in Bermuda, focusing its protection and growth.
2. The Minutes of Board Meetings and records of attendance are maintained by the Administrative Officer, Department or Environmental Protection, on behalf of the Chairman, Board of Agriculture

**Section E: Administration manuals [s5(1)e]**

*Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:*

1. The Agriculture Act 1930 and Regulations are the primary guidance for the work of the Board.
2. Bermuda Dairy Industry Sub-Sector Strategy 2016
3. Crop Strategy 2016

**Section F: Decision-making documents (all public access) [s5(1)f]**

*Insert list and description of all policies and guidelines for decision making in respect to any person.*

The documents that govern the powers and duties of the Council, include:

1. Agriculture Act 1930. Foundation of all legislation relating to the conduct of commercial agriculture ('agriculture' is not defined) regarding crops and livestock including the Minister's powers and responsibilities to both regulate and promote and advance agriculture); the role of and guidelines for the Officers (Acting on behalf of the Minister) to enforce the Act and Regulations; and the role of the Board of Agriculture as advisory to the Minister in all respects of his relationship to the practice and regulation of agriculture.
2. Agriculture (Control of Animal Diseases) Regulations 1970. Lists communicable diseases of concern affecting livestock and animals; defines the role and procedures of the Veterinary Officer in preventing and controlling listed diseases of livestock and animals. (Public Domain)
3. Agriculture (Control of Plant Diseases and Pests) Regulations 1970; Lists plant pests and diseases of concern; how these are to be controlled by the Pathologist and Inspectors (Officers) at the ports of entry to Bermuda; requirements and use of official documentation. (Public Domain)
4. Agriculture (Importation and Sale of Potatoes): Regulations 1936; Self explanatory (Public Domain)
5. Agriculture (Improvement of Livestock) Regulations 1947; Regulatory framework for the breeding of livestock in Bermuda. (Public Domain)
6. Agriculture (Inspection and Exportation of Nursery Stock) Regulations 1931; Self explanatory. (Public Domain)
7. Agriculture (Inspection and Exportation of Produce) Regulations 1931; Self explanatory. (Public Domain)
8. Agriculture (Japanese Beetle) Order 1939 ; Declaration of the Japanese beetle (Popillia Japonica) a notifiable pest. (Public Domain)
9. Agriculture (Soil Erosion) Regulations 1967; Controls the grazing of animals on undeveloped land; their importation; and, documentation required for importation. (Public Domain)

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

*Insert name and contact information:*

Requests for information shall be in writing and submitted to the Department Information Officer; from where they will be directed to the Council.

Contact	PATI Information Officer, Drew Pettit Department of Environment and Natural Resources
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Re: Board of Agriculture

Mail to

P.O. Box HM-834, Hamilton, Bermuda HM CX

Visit

Department of Environment and Natural Resources  
Botanical Gardens, 169 South Road, Paget

Email

[apettit@gov.bm](mailto:apettit@gov.bm)

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

*Insert any other information that you think might be useful for the public to know, so as to decrease requests for information [s6]:*

#### **Financial Information**

1. The fees for services, and the remuneration of Council members for service, are governed by the following legislation:
  - Government Fees Act, 1965; and the Government Fees Regulations, 1976. The Act governs the charging of fees to applicants for services. The Regulations lists the fees for the services.
  - Government Authorities (Fees) Act, 1971. The Act governs the remuneration of body members for services. In brief: the Chair receives \$100, and other members receive \$50, per meeting. Public Officers receive no monies.
2. **Budget Book.** For the annual expenditure for the past fiscal period (31<sup>st</sup> Mar to 1<sup>st</sup> Apr), see the online Budget Book at: ([www.gov.bm](http://www.gov.bm)); then select Ministry of Finance; then select the “Budget Book” icon on the right-hand side; then select: Section B - Current Account Estimates; then select MoHSE).

#### **Further information**

3. **About us** is available on the government website at: <http://www.gov.bm> then select Ministry of Health from the pull down menu; then select Department of Environmental Protection, then Boards and Committees.
4. The **legislation** listed may be found at Bermuda Laws Online [www.bermudalaws.bm](http://www.bermudalaws.bm).

#### **Section I: Any Other Information As Prescribed? [s5(1)i]**

*At Oct 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:*

- **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
- **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)]. Note for this authority, there is no power to enter into any contracts.
- **Expenditure:** Quarterly expenditure will be provided upon request. Note the expenditure for the previous fiscal period is provided on the website (as per Section H)
- **Salaries:** The Minister responsible for PATI shall publish a list of title and salary range of every post

of public officers [s6(6)].

**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(2-5), PATI Act]:*

**Locations of Information Statement**

- Office: Botanical Gardens; Department of Environment and Natural Resources N
- The Bermuda National Library N
- The Bermuda Archives N
- Available electronically at:
  - PATI website <http://www.gov.bm> Select Cabinet Office from the Government tab Y
  - [www.gov.bm](http://www.gov.bm) Y
- With the Information Commissioner. N

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

**Date Information Statement was updated:**

Signed



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October 5, 2016

**Drew Pettit**, Director of Environment and Natural Resources  
Member ex officio, Board of Agriculture  
**PATI Information Officer**

*Ends*