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MINUTES OF THE 79th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 3rd MARCH 2022 AT 9.00 AM

- PRESENT: Her Excellency the Governor, Ms Dileeni Daniel-Selvaratnam
The Honourable Deputy Governor, Mr Perin Bradley
The Honourable Premier and Minister for Finance and Health,
Dr Ellis Webster
The Honourable Minister for Social Development, Cultural Affairs,
Youth Affairs, Gender Affairs, Education and Library Services,
Ms Dee-Ann Kentish-Rogers
The Honourable Minister for Home Affairs, Immigration, Labour,
Human Rights, Constitutional Affairs, Information and Broadcasting,
Lands and Physical Planning, Mr Kenneth Hodge
The Honourable Minister for Infrastructure, Communications,
Utilities, Housing and Tourism, Mr Haydn Hughes
The Honourable Minister for Economic Development, Commerce,
Information Technology, Environment and Natural Resources,
Mr Kyle Hodge
Acting Attorney General, Mrs Nakishma Rogers-Hull
Clerk to Executive Council, Mrs Angela Hughes
- IN ATTENDANCE: Hon Parliamentary Secretary for Economic Development,
Mrs Quincia Gumbs-Marie
Hon Special Ministerial Assistant to the Hon Minister for Social
Development/Education, Mr Merrick Richardson
Financial Specialist, Mr Stephen Turnbull
- ABSENT: The Honourable Attorney General, Mr Dwight Horsford

EX MIN 22/77

CONFIRMATION OF THE MINUTES

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council confirmed the Minutes of the 78th Meeting of Executive Council held on Thursday 24th February, 2022.

MATTERS ARISING FROM THE MINUTES

EX MIN 22/78

COVID-19 UPDATE

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained. The following persons joined:

PS, Health, Mr Foster Rogers
CMO, Dr Aisha Andrewin
Health Planner, Ms Rochelle Rogers

Epidemiology***Global overview***

Globally, during the week 21 - 27 February the number of new cases and deaths has continued to decline by 16% and 10% respectively, as compared to the previous week. Across the six WHO regions, over 10 million new cases were reported and just over 60,000 new deaths were reported. As of February 27, over 433 million confirmed cases and over 5.9 million deaths have been reported globally.

Update on the Emergence of Variant of Concern Omicron (B.1.1.529)

The current global epidemiology of SARS-CoV-2 is characterized by the global dominance of the Omicron variant and the position remains the same as reported last week.

Exemptions for COVID-19 Vaccination

There are very few individuals who cannot receive the Pfizer BioNTech, Moderna or AstraZeneca COVID-19 vaccines. Rather than withholding vaccination, where there is a concern, appropriate advice should be sought from the relevant specialist, or from the local immunization or health protection team. Relative contraindications to receiving a COVID-19 vaccine include individuals who have had a previous systemic anaphylaxis reaction to a COVID-19 vaccine and individuals with a prior allergic reaction to any component (excipient) of the COVID-19 vaccine e.g. polyethylene glycol.

Mask Mandates

United Kingdom

As of January 27, in England, by law face coverings are no longer required. This notwithstanding:

- face coverings remain a requirement in healthcare settings, such as GP surgeries, hospitals and care homes;
- many major retailers have asked staff and customers to keep wearing masks;
- face coverings are no longer mandatory on Transport for London's tubes, trains or buses, but they are still "strongly encouraged"; and
- *“Safer Behaviour”* recommendations include *wearing a face covering in crowded and enclosed spaces, especially where you come into contact with people you do not usually meet, and when rates of transmission are high.*

USA

The CDC looks at a combination of three metrics to determine the COVID-19 community level: total new COVID-19 cases per 100,000 population in the past 7 days, new COVID-19 admissions per 100,000 population in the past 7 days, and the percentage of staffed inpatient beds occupied by COVID-19 patients. Under the updated guidance, more than 70% of the US population are in a location with

low or medium COVID-19 community levels. For those areas, there is no recommendation for indoor masking unless there is potential "increased risk" for COVID-19 and if so, the CDC recommends to engage with health care providers about wearing a mask. Current emphasis is now on severity and not just the number of cases.

Caribbean Region

Since the previous report on February 21, an additional 28,103 cases of COVID-19 were confirmed in 34 countries within the Caribbean, bringing the region's total confirmed cases to 3,239,471 in 35 countries/territories (including the 26 CARPHA Member States). The new total represents a 0.9% increase in the number of confirmed cases. There were 32,617 deaths recorded in the Caribbean Region as of March 1.

