

Evidence of being Bermudian or a resident of Bermuda required when making a PATI request

In accordance with section 12 (1) of the Public Access to Information Act 2010 (“PATI”), every person who is a Bermudian or a resident of Bermuda has the right to request a record from a public authority. In order for the Authority to confirm that only such persons (“requesters”), are making PATI requests to it under law, the Authority shall require for any one of the following documents to be provided as evidence that a requester is either a Bermudian or a Bermuda resident:

A certified copy of the requester’s:-

- valid Bermuda passport; or
- valid UK issued passport or British Overseas Territories Citizen passport (which denotes the holder is Bermudian); or
- valid Bermuda driver’s license; or
- electricity bill showing the current Bermuda address of the requester; or
- bank account statement showing the current Bermuda address of the requester.

Alternatively, the requester may attend the Authority in person and produce an original:-

- valid Bermuda passport; or
- valid UK issued passport or British Overseas Territories Citizen passport (which denotes the holder is Bermudian); or
- valid Bermuda driver’s license; or
- electricity bill showing the current Bermuda address of the requester; or
- bank account statement showing the current Bermuda address of the requester.

NOTE:

- The Authority shall not accept electricity bills or bank account statements as evidence of residence that are dated more than one month from the date the requester is making the PATI request.
- The Authority shall not commence review of a PATI request unless proper evidence of Bermudian status or residence has been provided to it.
- Any statutory timelines for the Authority to review a request shall commence only after the Authority has confirmed the Bermudian status or residency of the requester.
- The Authority shall confirm to the requester within 24 hours of receipt as to whether evidence of Bermudian status or residency submitted is appropriate.
- Where a PATI request is submitted on a Public Holiday or weekend in Bermuda, confirmation of Bermudian status or residency shall occur within 24 hours of the next business day in Bermuda.

Providing residency documents during crisis or where medical condition prevents attendance at BMA

Where a requestor seeks to make an application to the Authority:

- during or after a natural crisis (such as a hurricane);
- during or following on from a national crisis (such as a pandemic); or
- while debilitated by a medical condition,

the Authority may, where appropriate, allow for evidence that a requester is either a Bermudian or a Bermuda resident, to be submitted by providing proof of residency or passport documents via virtual platforms (for example, Zoom or GotoMeeting applications). All requestors providing evidence documents in this manner, will be required as soon as reasonably practicable to submit hard copies to the Authority for its files in accordance with the usual processes set out herein.

Where deemed appropriate by the Authority, requestors may also be allowed to make a request to the Authority during the above scenarios based on their own recognizance. As soon as reasonably practicable, a requestor shall be required to provide proof of residency or passport documents to the Authority in accordance with the usual processes set out herein.

Decisions

The following are decisions made by the PATI Information Commissioner (“ICO”) relating to information requested from the Bermuda Monetary Authority pursuant to PATI.

- As a result of the decisions made by the ICO on 15 September, 2017 “Decision 05/2017: Bermuda Monetary Authority, Ultimate beneficial ownership information, Reference no: 25012016” and 29 May, 2019, “Decision 12/2019: Bermuda Monetary Authority, Beneficial ownership registry, Reference no: 06062017-01”, the Authority will not provide information or records relating to beneficial ownership to the public, as such information is deemed confidential in accordance with Section 31 “Secrecy” under the Bermuda Monetary Authority Act 1969.