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MINUTES OF THE 72ND MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 27TH OCTOBER 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 Acting Deputy Governor, Dr Bonnie Richardson-Lake
 - The Honourable Evans Rogers, Minister of Health and Social Development
 - 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 John McKendrick QC
 - Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE:
- Mr Brian Deadman, Financial Adviser to the GoA
 - Dr Aidan Harrigan, PS, FIN
 - Mr Michael Bird, CEO, NCBA
 - Mr Colville Petty, Chairman, NCBA
 - Mr Martin Dinning, Vice Chairman, NCBA
 - Mr Alex Richardson, Interim Legal Counsel/Interim Corporate Secretary,
Alex Richardson & Associates
 - Mr Larry Franklin, PS, MICUHAFIT
 - Mr Karim Hodge, PS, MHA
 - Mrs Chanelle Petty-Barrett, PS, ELSYC
 - Mrs Kathleen Rogers, PS, PA
 - Dr Wycliffe Fahie, PAS, FIN
 - Mrs Shona Proctor, Budget Director
 - Mrs Shantelle Richardson, Director of Economic Planning
 - Mrs Anthea Ipinson-Connor, Chief Project Officer
 - Ms Jamila Gumbs, Budget Officer
 - Mr Kiel Connor, CIR
 - Mrs Sandra York-Gumbs, Financial/Administrative Services Manager, DICUH
 - Mrs Leslie Hodge, DLS

Ms Marisa Harding-Hodge, Compliance Officer
Mr Foster Rogers, PS, EDICTLP via telephone

ABSENT: The Honourable Deputy Governor, Mr Perin Bradley

EX MIN 16/643 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 71st Meeting held on Thursday 20th October 2016.

MATTERS ARISING FROM THE MINUTES

EX MIN 16/646 **EX MEM 16/401 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – BEVERLY MARIE GLASS AND FRANK BARNES FRAZIER – REGISTRATION SECTION WEST END, BLOCK 17809 B, PARCEL 38, CONTAINING 0.50 OF AN ACRE WITH DWELLING HOUSE**

DLS remained for discussion.

Further to EX MIN 16/634 of 20th October 2016, Council noted an email dated 25 October 2016 from the DLS stating that he had spoken to both parties involved in the transaction, who had indicated that they had no problem in transferring the said right of way to the Crown.

Council agreed that written responses should be sought.

Action: PS, EDICTLP; DLS; PS, FIN; HON AG

EX MIN 16/647 **EX MEM 16/407 PROPOSAL TO SETTLE ON RECTIFICATION PURSUANT TO SECTION 145 OF THE REGISTERED LAND ACT FOR PROPERTY DESCRIBED IN REGISTRATION SECTION WEST CENTRAL, BLOCK 28211 B, PARCEL 81**

Financial Adviser to the GoA remained in attendance.

Council agreed that the matter should be deferred.

Action: PS, EDICTLP; DLS; HON AG

EX MIN 16/648 **EX MEM 16/408 SURRENDER OF LEASE BY EUDOXIE AND SANDRA WALLACE – APPLICATION FOR NEW LEASE BY GORGEOUS SCILLY CAY LIMITED – PROPERTY DESCRIBED AS REGISTRATION SECTION EAST CENTRAL, BLOCK 89319 B, PARCEL 79/2, CONTAINING 1.50 ACRES OF LAND**

DLS remained for discussion.

Council was minded, subject to receiving separate advice on the proposed shareholders of Gorgeous Scilly Cay Limited that:-

- (i) the current Lease with Mr Eudoxie and Mrs Sandra Wallace should be surrendered and a new Lease be granted to Gorgeous Scilly Cay Limited on the same terms and conditions and with the same rights and benefits of the existing lease including monthly rent in the sum of EC\$1,025.00 (EC\$12,300.00 per annum) to be payable in advance;
- (ii) the passing rent shall be reviewed on 30 April 2020 to Market Rent. Following, the first review, every fifth (5th) year (i.e. 10th, 15th, 20th year) the lease shall increase by two (2) per cent or CPI, whichever is greater;
- (iii) the term of the lease is a twenty-five (25) year leasehold interest with an option to renew;
- (iv) Stamp Duty payable is as follows:-
 - (a) on Surrender of Lease EC\$20.00 under the Stamp Act; and
 - (b) on Renewal of Lease EC\$13,777.03 (based on the market value of EC\$1,102,162.00/ US\$410,000.00); and
- (v) the Department of Lands and Surveys should draft the lease and the Attorney General's Chambers finalise the lease for execution by the applicant and the Government of Anguilla.

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

Action: PS, EDICTLP; DLS; HON AG; PS, FIN; ACC GEN

EX MIN 16/649

EX MEM 16/409 APPROVAL FOR NURSE ANESTHETIST TO BE DEFERRED TO 2017/2018 AND CRITICAL CARE NURSING BE APPROVED AS A PRIORITY TRAINING AREA ELIGIBLE FOR THE GRANT OF A SCHOLARSHIP FOR THE YEAR 2016/2017

Financial Adviser to the GoA remained in attendance.