Anguilla

As of March 1, 2022, the total number of confirmed cases since the beginning of the pandemic in early 2020 is 2563 with 2537 recoveries, 9 deaths and 17 active cases. Four adults (three vaccinated and one unvaccinated) are currently admitted to the Isolation Unit.

With regard to schools, 42 school-aged children tested positive from January 28 to date: 10 (23%) tested positive at school and 2 (4.8%) were tested as school contacts. At this time, more cases are being detected outside of the school system and the majority are household contacts of cases.

Vaccination Deployment Update

Vaccine Uptake

As of February 25, 2022, 10,439 first doses and 9,549 second doses have been administered. In an estimated population of 15,500 total persons, this would represent 67% of the population having received the first dose and 62% of the population having received two doses.

The breakdown by age of persons having received a first dose is as follows:

- 171 persons age 5 - 11
- 509 persons age 12 - 17
- 3061 persons age 18 - 34
- 2904 persons age 35 - 49
- 2487 persons age 50 - 64
- 1316 persons age 65+

The occupational breakdown of first doses is as follows:

- 355 Healthcare workers
- 546 Civil and Border Protection
- 1833 Hospitality
- 1105 Retired
- 6576 Others

Distribution (Pfizer)

As of February 25, 3553 doses of Pfizer have been administered, this includes 863 first doses, 301 second doses and 2389 booster doses. This includes 171 first doses for children aged 5 – 11 years old and 505 first doses for 12 - 17 year olds, which represents roughly 35% of the estimated 12 – 17 year old population. Distribution in schools is ongoing.

Exit Strategy Part 2

Based on the global, regional and local epidemiological situations, at the time of writing, the Ministry of Health maintains the proposed recommendations and implementation date of April 1. Persons who are six months past completion of the primary vaccination series, who were previously considered fully vaccinated, should no longer be considered to have the same level of protection as those who have received a booster. Furthermore, it should be anticipated that there will be very few persons with valid contraindications to vaccination.

Council:

- 1) thanked the health team for their continued hard work;
- 2) noted that the Ministry will continue to monitor the global, regional and local epidemiological situations;
- 3) noted that the death rate for Anguilla is 0.35%. It is possible that the CDC Level 4 categorization may be reviewed and reduced in due course;
- 4) noted that vaccination of 5 - 11 year olds shall continue to be the main priority over the next 10 weeks;
- 5) noted that in addition to the overall plateau of vaccination rates, booster uptake is low and waning immunity is anticipated, the health team shall continue to monitor the situation. Vaccination may be required in order to travel to certain destinations and vaccines are presently available in Anguilla, but the position is fluid and this can change;
- 6) noted that as it relates to unvaccinated persons seeking to visit Anguilla, COVID-19 vaccine exemption requests should be vetted taking into consideration the relative contraindications, which are systemic anaphylactic reaction or reaction to a component of the vaccine. It is anticipated that the number of persons falling within this category will be low. Unvaccinated visitors who have been granted a medical exemption will be required to apply via the entry portal, test on arrival, quarantine for five days and have a negative test result to exit quarantine. Accordingly, the fee is reduced to \$100 per person;
- 7) noted that as per the Exit Strategy only unvaccinated returning residents aged 5 and over and persons with medical exemptions as outlined at paragraph 6, will be required to apply for entry via the portal. Accordingly, the Hon Deputy Governor and the Anguilla Public Service shall review whether the portal is the most efficient methods of managing the arrival of these persons into Anguilla and what system could potentially be put in place as an alternative;

- 8) noted that there is no change in position as it relates to the Exit Strategy and tentative implementation date and approved in principle the revised Exit Strategy. An amendment has been made to stipulate that persons who are six months past completion of the primary vaccination series, who were previously considered fully vaccinated, shall be exempted from applying via the entry portal, but testing upon arrival shall be retained. Agreed that any person that is subject to testing on arrival will be required to use certified ground transportation to travel to their place of accommodation. An amendment has been made to reduce the quarantine period for unvaccinated returning residents to 5 days. The final approval and authorisation of the publication of the Exit Strategy will follow; and
- 9) further noted that the mandatory mask regulation is due to end on March 31 and the health team does not recommend extension of the regulation. However, emphasizing personal responsibility, mask wearing shall be recommended in crowded and enclosed spaces, especially where one may encounter people they do not usually meet and/or when rates of transmission are high, especially if a person is of higher risk for severe COVID-19 e.g. older age, underlying conditions. It is intended that individual organizations and institutions shall have the freedom to determine their own organizational policy based on an assessment of the health and safety risks. The safe behaviors approach adopted in the UK shall be considered.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

