



BERMUDA GOVERNMENT

MINISTRY OF HOME AFFAIRS

PATI Information Statement 2023

Name of Public Authority: REGISTRY GENERAL

Introduction:

The general purpose of the Public Access to Information Act 2010 (PATI) 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.

Under PATI, public authorities are required to provide information statements which make information readily available to the public without the need for specific written requests. The statements are intended to encourage public authorities to proactively publish information and develop a culture of openness and transparency, which should increase public confidence.

This information statement commits the Registry General to making information available to the public as part of its normal business activities. The Department will:

- Specify the information that it holds;
- Make information that it holds routinely available;
- Describe the methods by which specific information is made available, so that it can be easily identified and accessed by members of the public;
- List any fees charged for access to information described in this statement;
- Make this information statement available to the public; and
- Regularly review and update the information made available under this statement.

The information listed in this statement is available to the public, and can be divided into seven categories:

- Structure and Organization
- Services

- Strategic Management
- Finance and Administration
- Policies and Procedures
- Decisions and Recommendations
- Lists and Registers

Information Available to the Public:

ADMINISTRATION

- Certified extracts from registers held in Registry General
- Annual Report of the Registrar General
- Meeting Minutes (i.e. staff meetings)
- Credit card statements

VITAL REGISTRATION

- Full details of Births, Domestic Partnerships, Marriages, and Deaths

GENERAL REGISTRATION

- Full details of Chattel Mortgages and Deeds

CHARITIES

- Names, registration numbers, principal officers and purposes of Registered Charities
- Financial Statements of Charities
- Names, registration numbers, principal officers/custodian of funds and the purposes of Temporary Fundraising Licences
- Revenue and Expense reports of Temporary Fundraising Licences
- Advertisements for Charities

PROFESSIONAL REGISTRATION

- Names, addresses and professional qualifications of Architects, Professional Engineers and Surveyors
- Names and qualifications of Apprenticeships
- Names of the principal officers for Trade Unions
- Names and contact details for Marriage Officers
- Names and contact details for Domestic Partnership Officers
- Local advertisements for Marriages, Domestic Partnerships, Architects, Professional Engineers and Surveyors

INTELLECTUAL PROPERTY

- Full details of expired Patents
- Copies of specifications of registered Patents
- Certified extracts from the Register of Patents
- Local advertisements for Patents
- Full details of expired Designs
- Access to electronically held Register of Trademarks
- Local advertisements for Trademarks
- Any document pertaining to a notice of opposition or an application for rectification
- Local advertisements for Designs
- Full details from electronically held Register of .BM domain names

Information that may be Withheld:

ADMINISTRATION

- Information that is not held by the Registry General or which has been disposed of in accordance with a legally authorized disposal schedule
- Information that is not readily available, for example, information that is contained in files that have been placed in archive storage, or is otherwise difficult to access
- Information which is exempt under a suite of Acts that govern the activities of the Registry General for example personal information; or commercially sensitive information

VITAL REGISTRATION

- Notices of Births
- Notices of Particulars of Births
- Adoption Orders
- Notices of Intended Domestic Partnership
- Notices of Intended Marriages
- Particulars of Marriages
- Particulars of Domestic Partnership
- Notices of Deaths

GENERAL REGISTRATION

- Apprenticeship Applications
- Architect Applications
- Professional Engineers Applications
- Professional Surveyors Applications
- Legal Executives