Council:-

- (i) agreed that the scholarship award in the area of Nurse Anesthetist should be deferred to 2017/2018 and that the area of Critical Care Nurse be approved instead; and
- (ii) agreed that the scholarship award should be filled in accordance with the Public Service Commission Regulations.

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

Action: PS, PA; PS, HSD; TRNG OFF; PS, FIN; PS, EDICTLP; BD; ACC GEN

EX MIN 16/651

EX MEM 16/411 CARIBBEAN FINANCIAL ACTION TASK FORCE (“CFATF”) OPERATIONAL WORKPLAN AND BUDGET 2017 OPTIONS 1 AND 2

Financial Adviser to the GoA remained in attendance.

Council:-

- (i) noted that the Caribbean Financial Action Task Force (“CFATF”) was an organisation comprising of twenty-seven (27) States in the Caribbean Basin, Central and South America who had agreed to implement common countermeasures to address the problem of Money Laundering, Terrorist Financing and the Financing of the Proliferation of Weapons of Mass Destruction;
- (ii) further noted that Anguilla was a member of CFATF and as such was required to pay annual contributions;
- (iii) agreed to Option 1, which would cost the Government of Anguilla, US\$19,400.00; and
- (iv) agreed that the MoFEDICTLP should note the financial implications on their 2017 Budget.

Action: HON AG; PS, FIN; PS, EDICTLP; PAS, FIN; BD; DIR, FSC; ACC GEN

EX MIN 16/652

EX MEM 16/412 FURTHER EXTENSION OF THE SOLID WASTE MANAGEMENT CONTRACTS OCTOBER 2016

Council:-

- (i) agreed that all solid waste management contracts should be extended to 31st May 2017;
- (ii) agreed to fixed waste contract payments at the August 2016 rate; and
- (iii) agreed that there should be more regular updates to Executive Council on the progress concerning the award of contracts.

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

Action: PS, HSD; CHIEF PROC OFF; PS, PA; PS, FIN; PAS, FIN; PS, EDICTLP;
CPO; BD

EX MIN 16/653

EX MEM 16/413 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ANGUILLAN DEVELOPMENT CORPORATION LTD – REGISTRATION SECTION WEST CENTRAL, BLOCK 28110 B, PARCEL 8, 11 AND 81, CONTAINING 11 ACRES, 4 ACRES AND 3.61 ACRES RESPECTIVELY

DLS remained for discussion.

Council agreed:-

(a) Payment of the following:-

Stamp duty payable on the existing ALHL for properties described in Registration Section West Central, Block 28110 B, Parcels 8 and 11:-

- | | | |
|---|---|------------------------------|
| (i) | an outstanding balance in accordance with ALHL dated November 16, 1994 | EC\$177,863.83 |
| (b) that an Aliens Land Holding Licence should be granted to Anguilla Development Corporation Ltd to hold property described in Registration Section West Central, Block 28110 B, Parcel 81, subject to the payment of the following stamp duty:- | | |
| (i) | under the Stamp Act - 5% of EC\$870,976.80 | EC\$ 43,548.84 |
| (ii) | under the Aliens Land Holding Regulations Act – 4% of EC\$11,290,440.00 | EC\$451,617.60 |
| Total Stamp Duty Payable | | <u>EC\$673,030.27</u> |
| (c) Submission/Registration of Transfer Forms in favour of Anguilla Development Corporation for Parcel 81. | | |

Action: PS, EDICTLP; DLS; PS, FIN; HON AG

EX MIN 16/654

EX MEM 16/414 PAYMENT OF DEFERRED SALARY – MRS A

[note on publication: names redacted to protect personal health information]

Council agreed that Mrs A, who is employed as a Certified Teacher in the Education Department should be paid her deferred salary in the sum of EC\$13,876.94 to assist her with costs associated with her medical condition.

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

Action: CEO; PS, PA; PS, FIN; PS, EDICTLP; ACC GEN

EX MIN 16/655

EX MEM 16/415 PAYMENT OF DEFERRED SALARY – MR B

[note on publication: names redacted to protect personal health information]

Council agreed that Mr B, who is employed in Her Majesty's Prison should be paid his deferred salary in the sum of EC\$7,038.27 to assist him with costs associated with his father's medical bills.

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

Action: SOP; PS, PA; PS, FIN; PS, EDICTLP; ACC GEN

EX MIN 16/656

EX MEM 16/416 PAYMENT OF DEFERRED SALARY – MR C

[note on publication: names redacted to protect personal health information]

Council agreed that Mr C, who is employed in the Anguilla Fire and Rescue Service should be paid his deferred salary in the sum of EC\$6,574.32 to assist him with costs associated with his mother's medical condition.

