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**MINUTES OF THE 169<sup>TH</sup> MEETING OF THE TENTH ANGUILLA  
EXECUTIVE COUNCIL HELD ON THURSDAY 24<sup>TH</sup> OCTOBER 2013**

PRESENT: His Excellency the Acting Governor, Mr Stanley Reid

The Honourable Hubert Hughes, Chief Minister and Minister of Finance,  
Economic Development, Investment, Commerce and Tourism and Minister  
of Labour and Immigration and Minister of Social Development and Health

The Honourable Acting Deputy Governor, Mr Larry Franklin

The Honourable Evan Gumbs, Minister of Infrastructure, Communications,  
Utilities and Housing

The Honourable Attorney General, Mr James Wood QC

Mrs Jewelle Fleming, Clerk to Executive Council

IN ATTENDANCE: Hon Haydn Hughes Parliamentary Secretary  
Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance  
Dr Wycliffe Fahie, PAS, FIN  
Dr Aidan Harrigan, PS, FIN  
Mr Foster Rogers, PS, EDICT  
Mr Perin Bradley, Compliance Manager  
Ms Marissa Harding-Hodge, TIO  
Mr Ivor Greene, Senior Crown Counsel (Civil)  
Mr Rommel Hughes, CEO, WCA

ABSENT: Her Excellency the Governor, Ms Christina Scott

The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human  
Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister of  
Sports and Education, Library Services, Sports, Youth and Culture

EX MIN 13/723 **MATTERS ARISING OUT OF THE MINUTES**

Council confirmed EX MIN 13/682 of the Special Meeting held on Tuesday 8<sup>th</sup>  
October 2013 and EX MINS 13/705, 13/708, 13/710, 13/717, 13/718, 13/719,  
13/720, 13/721 and 13/722 of the 168<sup>th</sup> Meeting held on Thursday 17<sup>th</sup> October  
2013. The remaining matters and the Minutes of the 167<sup>th</sup> Meeting held on  
Thursday 10<sup>th</sup> October 2013 would be confirmed at the regular meeting of  
Executive Council on 31<sup>st</sup> October 2013.

EX MIN 13/724

**EX MIN 13/721 MEETING OF HOUSE OF ASSEMBLY**

Further to EX MIN 13/721 of 17<sup>th</sup> October 2013, Council noted that the meeting of the House of Assembly scheduled for Friday 25<sup>th</sup> October 2013 at 10:00 am would now begin at 9:00 am.

Action: EXCO MEMBERS

EX MIN 13/725

**EX MIN 13/717 EX MEM 13/332 PUBLIC PROCUREMENT AND CONTRACT ADMINISTRATION ACT, 2012/PROCUREMENT OF SERVICES FOR SOLID WASTE MANAGEMENT OF SOLID WASTE COLLECTION AND DISPOSAL IN ZONE 1, 2, 3, AND 4**

Hon Haydn Hughes, Parliamentary Secretary, Dr Aidan Harrigan, PS, FIN, Dr Wycliffe Fahie, PAS, FIN and Mr Foster Rogers, PS, EDICT joined the Meeting.

Further to EX MIN 13/717 of 17<sup>th</sup> October 2013, Council:-

- (i) noted that efforts would be made to have the Procurement Officer appointed by Friday 25<sup>th</sup> October 2013;
- (ii) noted that the Procurement Regulations were advanced and agreed that their completion should be expedited; and
- (iii) agreed that the current Health Insurance policy for public officers should be extended to 31 December 2013.

Action: PS, HSD; PS, FIN; PAS, FIN; PS, EDICT; ACC GEN; PS PA

EX MIN 13/726

**EX MIN 13/706 EX MEM 13/300 TRANSFER OF RESPONSIBILITY FOR THE COLLECTION OF EMBARKATION TAX AND AIRLINE TICKET TAX TO THE ANGUILLA AIR AND SEA PORTS AUTHORITY**

Further to EX MIN 13/706 of 17<sup>th</sup> October, Council authorised:-

- (i) the transfer of the administrative responsibility of collecting embarkation tax and airline ticket tax from the Government of Anguilla to the Anguilla Air and Sea Ports Authority;
- (ii) the MICUH to collaborate with MFEDICT and AASPA on drafting instructions to the AG's Chambers for the proposed amendments of the Embarkation Tax Act and Airline Ticket Tax Act;
- (iii) the proposed amendments to be submitted to Executive Council for consideration; and
- (iv) the impact on staffing of the Inland Revenue Department to be considered by Inland Revenue, MFEDICT, Public Administration and the Hon Deputy Governor.

Action: PS, MICUH; PS, FIN; PS, EDICT; AG; CIR; PS, PA; ACC GEN

EX MIN 13/727

**EX MIN 13/707 EX MEM 13/312 WELLS REGULATIONS, 2013**EX MIN 13/707 of 17<sup>th</sup> October 2013 refers.

Council approved:-

- (i) the proposed Wells Regulations, 2013 in accordance with section 8 of the Water and Wells Act, 2007 Act 3/2007;
- (ii) the signing of the Wells Regulations, 2013, which were signed by HE the Acting Governor on 24<sup>th</sup> October 2013;
- (iii) the publication of the Wells Regulations 2013 in the gazette.

Action: PS, MICUH; AG

EX MIN 13/728

**EX MIN 13/709 EX MEM 13/319 MORATORIUM ON THE ESTABLISHMENT OF BUSINESSES ON ANGUILLA AND AMENDMENT TO THE TRADES, BUSINESSES, OCCUPATIONS AND PROFESSIONS LICENSING ACT**EX MIN 13/709 of 17<sup>th</sup> October 2013 refers.

