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MINUTES OF THE 46TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 14TH APRIL 2016

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Tourism, Lands & Physical Planning
- The Honourable Deputy Governor, Mr Stanley Reid
- The Honourable Cora Richardson-Hodge, Minister of Home Affairs, Immigration,
Labour, Environment, Human Rights, Gender Affairs, Constitutional Affairs and
Information and Broadcasting
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications,
Utilities, Housing, Agriculture and Fisheries and Information Technology
- The Honourable Attorney General, Mr Rupert Jones
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary
Mr Paul Morrison, Commissioner of Police
Ms Aurjul Wilson, PS, MHA
Mr Larry Franklin, PS, MICUHAFIT
Mr Foster Rogers, PS, EDICTLP
Mr Leslie Hodge, DLS
- ABSENT: The Honourable Evans Rogers, Minister of Health and Social Development

EX MIN 16/223 **CONFIRMATION OF THE MINUTES**

Hon Cardigan Connor, Parliamentary Secretary joined the Meeting.

Council confirmed the Minutes of the 45th Meeting held on Thursday 7th April 2016.

EX MIN 16/224 **MATTERS ARISING FROM THE MINUTES**

None

EX MIN 16/226

EX MEM 16/129 ADDITIONAL SUPPORT FOR THE ANGUILLA SUMMER FESTIVAL 2016

Parliamentary Secretary remained in attendance.

Further to EX MIN 16/179 of 17th March 2016, Council:-

- (i) noted the source of funding (deduction from the amount budgeted for this year's summer festival) for the secondment of Mrs Sharon Richardson-Lowe, which would have become effective from 11th April 2016; and
- (ii) agreed to engage the services of Mr Fitzroy Tomlinson (who previously served in the capacity of Festival Co-ordinator) to support the Chairman and Administrative Assistant of the Anguilla Summer Festival Committee in the execution of their duties from 15th April to 15th August 2016.

Council additionally noted the allocation of funds for Mr Tomlinson's engagement from the budget of the Anguilla Summer Festival.

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

Action: PS, ELSYC; DIR, Y & C; PS, FIN; PS, EDICTLP; BD; HON MIN, HSD

EX MIN 16/228

EX MEM 16/131 PERMIT OF PERMANENT RESIDENCE (PPR)

Parliamentary Secretary remained in attendance. Ms Aurjul Wilson, PS, MHA joined the Meeting.

Council:-

- (i) supported the recommendation from the Ministry/Department of Immigration to resume (after a period of time in order to clear up the backlog) accepting the permit of permanent residence (PPR) applications commencing 3rd May 2016;
- (ii) supported the establishment of a policy for permits of permanent residence requiring an eight (8) year residency;
- (iii) agreed that going forward, PPR applications should be accepted only from persons who have been resident in Anguilla for eight (8) years or longer, unless Executive Council agrees otherwise; and
- (iv) agreed that a separate paper setting out the development of an economic residency programme should be submitted to Executive Council for consideration in due course.

Action: PS, IMM; LAB COM; CIO; PS EDICTLP; MINS OF GOV'T

EX MIN 16/229

EX MEM 16/132 PROPOSED AMENDMENTS TO THE ELECTRICITY ACT AND REGULATIONS

Parliamentary Secretary remained in attendance. Mr Larry Franklin, PS, MICUHAFIT joined the Meeting.

Council agreed that the document (attached to EX MEM 16/132) outlining the proposed amendments to the Electricity Act and Regulations should be used as clear drafting instructions for the Attorney General's Chambers to draft the amendments to the Electricity Act and Regulations.

Action: PS, MICUHAFIT; HON AG; HON MIN, MICUHAFIT

EX MIN 16/231

EX MEM 16/134 JUSTICE PROTECTION ACT

Parliamentary Secretary remained in attendance. Commissioner of Police remained for discussion.

Council:-

- (i) approved the draft Bill for the Justice Protection Act, 2016 for publishing in the Gazette;
- (ii) noted that the final draft went to public consultation on 1st March 2016 with a deadline for comments by 29th March 2016 (no comments were received) and was posted on the GoA Website on 4th March 2016;
- (iii) agreed that the draft Bill for the Justice Protection Act, 2016 should be laid before the House of Assembly on the 26th April 2016 for its first reading.

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

Action: HON AG; CL, HOA; COP

EX MIN 16/234

EX MEM 16/137 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that the annual Moonsplash event would be celebrating its 26th Anniversary this year at the Dune's Preserve from 22 – 24 April 2016;
- (ii) noted that a number of visiting artistes were scheduled to perform alongside local artistes thus creating the ambiance for a top rated event; and
- (iii) agreed that the members of the bands and musical artistes named on the attached list should be exempted from the requirement of a work permit in accordance with Section 3 (g) of the Control of Employment Act.

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

Action: PS, IMM; LAB COM; CIO

ORAL MENTION

EX MIN 16/235

**INF 16/02 FOR INFORMATION: FINANCIAL SERVICES COMMISSION
2016 BUDGET AND WORK PLAN**

Parliamentary Secretary remained in attendance.

Council noted that the above paper was submitted to Executive Council on Thursday, 11th February 2016 for information. However, a record of the appropriate minute was inadvertently omitted from the Executive Council Minutes. Council agreed the following should be recorded in the Minutes:-

Council:-

- (a) noted the proposed 2016 Budget and Work Programme for the Anguilla Financial Services Commission (AFSC);
- (b) noted the AFSC's ambition to seek Ministerial support for enhancements to legislation during 2016 including:-
 - i. Investment Business Act, Regulations and Code. This will create an opportunity to attract high-quality new financial services businesses to Anguilla and, at the same time, enhance Anguilla's international reputation by filling a regulatory gap that currently allows Anguillian companies to carry on unregulated high-risk investment business;
 - ii. Mutual Funds Act, Regulations (including fees and forms) and Code. This will replace existing inadequate and dated legislation with modern competitive legislation. The legislation will be separate from, and complementary to, the Investment Business Act; and
 - iii. new Captive Insurance Act, Regulations (including fees and forms) and Code. This will replace existing broad legislation that regulates all sectors of insurance with bespoke competitive legislation that will regulate only captive insurers. The legislation will be separate from, and complementary to, uniform legislation to regulate domestic insurers that is proposed as part of the ECCU's single insurance market project.
- (c) further noted that the 2016 Budget and Work Programme would be tabled in the House of Assembly for the information of legislators and the public.

Action: HE; DIR, FSC; HON AG; CL, HOA

EX MIN 16/236

EX MIN 16/181 SHAREHOLDER COMMITTEE RESOLUTION

Parliamentary Secretary remained in attendance.

Council agreed that EX MIN 16/181 of 17th March 2016 should be amended as follows:-

Parliamentary Secretary remained in attendance.

Council approved the following resolution:-

In accordance with Section 6.4 of the Company amended by-law No. 1 adopted on Tuesday, 15th March 2016, this resolution is moved to appoint the Shareholder Committee to act as the legal representative of the Government of Anguilla.

Action: PS, FIN; MINS OF GOV'T

EX MIN 16/239

OVERSEAS TRAVEL

Parliamentary Secretary remained in attendance.

Council was informed of the following dates of travel:-

- 1) Hon Parliamentary Secretary - 20 – 22 April 2016, Tourism Ministers Meeting, Antigua
- 2) Hon Deputy Governor - 20 – 23 April 2016, CARICAD Meeting, Barbados
- 3) HE The Governor - 21 – 24 April 2016

Action: EXCO MEMBERS