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

Action: CFO; PS, PA; PS, FIN; PS, EDICTLP; ACC GEN

EX MIN 16/657

EX MEM 16/417 NOMINATIONS FOR ANGUILLA DAY NATIONAL AWARDS 2017

Council agreed that the following twelve (12) persons should be awarded on Anguilla Day 2017:-

[note on publication: names redacted to protect the surprise for recipients!]

Council did not agree that 2020 should be declared as the final year in which nominations should be accepted for the Anguilla Day Awards under the Revolution.

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

Action: PS, MHA; PAS, MHA

EX MIN 16/658

EX MEM 16/418 LETTER OF COMMITMENT TO THE NORMAN MANLEY LAW SCHOOL FOR ECONOMIC COSTS FOR ANGUILLIAN STUDENT MS DELEON RICHARDSON

Financial Adviser to the GoA remained in attendance.

Council:-

- (i) noted that Ms. DeLeon Richardson was in her second and final year of legal education training at the Norman Manley Law School, and was not sponsored by the Government of Anguilla (GoA);
- (ii) noted that the cost for Ms. Richardson's training for 2015/16 was EC\$11,102.00 and for 2016/17, EC\$10,628.00, totalling EC\$21,730.00;
- (iii) agreed that the appropriate Government agency should write to the Norman Manley Law School on 27 October 2016 to indicate the GoA's commitment to meet the economic costs of Ms. Richardson's training at the Norman Manley Law School;

- (iv) agreed that the student, Ms. DeLeon Richardson should be bonded with the GoA; and
- (v) asked the PS, PA to submit a policy to Executive Council for its consideration in due course.

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

Action: PS, FIN; PS, PA; TRNG OFF; PS, EDICTLP; BD; ACC GEN

EX MIN 16/659

EX MEM 16/419 DRAFT 2017 BUDGET AND FORWARD ESTIMATES (2018 – 2019) FOR NEW SPENDING AND SAVINGS OPTIONS FOR RECURRENT EXPENDITURE AND RECURRENT REVENUE

Financial Adviser to the GoA remained in attendance. PS, FIN remained for discussion. The following persons joined the Meeting:-

Mr Larry Franklin, PS, MICUHAFIT
 Mr Karim Hodge, PS, MHA
 Mrs Chanelle Petty-Barrett, PS, ELSYC
 Mrs Kathleen Rogers, PS, PA
 Dr Wycliffe Fahie, PAS, FIN
 Mrs Shona Proctor, Budget Director
 Mrs Shantelle Richardson, Director of Economic Planning
 Mrs Anthea Ipinson-Connor, Chief Project Officer
 Ms Jamila Gumbs, Budget Officer
 Mr Kiel Connor, CIR
 Mrs Sandra York-Gumbs, Financial/Administrative Services Manager, DICUH

[note on publication: discussion redacted as Budget deliberations ongoing]

Action: PS, FIN; PS, EDICTLP; OTHER PERM SECS; PAS, FIN; DEP; BD; CPO; DM; CIR; ACC GEN

EX MIN 16/661

EX MEM 16/421 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ANGUILLAN DEVELOPMENT CORPORATION LTD – REGISTRATION SECTION WEST CENTRAL, BLOCK 28110 B, PARCEL 74, CONTAINING 1.00 ACRE

DLS remained for discussion.

Council agreed that an Aliens Land Holding Licence should be issued to Anguillan Development Corporation Ltd., to hold, on a freehold basis, property described as Registration Section West Central, Block 28110 B, Parcel 74, containing 1.00 of an acre of vacant land for the villa and residential project, located at Merry Wing, for tourism use, subject to payment of the following stamp duties:-

- (i) Stamp Duty on Licence @ 4% of
 EC\$403,230.00 EC\$16,129.20
- (ii) Stamp Duty on transfer

@ 5% EC\$403,230.00

EC\$20,161.50

TOTAL

EC\$36,290.70

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

Action: PS, EDICTLP; DLS; PS, FIN; HON AG

EX MIN 16/662

EX MEM 16/422 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Financial Adviser to the GoA remained in attendance.

Council noted a request for an exemption from the work permit requirement for members of Deloitte & Touche Accounting Firm from Barbados to conduct an audit of the National Commercial Bank of Anguilla (NCBA). Council additionally noted that the team would be making two (2) visits to Anguilla, the first being 30 October 2016 to 12 November 2016, and the second being 4 December 2016 to 17 December 2016.

Council agreed that the following members of the Deloitte & Touche Accounting Firm should be exempted from the work permit requirement in accordance with Section 3 (g) of the Control of Employment Act:-

1. Kimberley Lavine
2. Jermaine Nurse
3. Chareece Jones
4. Gabrielle Goodman
5. Kymberly Sardine
6. Atif Sohail
7. Andrea Serieux-Kirton

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

Action: PS, MHA/IMM; LAB COM; CIO; PS, FIN