CHARITY REGISTRATION

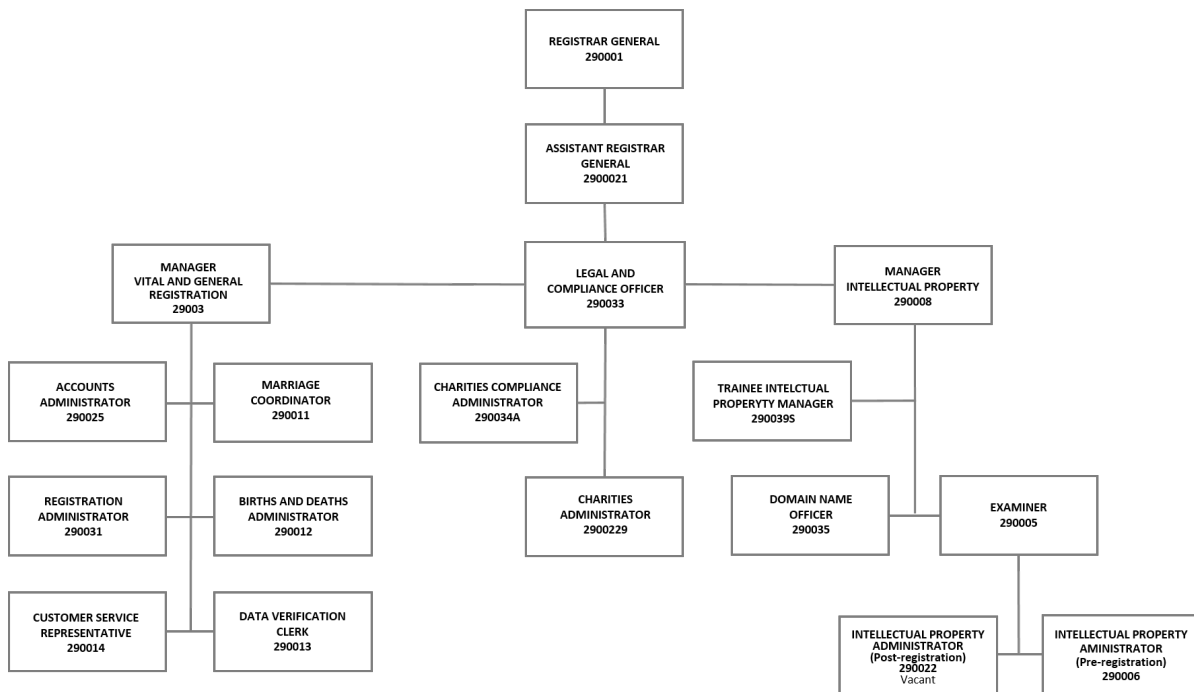
- Charity Applications
- Applications to Register as a Privately Funded Charitable Entity (i.e. Trust or Foundation)
- CFATF Technical submission for AML/ATF
- CFATF Effective submission for AML/ATF
- Mutual Evaluation Report of Bermuda

INTELLECTUAL PROPERTY

- Patent plans and specifications prior to registration
- Trademark documents filed, other than those specified in above section
- Design documents filed, other than those specified in above section

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

Structure and Organization of the Registry General



LEGISLATION

Administration

- Assistant Registrar General (Power and Duties) Act 1955
- Government Fees (Trade Marks and Service Marks) Regulations 1993
- Printed Publications Act 1971
- Public Holiday Act 1947 (Section 7A)
- Registrar General (Recording of Documents) Act 1955
- Government Fees Regulations 1976

Vital Registration

- Adoption of Children Act 2006
- Adoption of Children Regulations 2013
- Baha'i Marriage Act 1970
- Domestic Partnership Act 2018
- Jewish Marriage Act 1946
- Maritime Marriage Act 1999
- Marriage Act 1944
- Muslim Marriage Act 1984
- Registration (Births and Deaths) Act 1949
- Merchant Shipping (Return of Birth and Deaths) Regulations 1980

Charities

- Charities Act 2014
- Charities (Anti-Money Laundering and Anti-Terrorist Financing and Reporting) Regulations 2014
- Charities Regulations 2014

Professional Registration

- Architects Registration Act 1969
- Architects Registration Regulations 1970
- Mortgage Registration Act 1786
- Friendly Societies Act 1868
- Friendly Societies Act 1930
- Legal Executive (Registration) Act 2011
- Legal Executive (Registration) Regulations 2014
- Professional Engineers Registration Act 1972
- Professional Engineers Registration Regulations 1972
- Professional Surveyors Registration Act 1997
- Trade Union Act 1965
- Trade Union Amendment Act 2002

Intellectual Property

- Copyright and Design Act 2004
- Copyright (Broadcasting Undertaking) Order 2014
- Copyright (Customs) Regulations 2014
- Copyright (Education Establishment) Order 2014
- Copyright (International Organisations) Order 2014
- Copyright (Librarians and Archivists) Copying of Copyright Material and Lending of Copies) Regulations 2014
- Copyright (Recording for Archives) (Designated Classes and Bodies) Order 2014
- Copyright (Subtitling of Television Broadcasts and Cable Programmes) (Designated Body) Order 2014
- Copyright and Rights in Performances (Notice of Seizure) Order
- Copyright Tribunal Rules 2014
- Merchandise Marks Act 1889
- Patents and Designs Act 1930
- Patents and Designs Rules 1903
- Trade Marks Act 1974
- Trade Marks and Service Marks Regulations 1993