Action: PS, HLTH; PS, FIN; PS, EDCITENR; BD; ACC, GEN;
HON, DG; HON, AG; MINS OF GOV'T

EX MIN 22/79

EX MEMO 22/52 FINANCIAL STOCKTAKE – AS AT JANUARY 31, 2022

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

The following persons joined the meeting:

PS Finance, Mrs Kathleen Rogers
Accountant General, Mr Vonlee Harris
Budget Director, Mrs Shona Proctor
Budget Officer, Ms Jamila Gumbs

Council:

- 1) thanked the team for work well done;
- 2) noted the report on the financial position as at January 31, 2022 from the Budget Officer;
- 3) the overall fiscal position remains challenging:
 - Overall financial position including debt amortization shows a surplus of EC\$12.45 million at the end of January;
 - Recurrent revenue was EC\$30.46 million this is EC\$11.35 million more than the original forecast. Overall percentage impact on recurrent revenue for the major revenue heads as a result of the COVID-19 pandemic are:
 - Property Tax – positive 22.74%
 - Universal Social Levy - positive 24.69%
 - Taxes on Goods and Services - positive 69.56%
 - Excise Taxes - negative 0.40%
 - Taxes on Specific Services - positive 593.70%
 - Taxes on International Trade - positive 0.05%
 - Sale of Goods and Services - negative 1.08%
 - Recurrent expenditure was EC\$13.22 million which is EC\$1.73 million under estimate although some subvention payments had not been charged to expenditure and this will be corrected in February's report;

- Annual capital expenditure is budgeted at EC\$2 million and at the end of January 2022 actual capital expenditure totaled EC\$23K and capital revenue is EC\$0;
- In January 2022 accommodation tax of EC\$8.48 million was collected;
- Noted that consideration had to be given to the accuracy of the information used to generate the profiles, noting that the positive variances for January were high. For example, a profile which is set too low could create a greater positive variance;
- Noted that since the last update the position as it relates to Government arrears remains the same. Noted that the Hon Attorney General has previously opined on the ASSIDCO matter and consideration may need to be given to a formal resolution. As it relates to the ASSIDCO matter and the lease of the former NBA building a full review should be undertaken by the Ministry of Finance, with an update being provided to Council thereafter;
- Central Government Debt inclusive of short term credit facilities moved from EC\$427.92 million at the end of 2021 to EC\$423.14 million at the end of January 2022. The reduction in debt is attributable to debt amortization payments of EC\$4.77 million and exchange rate fluctuations of EC\$0.01 million;
- The Sinking Fund balance at the end of January 2022 is EC\$0; and
- Property tax of EC\$10.05 million was collected in 2021, EC\$5.4 million pertained to bills issued, EC\$1.71 million to arrears and EC\$2.85 million was unallocated but is presumed to be arrears payments.

Action: PS, FIN; PS, EDCITENR; BD; ACC GEN; HON, DG;
MINS OF GOV'T

EX MIN 22/80

EX MEMO 22/53 APPLICATION FOR DUTY AND TAX EXEMPTION FOR MAXINE HERBERT – DUGGINS

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

The Hon Premier briefed Council. Ms Maxine Herbert-Duggins is seeking a duty free concession on a Nissan Leaf vehicle.

Executive Council has approved the grant of duty exemptions on electric vehicles on several occasions since September 2019, as such there is precedent for granting customs duty exemptions for the importation of electric vehicles.

Council:

- 1) noted that a thorough review of conditional exemptions is being undertaken by the Ministry of Finance and this comprehensive work will also consider the position on electric vehicles. Noted that in other jurisdictions emission based tariffs are used;
- 2) agreed that duty and tax exemptions should be granted to Ms Maxine Herbert-Duggins on the importation of a Nissan Leaf electric vehicle;
- 3) agreed that the administrative fee under the Customs Administrative Cost Recovery Act should apply; and
- 4) noted that the estimated duty and tax loss to the Government is EC\$ 11,140.66.