Hon Haydn Hughes, Parliamentary Secretary, Dr Wycliffe Fahie, PAS, FIN, Dr Aidan Harrigan, PS, FIN and Mr Foster Rogers, PS, EDICT remained for discussion. Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance joined the Meeting.

Council agreed that:-

- (i) no definitive decision be taken and that the paper be deferred;
- (ii) the Ministers of Government and other relevant personnel should discuss and work on a desired policy, taking into consideration the implications for other existing pieces of legislation;
- (iii) a full paper be presented to Executive Council for further consideration.

Action: PS, EDICT; PS, FIN

EX MIN 13/729

**EX MIN 13/713 EX MEM 13/328 APPLICATION FOR RENEWAL OF LEASE OF CROWN LAND – LESTER AND CAROLYN RUAN – PROPERTY DESCRIBED AS REGISTRATION SECTION ROAD CAULS POND 69114B PARCEL 131 CONTAINING 1.00 ACRE OF LAND**EX MIN 13/713 of 17<sup>th</sup> October refers.

Council agreed that the paper should be deferred until the Hon Minister of Lands was present.

Action: PS, MHA/LANDS

EX MIN 13/730 **EX MIN 13/714 EX MEM 13/329 REVISED ANGUILLA TABLE OF ALLOCATIONS**

Further to EX MIN 13/714 of 17<sup>th</sup> October 2013, Council approved the revisions to, and hence the revised Anguilla Table of Allocations as per the attached.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, MICUH; AG

EX MIN 13/731 **EX MIN 13/715 EX MEM 13/330 PROPOSED AMENDMENTS TO THE PUBLIC UTILITIES COMMISSION ACT**

Further to EX MIN 13/715 of 17<sup>th</sup> October 2013, Council approved:-

1. the proposed amendments to the Public Utilities Commission Act including 4B 2 to reflect that ‘must’ should be replaced by ‘shall’; and
2. the first reading of the Bill for the Public Utilities Commission (Amendment) Act, 2013 at the next sitting of the House of Assembly.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, MICUH; AG

EX MIN 13/732 **EX MEM 13/334 APPLICATION FOR LEASE OF CROWN LAND – ABC SUPPLIES LIMITED AND THE RELOCATION OF FOOTPATH BY MICUH – PROPERTIES DESCRIBED AS REGISTRATION SECTION NORTH CENTRAL, BLOCK 48813 B, PARCEL 80, CONTAINING 0.5 ACRE AND PARCEL**

Council agreed that the paper should be deferred until the Hon Minister of Lands was present.

Action: PS, MHA/LANDS

EX MIN 13/733 **EX MEM 13/335 OUTSTANDING AIRPORT MATTERS – OUTSTANDING CONTRACTUAL OBLIGATIONS BETWEEN THE GOVERNMENT OF ANGUILLA AND MR PAUL REY**

Council approved:-

- (i) a timetable (10 days from the issuance of the action sheet) for the Government of Anguilla to take possession of the property as per the agreement; and
- (ii) the demolition of the property once the GoA takes possession of the property.

Council agreed that the GoA should consider demolishing the property of Ms Vera Richardson at the same time when Mr Rey’s property is being demolished.

Action: PS, MICUH; AIR MAN

EX MIN 13/734

**EX MEM 13/336 ANGUILLA AS AN ASSOCIATE MEMBER – UNESCO**

Council agreed that the paper should be deferred to the Special Meeting of Executive Council to be held on Monday 28<sup>th</sup> October 2013 at 9:00 am.

Action: PS, FIN; PS, EDICT

EX MIN 13/735

**EX MEM 13/337 EXEMPTION FROM THE WORK PERMIT REQUIREMENT**

PS, FIN remained for discussion.

Council agreed that Mr Steve Edwin Garlick, a national of the United Kingdom who is currently employed at Anguilla Finance Ltd as an Executive Director should be exempted from the work permit requirement in accordance with Section 3 (g) of the Control of Employment Act.

Action: PS, MHA/LANDS; PS, EDICT; LAB COM; CIO

EX MIN 13/736

**EX MEM 13/338 APPLICATION FOR DUTY EXEMPTION FOR PARADISE HOLDING CO**

PS, FIN remained for discussion.

Council agreed that duty exemption should be granted to Paradise Holding Co. (c/o Mr Scott Kircher) on the attached list of items with the exception of “Pool Floats” and “Masks and Snorkels”.

Council further agreed that an administrative fee of 3.5% should be applied.

The estimated duty loss to the GoA is EC\$123,750.75.

Action: PS, FIN; PAS, FIN; COC; FO

**ORAL MENTION**

EX MIN 13/739

**STATEMENT BY THE HON CHIEF MINISTER CONCERNING THE FLIES AT THE CORITO LANDFILL SITE**

Parliamentary Secretary, PS, FIN and PS, EDICT remained for discussion. The PA to the Hon CM/Finance left the discussion due to his involvement on the Procurement Board.

The Hon Chief Minister made a statement to Executive Council concerning numerous complaints he had been receiving from the public about the flies at the Corito Landfill site and his individual concerns about contracts for the management of the Landfill Site and the garbage collection.

Council agreed to await the appointment of the Procurement Officer before any

action is taken.

Action: HON CM; PS, FIN; PS, EDICT; PAS, FIN

EX MIN 13/740

**MEETING OF EXECUTIVE COUNCIL**

Council agreed that there should be a Special Meeting of Executive Council on Monday 28<sup>th</sup> October 2013 at 9:00 am

Action: EXCO MEMBERS

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