Copies of the above legislations can be found online at www.bermudalaws.bm

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

The Registrar General is appointed to discharge duties conferred or imposed under the suite of Acts and Regulations listed above in the Legislation paragraph of Section A. The Registrar General reports directly to the Permanent Secretary of the Ministry of Home Affairs, who in turn reports to the Minister. The Registrar General is assisted in the exercise of the statutory functions by such public officers as may from time to time be authorized by the Legislature.

The Registry General consists of four sections, the Administration Unit; Vital and General Registrations Unit; Property, Professional and Organization Registration Unit; and Intellectual Property Registrations Unit. The three sections are required to provide reliable systems for the storage of public records in relation to their respective areas, and to facilitate access to these records.

Administration Section

The Administration Unit ensures that the infrastructure for the registration of Vital and General events, Intellectual Property rights, Trade Unions, and Professional/Organization entities is provided in accordance with the statutory functions/requirements as per the respective legislations. The unit also ensures that the administration of internal functions and the management of resources are properly navigated through the managing of monetary resources; material resources; human resources; and information resources.

- The function of the Administration Unit is to ensure that adequate resources are made available to facilitate the efficient and timely operation of the department.

Vital and General Registrations Section

The mandate of the Vital and General Registrations Section is to provide a timely and efficient service when administering Acts governing the activities of its units: Birth, Domestic Partnership, Marriage and Death Registrations; Adoptions; and Deed Polls.

- The function of the Birth, Domestic Partnership, Marriage and Death Registration Unit is to register every birth, domestic partnership, marriage and death that occurs in Bermuda or on Bermuda registered ships. The Unit also performs civil marriage and domestic partnership ceremonies.

Property, Professional and Organization Registration Section

The mandate of the Vital and General Registrations Section is to provide a timely and efficient service when administering Acts governing the activities of its units: Chattel Mortgages, Professional and Organizational Registrations.

- The function of the Chattel Mortgages, Professional and Organization Registration Unit is to register documents relating to chattel mortgages, and maintain official registers of architects, apprenticeships, professional engineers, professional surveyors, marriage officers, domestic partnership officers, charitable organizations, temporary fundraising licences, privately funded charitable trusts and foundations, friendly societies, and trade unions.

Intellectual Property Registration Section

Intellectual Property refers to creations of the mind or intellect. Creators of intellectual property seek protection to maintain an exclusive right to exploit their created works. The Intellectual Property Section facilitates the protection of intellectual property rights to an international standard, so that Bermuda remains a place where creativity and talent can thrive.

The mandate of the Intellectual Property Section is to provide a timely and efficient service with respect to Intellectual Property and other rights, such as:

- the registration of trade and service marks
- the registration of patents and industrial designs
- the provision of advice on protecting copyright and related rights
- the registration of domain names in the ".bm" country code top level domain

The role and functions of the Intellectual Property Section mirror those of the UK, US and other National IP Registries. The services provided to the public are mandated by legislation, which directs the core duties and responsibilities of the IP Section (i.e. Trade Marks Act 1974, Trade Marks and Service Marks Regulations 1993, Patents and Designs Act 1930, Government Fees (Trade Marks and Service Marks) Amendment Regulations 2010).

The website www.gov.bm provides further details and the fees charged for all services offered by the Registry General.

Section B: 2) Obligations under PATI Act [s5(1)b]

Same for all public authorities

- 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]

SERVICES

Vital and General Section

Evaluating staff overall performance and progress towards established targets; setting long term goals and objectives; development of assessment tools to evaluate the learning process of staff; preparing and revising laws and other regulatory instruments that affect the Vital and General Section's functions and responsibilities; promote public awareness of the services offered by the Vital and General Section.

Several performance measures have been put in place to ensure that the core services are delivered with high quality and in a timely manner, including:

Performance measures for the Property, Professional and Organization registration

section:

1. Registering and indexing of chattel mortgages and other legal documents within one month of receipt of documents in the office.
2. Professional registrations to be processed within ten (10) days of receipt of Board approval in the office.