Action: PS, FIN; PAS, FIN; COC; HON, PREM

EX MIN 22/81

EX MEMO 22/54 APPLICATION FOR DUTY AND TAX EXEMPTION FOR ZION METHODIST CHURCH

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council:

- 1) agreed that duty and tax exemptions should be granted to Zion Methodist Church on the importation of electronic equipment for church use;
- 2) agreed that the administrative fee under the Customs Administrative Cost Recovery Act should apply;
- 3) noted that the estimated duty and tax loss to the Government is EC\$1,390.05; and
- 4) instructed the Ministry of Finance to prepare the required Resolution of the House of Assembly, pursuant to section 77(1) of the Customs Act, R.S.A. c. C 169 and section 6A of the Interim Goods Tax Act, 2019.

Action: PS, FIN; PAS, FIN; COC; HON, PREM

EX MIN 22/82

EX MEMO 22/55 BLUE ANGUILLA (BANG) IMPLEMENTATION PLAN 2022 TO 2024 AND OCEAN GOVERNANCE COMMITTEE

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

The Hon Parliamentary Secretary briefed Council. The Blue Anguilla (BANG) Task Force established by the Ministry of EDCITENR is an inter-sectoral Task Force comprising representatives from various Government Ministries and Departments. In July 2021, the BANG Task Force presented to Executive Council a Blue Economy Position Paper with situation analysis and recommendations regarding the steps Anguilla needs to take for development of the blue economy. The Position Paper received the approval of Executive Council in August 2021.

The next steps for the BANG Task Force were: the development of an Implementation Plan based on the recommendations in the Position Paper and to seek formal approval for the establishment of the Blue Anguilla Ocean Governance Committee, from Executive Council. It is proposed that the BANG Task Force transitions into this Committee in accordance with the OECS Eastern Caribbean Regional Ocean Policy (ECROP) proposed governance structures for national ocean governance committees.

Council:

- 1) noted the Blue Anguilla (BANG) Implementation Plan 2022 to 2024. The work was well done, however, identifying the source of funds and finalisation of the Government's business plan are key steps for the implementation of the plan. Significant resources are required to achieve the objectives. In financial terms approximately EC\$15,071,600 will be required over the next 3 years, to deliver the implementation plan. Of this amount, approximately EC\$3,759,000 in grant funding has already been received or is in the final stages of approval and owing to Brexit this is the last opportunity to obtain this funding. With a residual balance of \$11,312,600 plus 10% contingency (bearing in mind fluctuating prices and the fact that some components of the plan cannot be costed at this stage) a minimum of EC\$12,443,860 in additional funding is needed;
- 2) noted the Ministry's indication that the Blue Anguilla Task Force has identified potential partners with whom the Government may engage for technical and financial assistance, where there is alignment of the objectives of the Government and the respective partner. Where funding remains an impediment, implementation will focus on those activities that can be achieved within Government's funding envelope as outlined in the national budget;
- 3) noted that in order to seek more funding opportunities an increased commitment to marine conservation is required, but in order to take this forward a water study and assessment is needed. There is a need to balance protecting the ocean against the economic value of the ocean;

- 4) agreed that as implementation progresses the timelines should be adjusted to reflect the external grants for the Blue Anguilla (BANG) Implementation Plan 2022 – 2024, as some stages cannot commence without funding;
- 5) noted that whilst the costs have been identified the plan needs to identify the tangible deliverables and benefits of the consultancies. Noted that this plan had to be balanced against all the other 2022 Work Plan deliverables;
- 6) approved the Blue Anguilla (BANG) Implementation Plan 2022 – 2024, in so far as activities are provided for in the MTEFP and 2022 budgetary allocation or externally funded. Accordingly, no procurement is to take place until the source of funds is identified. Noted that in terms of business and resources planning an assessment of the internal human resources required to deliver the plan is needed. If the persons identified to deliver the plan are already fully engaged in their primary roles, the Ministry will need to assess the prioritization of resources as part of business planning; and
- 7) approved the Terms of Reference and Membership of the Blue Anguilla (BANG) Ocean Governance Committee, as follows:

Mrs Chanelle Petty Barrett	Permanent Secretary, EDICITNR (Chairperson)
Mr Karim Hodge	Permanent Secretary, MICUHT (Deputy Chairperson)
Ms Carencia Rouse	Director of Natural Resources (Environment)
Ms Kafi Gumbs	Director of Natural Resources (Fisheries)
Ms Jason Daniel	Fisheries Management Officer
Ms Sharmer Fleming	Director of Maritime Affairs
Ms Gina Brooks	Tourism Planner
Dr Kenneth Williams	President, Anguilla Community College
Mr Asharn Hodge	Economist, MEDICITNR
Ms Kathleen J Rogers	Principal Environmental Health Officer, Department of Health Protection
Mr Carlisle Lake	Fire Station Officer, Anguilla Fire and Rescue Service
Mr Incia Brooks	Fire Sub Officer, Anguilla Fire and Rescue Service
Mr Roland Jason Hodge	Port Manager, Anguilla Air and Sea Port Authority

