

NO. 397
THE COMPANIES ACT 1981 PURSUANT TO SECTION 261
WHEREAS:
1. The Registrar of Companies has reason to believe that the companies specified in the Schedule hereto are not carrying on business or are not in operation.
2. The Registrar of Companies published a Notice dated 24 January 2013 to the effect that at the expiration of three months from the date of publication of the Notice on 28 January 2013 the companies would, unless there was cause shown to the contrary, be dissolved.
3. Having been shown no cause to the contrary by the companies listed below within the period of three months of the Notice published on 28 January 2013, the Registrar of Companies by virtue of the powers vested in him under section 261(5) of the Companies Act 1981 has struck the names of the following companies off the Register.
NOTICE IS HEREBY GIVEN of the said striking off and consequently with effect from the date of publication of this Notice, the companies specified in the Schedule SHALL STAND DISSOLVED.
SCHEDULE: Tropical Solar Solutions Ltd.
Maria Boodram Acting REGISTRAR OF COMPANIES 2 May 2013

NO. 398
ACTING APPOINTMENT – ACCOUNTANT GENERAL
Ms. Roseanne Foy, Assistant Accountant General, has been appointed to act as Accountant General during the period 1st May – 31st May, 2013
Donald A.M. Scott Secretary to the Cabinet

NO. 399
ACTING APPOINTMENT
DIRECTOR DEPARTMENT HUMAN AFFAIRS
Ms. Jane Brett, Policy Analyst/Project Coordinator of the Department of Human Affairs, has been appointed to act as Director of the Department of Human Affairs from 20th May, 2013 to 28th May, 2013 (inclusive).
Donald Scott Head of the Civil Service

NO. 400
CONSTITUTION OF BERMUDA
In accordance with section 18 (2) of the Constitution, His Excellency The Governor, is pleased to appoint Mr. Michael Jackman, OTM, BSc. (Hons), CMgr FCMI, Deputy Commissioner of Police, to act as Deputy Governor from Friday 10th May to Saturday 11th May 2013, inclusive or until the Deputy Governor's return.
Michael A. DeSilva Acting Deputy Governor

NO. 401
CONSTITUTION OF BERMUDA
In accordance with section 19 (1) of the Constitution, Mr. David Arkley, Deputy Governor, will act as Governor and Commander-in-Chief from Friday 10th May to Saturday 11th May 2013, inclusive or until the Governor's return.
Michael A. DeSilva Acting Deputy Governor

BERMUDA
CREDIT UNIONS (FORM) REGULATIONS 2013
BR 42/2013
The Minister of Finance, acting on the advice of the Bermuda Monetary Authority and in exercise of the power conferred by section 40 of the Credit Unions Act 2010, makes the following Regulations:
Citation
1 These Regulations may be cited as the Credit Unions (Form) Regulations 2013.
Form
2 The Form set out in the Schedule has effect for the purposes of section 10(1) of the Credit Unions Act 2010.
Commencement
3 These Regulations come into operation on a day to be appointed by the Minister by notice in the Gazette.
SCHEDULE
(regulation 2)
FORM
BERMUDA MONETARY AUTHORITY CREDIT UNIONS ACT 2010 CREDIT UNION LICENCE
Pursuant to section 10 of the Credit Unions Act 2010, the Bermuda Monetary Authority hereby issues to:
[NAME OF THE CREDIT UNION] [Address of the Credit Union] [Details of Incorporation of the Credit Union]
a licence to carry on the business of a credit union in Bermuda.
The [name of the credit union] is permitted to accept savings and deposits from its members, and to provide credit and other financial services to its members only. Dated: Signature:
Made this 2nd day of May 2013
Minister of Finance

BERMUDA
CREDIT UNIONS APPEAL TRIBUNAL REGULATIONS 2013 AND THE CREDIT UNIONS (FORM) REGULATIONS 2013 COMMENCEMENT NOTICE 2013
BR 43/2013
The Minister of Finance, acting on the advice of the Bermuda Monetary Authority, in exercise of the powers conferred by regulation 26 of the Credit Unions Appeal Tribunal Regulations 2013 and regulation 3 of the Credit Unions (Form) Regulations 2013, gives the following Notice:
Citation
1 This Notice may be cited as the Credit Unions Appeal Tribunal Regulations 2013 and the Credit Unions (Form) Regulations 2013 Commencement Notice 2013.
Commencement
2 The Credit Unions Appeal Tribunal Regulations 2013 and the Credit Unions (Form) Regulations 2013 shall come into operation on 15 May 2013.
Made this 2nd day of May 2013
Minister of Finance

BERMUDA
CREDIT UNIONS APPEAL TRIBUNAL REGULATIONS 2013

BR 44/2013	
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The Minister of Finance, in exercise of the power conferred by section 25 of the Credit Unions Act 2010, makes the following Regulations:	
Citation	1 These Regulations may be cited as the Credit Unions Appeal Tribunal Regulations 2013.
Interpretation	2 In these Regulations—
	“the Act” means the Credit Unions Act 2010;
	“chairman” means the chairman of the tribunal, or the deputy chairman acting in the absence of the chairman;
	“credit union concerned” means—
	(a) the credit union concerned in the case of an appeal brought by a person under regulation 4(1)(c); or
	(b) the credit union concerned in the case of an appeal brought by a chief executive officer or senior executive officer under regulation 4(1)(d);
	“Minister” has the meaning given in section 2 of the Act;
	“secretary” means secretary of the tribunal, unless the context indicates otherwise;
	“tribunal” means the credit unions appeal tribunal.