Performance measures for the Births, Domestic Partnerships, Marriages and Deaths

Section:

1. Registering of Births within 10 days of receipt of the Notice of Particulars of Birth forms in the office.
2. Registering of Deaths within 10 days of receipt of the Notice of Death forms in the office.
3. Registering of Marriages within 10 days of receipt of the Particulars of Marriage forms in the office.
4. Registering of Domestic Partnerships within 10 days of receipt of the Particulars of Domestic Partnership forms in the office.

The Department offers a counter service where Birth, Domestic Partnership, Marriage and Death certificates may be ordered and received within two days for a fee. A same day express service is also offered for an additional express service fee.

Performance measures for the Administration Section:

1. Within budget constraints, to maintain 90% of staffing levels by ensuring that the number of vacancies at any time does not exceed 10% of the staffing complement.
2. To increase efficiency by ensuring that at least 50% of the staff receives cross training.

The administration of internal functions and management of resources is ensured through the managing of monetary resources; material resources; human resources; information resources; and relationships with clients, the public and other government agencies. General accounting policies are adopted and followed in accordance with the Financial Instructions.

A budget of \$1,827,712 has been allocated to the Registry General Department for the period April 1, 2023 to March 31, 2024 using a Zero Based Budgeting Framework.

The Administration section has been allocated a total of \$785,514 which is comprised of:

1. Bank Charges & Commissions (\$8,200)
2. Repair & Maintenance contracts, i.e. equipment (\$26,000)

3. Office supplies (\$8,670)
4. Telephone equipment rentals (\$1,250)
5. Drinking Water (\$1,700)
6. Salaries (\$730,619)
7. Software maintenance (\$2,500)
8. Various other cost necessary to maintain the section (\$6,575)

The Property, Professional and Organization Registration section was allocated \$137,578 which is comprised of:

1. Salaries (\$132,578)
2. Charity Commissioners Fees (\$5,000)

This section also generates revenue and for this fiscal period the projected estimated amount is \$124,280 which is comprised of:

1. Registration of chattel mortgages (\$32,600)
2. Charity Registration Fees (\$63,325)
3. Certified Copies (\$4,999)
4. Public Search Facility (\$10,520)
5. Penalties (\$10,000)
6. Professional Registrations (\$2,340)

The Births, Domestic Partnerships, Marriages and Deaths section has been allocated \$287,993 which is comprised of:

1. Salaries (\$248,001)
2. Advertising marriage notices (\$600)
3. Printing - security paper (\$14,815)
4. Courier charges (\$1,000)
5. Credit/Debit Card fees (\$8,500)
6. Various other cost necessary to maintain the section (\$15,077)

Revenue in the amount of \$629,628 has been projected to be received by this section for this fiscal year which is comprised of:

1. Birth certificates (\$175,800)
2. Death certificates (\$70,200)
3. Other fees – Births and Deaths (\$5,625)
4. Marriage licence fees (\$132,375)
5. Marriage ceremonies (\$34,984)
6. Marriage certificates (\$60,970)

7. Maritime marriage licence fees (\$114,372)
8. Maritime marriage certificates (\$14,300)
9. Other marriage fees and special licence fees (\$11,520)
10. Various other fees (\$9,482)

Intellectual Property Section

The Intellectual Property Section is responsible for the following services:

1. Receiving and examining Trade and Service Mark applications and granting Trade Mark and Service Mark rights
2. Receiving and examining Design applications and granting Design rights
3. Receiving and examining Patent applications and granting Patent rights
4. Advising the Bermuda Government and public on copyright and related rights protection
5. Providing information on all aspects of intellectual property
6. Promoting awareness on intellectual property rights
7. The registration of country-code top-level .BM domain name
8. Reviewing and formulating intellectual property policies and legislation

The Intellectual Property Section has been allocated a total of \$616,627 which is comprised of:

1. Salaries (\$511,273)
2. Office supplies (\$2,800)
3. Software maintenance (\$93,000)
4. Repair & Maint- Photocopiers (\$3,254)
5. Advertising notices (\$600)
6. Board and Committee Fees (\$2000)
7. Various other costs necessary to maintain the section (\$3,700)

This section also generates revenue and for this fiscal period the projected estimated amount is \$1,036,960 which is comprised of:

1. Trade Mark Applications (\$201,750)
2. Trade Mark Assignments (\$28,080)
3. Trade Mark Registration (\$138,804)
4. Trade Mark Renewals (\$349,970)
5. Trade Mark Other (\$69,700)
6. Patent Fees (\$3,800)

7. Design Fees (\$680)
8. IP Certificates (\$61,676)
9. Domain Registration Fees (\$182,500)

The website www.gov.bm provides further details and the fees charged for all services offered by the Vital and General Registration; Property, Professional and Organization Registration; and Intellectual Property sections of the Registry General.

