



Photo by Mike Da

A "Balanced" Approach to Personal Information Protection: A PIP on Each Shoulder?

Peter Martin

The Personal Information Protection Act ("PIPA") was enacted on 15 July 2016. However, it is not anticipated to come into force until 2018. This is to provide organisations with time to prepare for PIPA's implementation. An independent Privacy Commissioner is due to be appointed shortly to assist with this process and ensure compliance with PIPA once it is in force....

At the date of this blog post, the Minister has not appointed a Privacy Commissioner, no Regulations have been made and no codes of best practice have been issued under PIPA.

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2016 Bills in the House of Assembly and the Senate

Agathe Holowatinc

As we near the end of the year, it's good to review the bills that have been tabled and passed in the House of Assembly and Senate. This information can be found on the Bermuda Parliament website at www.parliament.bm.



Bill No.	Bill Title	Stage	Date
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More specifically, House bills going back to 2010 can be viewed [here](#), where 2016 bills are listed [here](#). Senate bills going back to 2010 can be found on this [page](#), where 2016 bills are listed [here](#).

Below is a snapshot of both...
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New Shipping and Aviation "Quangos" Given Green Light

Jeremy Leese

With effect from 1st October 2016, the governmental departments responsible for the oversight of the aviation and shipping sectors became "quangos" newly titled as the Bermuda Civil Aviation Authority and the Bermuda Shipping and Maritime Authority.

The aim of granting such status is to boost revenue from the registration of both vessels and aircraft, by making Bermuda more competitive in the global shipping and aviation markets.

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Employment Tribunals: The Good, the Bad and the Ugly

Jennifer Haworth

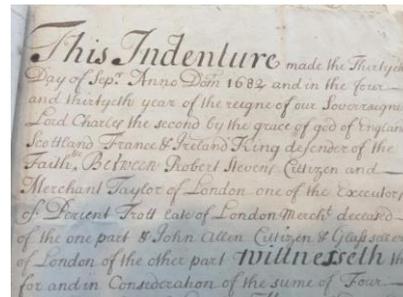
The employment tribunal system was established to provide an employee the regime in which to make a formal complaint that their employer has violated the Employment Act 2000 (the "Act"). The process was designed to encourage the parties to settle their differences wherever possible. If the parties cannot reach an agreement and there are reasonable grounds to suggest the employer may have violated the Act, the parties proceed to the Employment Tribunal for a hearing which lacks the sometimes daunting formalities of the courts. The trouble with the process in Bermuda is that over the course of the last several years, the Act has been interpreted in such a way as to limit the role of the Employment Inspectors, pushing many, if not all complaints, through to the Employment Tribunal. This erodes important principles of justice and the pendulum has swung so far toward due process for the employee that parties are no longer on equal footing.

[Read more](#)

In the Matter of a certain Secret Trust and a Glass of Burnt Claret.

Andrew Martin

MJM has acquired several ancient deeds and local legal instruments dating back to the early days of the settlement of Bermuda. Andrew Martin examines the legal context of these documents and their relevance in the development of legal principle, and puts them in their social and historical context.



The second original document in our series involves one Perient Trott, a character of some importance and notoriety in Bermuda's early settlement and economic development.

[Read more](#)

Succession on Intestacy - who will get a piece of your pie?

Jane Collis

While most people prefer to leave nothing in life to chance, there are many who don't get around to making a Will, for one reason or another. Life is busy after all and planning for death is surely to tempt fate in the wrong direction. Those who are married often make the assumption that the surviving spouse will take everything, in all circumstances. Sadly, this is not the case.

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Bermuda's Supreme Court confirms that property owners have an indefeasible right to title deeds

Louise Charleson

It may seem obvious to practitioners that where there is no mortgage on a property, the legal owner is entitled to retain the title deeds to the property. However, it was recently argued in a dispute over whether a deposit could be forfeited by the vendor in a failed property transaction that the purchaser's attorneys should be permitted to hold onto the title deeds until the vendor returned the full deposit.

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