Appointing secretary to the tribunal	3 The Minister may appoint a person to act as secretary to the tribunal.
Manner and time for making an appeal	4 (1) An appeal shall be brought by filing notice of appeal with the Secretary to the tribunal, Ministry of Finance, Hamilton as follows—
	(a) in the case of an appeal by a credit union under section 22(1)(a) of the Act against a decision of the Authority to restrict, to restrict in a particular manner, or to vary any restrictions of the credit union's licence, not later than 10 days from the date on which the Authority gave written notice to the credit union of its decision;
	(b) in the case of an appeal by a credit union under section 22(1)(b) of the Act against a decision of the Authority to revoke the credit union's licence, not later than 10 days from the date on which the Authority gave written notice to the credit union of its decision;
	(c) in the case of an appeal by a person under section 22(2)(a) of the Act, where the ground for restricting, restricting in a particular manner, varying any restrictions, or revoking the credit union's licence was that it appeared to the Authority that the criterion in paragraph 1 of the minimum criteria is not or has not been fulfilled, or may not be or may not have been fulfilled in respect of that person, not later than 10 days from the date on which the Authority gave written notice to the credit union of its decision to restrict, restrict in a particular manner, vary any restrictions, or revoke the credit union's licence;
	(d) in the case of an appeal by a chief executive officer or a senior executive officer of a credit union under section 22(2)(b) of the Act, where the effect of restricting, restricting in a particular manner, or varying any restrictions of the credit union's licence requires the removal of the chief executive officer or senior executive officer, not later than 10 days from the date on which the Authority gave written notice to the credit union of its decision to restrict, restrict in a particular manner, or vary any restrictions of the credit union's licence.

(2)	When filing a notice of appeal, the appellant shall serve a copy of the notice on the Authority, and on any credit union concerned.
Notice of appeal	5 A notice of appeal shall be signed by the appellant, or on behalf of the appellant by his representative, and shall contain the following information—
	(a) the appellant's name;
	(b) the appellant's address, or where the appellant is a corporate body, the address of the appellant's registered office;
	(c) the name and address of any credit union concerned;
	(d) the address to which notices and other documents may be served on the appellant in Bermuda, if different from the address given under subparagraph (b);
	(e) the name and address of any person appointed by the appellant to represent him or it in connection with the appeal;
	(f) the address of the secretary to the Board of Directors of the Authority; and
	(g) a statement of the decision of the Authority against which the appeal is being made.

Empanelling the tribunal	6 The secretary shall, upon receiving a notice of appeal, request the chairman to appoint two members from the panel to hear the appeal.
Filing notice of grounds of appeal	7 (1) The appellant shall, within 14 days from the date of filing the notice of appeal, file with the secretary a notice of grounds of appeal setting out sufficient particulars of the reasons adduced by the appellant that the decision of the Authority was unlawful or not justified by the evidence on which it was based.
	(2) The appellant shall, when filing the notice of grounds of appeal, serve a copy of the notice on the Authority, and on any credit union concerned.
Filing supplementary grounds of appeal	8 (1) An appellant may omit from the notice of grounds of appeal any information that has been given in confidence or is commercially sensitive, and shall file with the secretary a notice of supplementary grounds of appeal.
	(2) The notice of supplementary grounds of appeal shall be filed with the secretary at the time the notice of grounds of appeal is filed and shall set out—
	(a) the information that has been given in confidence or is commercially sensitive; and
	(b) the reason for the confidential or commercially sensitive information being omitted from the notice of grounds of appeal.
Interim relief	9 (1) A credit union may file with the secretary an application that the tribunal suspend, under section 22(3) of the Act, the operation of a restriction or the variation of a restriction pending the determination of the appeal in respect of the Authority's

decision to impose or vary the restriction.	
(2)	The tribunal may determine the application under paragraph (1) on the basis of written representations, if the credit union and the Authority agree in writing, or it may direct the parties to appear before it.
(3)	The tribunal shall notify the credit union and the Authority of its determination giving a statement of its reasons.
Respondent, disclosure, filing of response	10 (1) In every appeal the Authority is the respondent.
(2)	The Authority shall, within 14 days of being served a copy of the notice of appeal—
	(a) file with the secretary documents relevant to the appeal as set out in the Schedule;
	(b) serve on the appellant a list of the documents filed with the secretary; and
	(c) serve on any credit union concerned a copy of the list and, where necessary, a copy of the documents.
(3)	The Authority shall, within 28 days of being served a copy of the notice of grounds of appeal—
	(a) file with the secretary a response to the particulars set out in the notice; and
	(b) when filing such response, serve a copy of the response on the appellant, and any credit union concerned.