Programmes:

World Intellectual Property (WIP) Day is held annually on April 26th. World IP Day increases the level of awareness of Intellectual Property Rights and its protection in Bermuda, ensures that Bermudian entrepreneurs and artists are aware of their rights locally and internationally, and promotes creativity.

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

Lists & Registers:

Registers held by the Vital and General Section:

| | |
|-------------------------------|-----------------|
| Apprenticeship Register | 2018 to Present |
| Architects Register | 1971 to Present |
| Birth Register | 1866 to Present |
| Charity Register | 1965 to Present |
| Chattel Mortgage Register | 1866 to Present |
| Death Register | 1866 to Present |
| Domestic Partnership Register | 2018 to Present |
| Marriage Register | 1866 to Present |

| | |
|--|-----------------|
| Privately Funded Charitable Entities (i.e. Trusts, Foundations) | 2018 to Present |
| Professional Engineers Register | 1973 to Present |
| Professional Surveyors Register | 2001 to Present |
| Trade Union Register | 1947 to Present |

All Other Information Held by the Vital and General Section:

- Applications for Privately Funded Charitable Entities (i.e. Trust, Foundations)
- Applications for Temporary Fundraising Licences
- Apprenticeship Applications
- Architect Applications
- Charity Applications
- Chattel Mortgage Memorandums
- Corporate Bodies Memorandums
- Notice of Births
- Notice of Deaths
- Notice of Intended Domestic Partnerships
- Notice of Intended Marriages
- Notice of Particulars of Births
- Particulars of Domestic Partnerships
- Particulars of Marriages
- Professional Engineers Applications
- Professional Surveyors Applications
- Trade Union Applications

Registers held by the Intellectual Property Section:

- ".bm" Domain Name Register - official and complete record of all country code .BM domain names register in Bermuda
- Design Register - official and complete record of all designs registered in Bermuda
- Patent Register - official and complete record of all patents registered in Bermuda
- Trademark Register - official and complete record of all trade/service marks registered in Bermuda

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

The Department ensures that the administration of its internal functions and management of its resources is efficient, effective and in compliance with relevant legislation and policies.

This includes the managing of monetary resources; material resources; human resources; information resources; relationships with clients, the public and other government agencies.

For example, principle accounting policies are adopted and are prepared in accordance with the Financial Regulations.

The following policies and procedures are used:

- Aide Memoire - Information related to Intended Marriages in Bermuda
- Architect Application Requirements
- Charitable Purposes and Public Benefit
- Charities Compliance Officer Training
- Charities Examination Handbook
- Cash Receipts Policies and Procedures
- Collective Bargaining Agreement
- FATF Methodology and Interpretative notes
- FATF Recommendation
- Financial Instructions
- Guidance Notes on Charities for AML/ATF
- Guidance Notes on Privately Funded Charitable Entities (i.e. Trust and Foundations)
- Maritime Marriage Aide Memoire
- Marriage Officer Policies
- Note to Marriage Officer Licence Application
- Policies and Guidance for Registered Charitable Organizations
- Procedure Manual – Domestic Partnership Ceremony
- Procedure Manual – Marriage Ceremony
- Procedure Manual – Staff Work Duties
- Professional Engineers - Letter of Disclosure and Release
- Record Management File Plan for Projects/Initiatives
- Trademark Practice Notes
- Trademark Work Manual
- Training manual for .BM domain registration
- Training Manual for Trademark Examination
- Vulnerable Persons

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

The Acts and Regulations that are listed in the "Legislation" paragraph in Section A establish the decision making requirements for each relevant section of the Registry.

In particular, the Charities Act 2014 establishes the Registrar General as the competent authority for non-profit organizations and empowers the Registrar General to oversee the charitable sector in consultation with the Charity Commissioners. The decisions made to deny a charity's registration can be appealed to the Minister responsible for Charities. The Minister's decisions can be appealed to the Supreme Court on a point of Law.