Mr Aaron Duncan	Senior Valuation Officer, Department of Lands and Surveys
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Action: PS, EDCITENR; HON, MIN EDCITENR

EX MIN 22/83

EX MEMO 22/56 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT- REGISTRATION SECTION WEST END, BLOCK 17810 B, PARCEL 169 BEING 0.21 OF AN ACRE OF LAND

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council agreed to issue an Aliens Land Holding Licence to hold on a freehold basis Villa #7 being 0.21 of an acre of land forming part of Resorts & Residences of Anguilla Home Owners Association Ltd., at Four Seasons Anguilla Ltd., described as Registration Section West End, Block 17810 B, Parcel 169, subject to the following:

a) Stamp duties payable are as follows:

- | | | |
|------|--|-----------------|
| (i) | under the Stamp Act – 5%
of EC\$14,274,342.00 | EC\$ 713,717.10 |
| (ii) | under the Aliens Land Holding
Regulation Act – 5%
of EC\$14,274,342.00 | EC\$ 713,717.10 |

TOTAL	<u>EC\$1,427,434.20</u>
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b) that Stamp Duty under the Aliens Land Holding Licence Regulation Act be reduced from 12.5% to 5% on the transfer of properties detailed in the Table below, on the basis that it is in the public interest pursuant to the Financial Administration and Audit Act;

c) that on the grant of the Aliens Land Holding Licence described in the Table below, the Government of Anguilla values the concession at **EC\$1,070,575.65:**

Registration Section	Block	Parcel	Assessed Value (EC\$)	ALHLR Act @ 12.5%	ALHLR Act @ 5%	Value of Concession
West End	17810 B	169	\$14,274,342.00	\$1,784,292.75	\$713,717.10	\$1,070,575.65

- d) the property is to be used for Tourism purposes;
- e) the Licensee shall rent the unit that forms part of Four Seasons Anguilla Resort;
- f) that pursuant to Memorandum of Understanding (MOU) dated September 17, 2010 between the Government of Anguilla and SOF-VIII-HOTEL II ANGUILLA HOLDINGS, LLC under Part IV. 4(2) of the MOU, it was agreed that on the subsequent re-sale of Ocean Front Villa Units an ALHL fee of 5% shall apply provided the subsequent buyer agrees to place the unit or condominium into the hotel room rental pool for a minimum of the first two (2) years after purchase. The Aliens Land Holding Licence Regulation Act fee shall therefore be reduced from 12.5% to 5% on the transfer of property in Block 17810 B, Parcel 169, on the basis that it is in the public interest pursuant to the Financial Administration and Audit Act;
- g) the Licensee shall place its unit in the rental programme/pool of the hotel for the first two years on receiving ownership of the property;
- h) the Licensee may opt to continue the placement of its unit in the rental programme/pool after this initial period;
- i) if the unit is **NOT** included in the rental programme/pool, annual levies will be charged at US\$6.50 per square foot per annum. Such levies shall be payable on the first day of January in each year that the levy is due. The annual levies will be subject to increase in accordance with Part IV, Section 5(d) of the Memorandum of Understanding signed between the Government of Anguilla and SOF-VIII-Hotel II Anguilla Holdings, LLC on 17 September 2010 and further agreed in First, Second, Third and Fourth Amendments to the Memorandum of Understanding;
- j) additionally, the annual levy payable by the Licensee will be zero for the first five (5) years following the purchase of the unit. Commencing five (5) years after the purchase of the unit, if the unit is included in the rental programme/pool, annual levies

payable by the Licensee will be charged at US\$5.00 per square foot per annum on the covered area of the unit;

- k) the Licensee shall fully comply with the laws of Anguilla from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour (Relations) Act, the Social Security Act, the Immigration and Passport Regulations and any statutory modification or re-enactment thereof and any rules or regulations made there under; and
- l) any breach of any of the conditions of this Licence shall result in all the estate and interest of the Licensee in the land being liable for forfeiture to the Crown.

Council noted that where an early release of the Action Sheet is requested, the date that the ALHL application was submitted shall be provided. This will enable a full assessment of the adequacy of the resources in place to process such matters in an efficient manner.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

Action: PS, HA; DLS; HON, MIN HA