Amending grounds of appeal	11 (1) An appellant may file with the secretary a notice of amended grounds of appeal at any time before the hearing and shall, when filing such notice, serve a copy of the notice on the Authority, and on any credit union concerned.
(2)	The tribunal may give leave to amend, but shall not do so without first giving the Authority an opportunity to make representations on the proposed amendment.
(3)	Leave to amend may be given on such terms, including terms as to costs or expenses, as the tribunal thinks fit.
(4)	Where the tribunal gives leave to amend grounds of appeal—
	(a) the appellant shall serve a copy of the amended grounds of appeal on the Authority, and any credit union concerned; and
	(b) the Authority may, in reply to the matters set out in the amended grounds of appeal, file with the secretary notice of amended response, and shall serve a copy of such notice on the appellant, and any credit union concerned.
(5)	During a preliminary hearing, the chairman may consider a request for leave to amend grounds of appeal, and in such case, paragraphs (2), (3) and (4) apply, with the necessary modifications.

Amending supplementary grounds of appeal	12 (1) An appellant may file with the secretary a notice of amended supplementary grounds of appeal at any time before the hearing.
(2)	The tribunal may give leave to amend on such terms, including terms as to costs or expenses, as the tribunal thinks fit.
(3)	During a preliminary hearing, the chairman may give leave to amend supplementary grounds of appeal on such terms, including terms as to costs or expenses, as the chairman thinks fit.
Amending response to grounds of appeal	13 (1) The Authority may file with the secretary a notice of an amended response to grounds of appeal at any time before the hearing and shall, when filing such notice, serve a copy of the notice on the appellant, and any credit union concerned.
(2)	The tribunal may give leave to amend, but shall not do so without first giving the appellant an opportunity to make representations on the proposed amendment.
(3)	Leave to amend may be given on such terms, including terms as to costs or expenses, as the tribunal thinks fit.
(4)	Where the tribunal gives leave to amend a response to grounds of appeal—
	(a) the Authority shall serve a copy of the amended response on the appellant, and any credit union concerned;
	(b) the appellant may, in reply to the matters set out in the amended response, file with the secretary notice of amended grounds of appeal, and shall serve a copy of such notice on the Authority, and on any credit union concerned.
(5)	During a preliminary hearing, the chairman may consider a request for leave to amend a response, and in such case, paragraphs (2), (3) and (4) apply, with the necessary modifications.

Preliminary hearing	14 (1) A preliminary hearing shall be held.
(2)	Notice of the preliminary hearing shall be served by the chairman on the parties to the appeal, and any credit union concerned—
	(a) not earlier than 21 days of receipt of the Authority's response by the secretary;
	(b) not later than 35 days after receipt of the Authority's response by the secretary; and
	(c) not less than 10 days before the day appointed in the notice for the preliminary hearing.
(3)	The parties to the appeal may agree to the notice being served by the chairman at times other than those provided under paragraph (2).
(4)	A preliminary hearing may be held as a matter of urgency as directed by the chairman or as agreed by the parties.
(5)	The preliminary hearing shall be in private and shall be heard by the chairman.
(6)	At the preliminary hearing—
	(a) the chairman shall give such directions as he considers necessary or desirable for the conduct of the appeal, and shall appoint the date, time and place of the hearing of the appeal; and
	(b) the parties may seek clarification regarding the conduct of the appeal.
(7)	The parties and the credit union concerned may appear in person at the preliminary hearing, or be represented by a barrister and attorney, or by any other person.
(8)	The chairman shall consider whether any matters contained in any supplementary grounds of appeal or amended supplementary grounds of appeal, should be disclosed to any other person, and may direct that such matters be disclosed accordingly.

Evidence during hearing	15 (1) At the hearing the chairman may, on the application of a party to the appeal or on his own motion, by direction given at the hearing or by notice in writing, require the parties or any other person, at a time and place given in the direction or notice, to attend and give evidence or to produce any document in that person's custody or under his control which relates to any matter in question at the hearing.
(2)	Notwithstanding paragraph (1)—
	(a) no person other than the parties shall be required, in obedience to such direction or notice, to attend and give evidence or to produce any document unless the necessary expenses of his attendance are paid or tendered to him;
	(b) no person shall be compelled to give any evidence or to produce any document which he could not be compelled to give or produce if the hearing was a proceeding in a court of law; and
	(c) except where the chairman otherwise directs, a witness shall not be obliged to attend and give evidence or to produce any document in