The Copyrights and Designs Act 2004 establishes a Copyright Tribunal and the Copyright Tribunal Rules 2014 sets out the procedures and guidelines in which the Copyright Tribunal will hear and adjudicate on copyright related matters.

The Architects, Professional Engineers, and Professional Acts each establish Councils to review approve or deny their respective applications. Under these Acts, appeals are made to the Secretary to the Cabinet for a decision by the Cabinet.

Decisions and recommendations to the management and daily operations are made using the following forums and evaluation forms:

- Regular Meetings with the Registrar General
- Staff Meetings
- Annual Performance Evaluations and Mid-Year Reviews
- Annual Performance Plans and Mid-Year Reviews
- Bermuda Public Services Union Members' Meetings

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

Legal and Compliance Officer

Reaia Ball

rjball@gov.bm

297-7639

Administrative Assistant

Tammy Edness

tredness@gov.bm

297-7707

Email: RGPATI-info@gov.gm

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

Method of Accessing Information

Information available under the Registry General's information statement will be accessible through the methods described below.

Online:

Information regarding services offered by the Registry General are on the website www.gov.bm and relevant documents can be downloaded in PDF format.

If the website link will not open or is down, you can log directly onto the Government of Bermuda website www.gov.bm and click on "Government A-Z" or use the "Search" facility to locate the Registry General.

Email:

If information provided in this information statement is not published on the website, it may be sent to you via email. You can email the Information Officer at RGPATI-info@gov.bm to request the information.

Phone:

Documents listed in the information statement can also be requested via telephone. Please call the Administrative Assistant on 297-7707.

Post:

All information listed in the information statement will usually be available in hard copy. Requests may be addressed to:

REGISTRY GENERAL

PATI Officer

1st Floor, Government Administration Building
30 Parliament Street
Hamilton HM 12
BERMUDA

In your request, please provide your name and address, and full details of the information or documents that you would like to receive. You are encouraged to provide a telephone number so that the PATI Officer can contact you to clarify details, if necessary.

Personal Visits:

You can visit the Registry General directly to obtain copies of available information listed in the information statement upon payment of the prescribed fee.

The information can be obtained by you personally by conducting a search of the Registers or requesting an officer to conduct the search on your behalf for the prescribed fee.

The Registry General is located in the:-

Government Administration Building

1st Floor Vital and General Section

4th Floor Intellectual Property Section

Advice and Assistance

If you experience any difficulty identifying the information you want to access, please contact the Registrar General, Aubrey Pennyman, on (441) 297-7662.

The Registry General will adhere to its obligations under section 12 of the PATI Act with regards to providing any advice and assistance. Additionally the Section will adhere to any legal requirements relating to disability or discrimination, when providing information in accordance with this information statement.

Information will be provided in the language in which it is held. Where the IP Section is legally required to translate any information, it will do so.

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

There are 19 members of staff. The allocation of staff includes:

1. Registrar General
2. Assistant Registrar General
3. Administrative Assistant

LEGAL & COMPLIANCE/CHARITIES

4. Legal and Compliance Officer
5. Charities Administrator
6. Charities Compliance Administrator (Temp Additional 1 April 2023 – 31 March 2024)

VITAL & GENERAL REGISTRATION

- 7. Manager – Vital and General Registration
- 8. Accounts Administrator
- 9. Births and Deaths Administrator (Temp Relief)
- 10. Customer Service Representative (Temp Relief)
- 11. Data Verification Clerk
- 12. Marriage Coordinator
- 13. Registration Administrator

INTELLECTUAL PROPERTY

- 14. Manager - Intellectual Property
- 15. Trainee Manager Intellectual Property
- 16. Domain Name Officer
- 17. Trademark Examiner
- 18. Trademark Administrator
- 19. Trademark Administrator

The Registry General’s office is open 8:30am to 5pm from Monday to Friday
Saturday weddings by appointment ONLY

Section J: Information Statement: Copies and Updates (s5(2,3,45))

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(I-5), PATI Act]:

Date Information Statement was updated: December 30, 2023.

Location of Information Statement:

Registry General, 1st and 4th Floor
Government Administration Building
30 Parliament Street, Hamilton HM 12
Bermuda

Aubrey Pennyman
Registrar General

Date