

THIS DOCUMENT IS THE PROPERTY
OF THE GOVERNMENT OF ANGUILLA

Copy No:

MINUTES OF THE 167TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 22ND NOVEMBER 2018

PRESENT: His Excellency the Governor, Mr Timothy Foy, OBE

The Honourable Chief Minister and Minister of Finance, Economic Development, Commerce, Tourism and Information Technology, Mr Victor Banks

The Honourable Deputy Governor, Mr Perin Bradley

The Honourable Minister of Health and Social Development, Lands and Physical Planning, Mr Evans Rogers

The Honourable Minister of Home Affairs and Education, Mrs Cora Richardson-Hodge

The Honourable Minister of Infrastructure, Communications, Utilities, Housing, Agriculture, Fisheries and Environment, Mr Curtis Richardson

The Honourable Attorney General, Mr Dwight Horsford

Clerk to Executive Council, Mrs Jewelle Fleming

IN ATTENDANCE: Mr Cardigan Connor, Hon Parliamentary Secretary
Mr Stephen Turnbull, Financial Specialist
Dr Aidan Harrigan, PS, Finance
Mr Larry Franklin, PS, Economic Development
Mr Foster Rogers, PS, Health & Lands
Mr Leslie Hodge, Director, Lands & Surveys
Ms Marisa Harding-Hodge, Compliance Manager

EX MIN 18/587 **CONFIRMATION OF THE MINUTES**

Hon Parliamentary Secretary and Financial Specialist remained.

Council confirmed the Minutes of the 166th Meeting held on Thursday 15 November 2018.

MATTERS ARISING FROM THE MINUTES

EX MIN 18/588 None

EX MIN 18/589

EX MEM 18/282 REVIEW AND APPROVAL OF PROPOSED AMENDMENTS TO THE MOU WITH FOUNTAIN BEACH RESIDENCES (ZEMI)

Hon Parliamentary Secretary, Financial Specialist, PS, Finance, PS, Economic Development, PS, Health & Lands, Director, Lands & Surveys and Compliance Manager remained.

Council:

- (i) considered the Tourism Investment Committee's corporate report for Zemi/Fountain Beach Residences requested amendments to their MoU; and
- (ii) approved the proposed draft amendments to the MoU with Zemi/Fountain Beach Residences subject to further amendments including limitations on times that concessions would be afforded as suggested by Council.

Action: PS, HLPP; PS, FIN; PS, EDICTIT; COM MAN; DLS; HON AG;
MINS OF GOV'T

EX MIN 18/590

EX MEM 18/283 REVISION OF THE BUSINESS-LICENSING FRAMEWORK

Hon Parliamentary Secretary, Financial Specialist, PS, Finance, PS, Economic Development, PS, Health & Lands, Director, Lands & Surveys and Compliance Manager remained.

Council requested the Hon Attorney General's Chambers to advise on the legality of imposing a moratorium on new licences for certain business activities during the review of the business-licensing regime, and if the proposed action proves to be unlawful to identify ways in which it could be remedied.

Action: PS, EDICTIT; HON AG; PS, FIN; PAS, FIN; BD; DEP; COM MAN;
ACC GEN; MINS OF GOV'T

EX MIN 18/591

EX MEM 18/284 PROJECTED 2018 BUDGET OUT-TURN

Hon Parliamentary Secretary, Financial Specialist, PS, Health & Lands, PS, Finance and PS, Economic Development remained.

Council:

- (i) noted the projected 2018 recurrent balance;
- (ii) approved global payment of EC\$3,556,916 as part payment in settlement of deferred salaries owed;
- (iii) approved EC\$500,000 to be paid towards GoA arrears with the Health Authority of Anguilla; and

- (iv) authorised the Ministry of Finance to prepare a supplementary appropriation to go to the House of Assembly for item (iii) above as well as to regularise reallocation and contingency warrants that were authorised to meet certain expenditures during the course of the year. Necessary approvals would also be sought from the UKG for the increased expenditure ceiling.

The Hon Minister for Social Development and Health thanked the MFEDICT for working with the Health Authority of Anguilla.

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

Action: PS, FIN; PS, EDICTIT; PAS, FIN; BD; DEP; ACC GEN; MINS OF GOV'T

EX MIN 18/592

EX MEM 18/285 CREDIT UNIONS AND THE COOPERATIVE ACT

Hon Parliamentary Secretary, Financial Specialist, PS, Finance, PS, Economic Development and Compliance Manager remained.

Council instructed:

- (i) the Ministry of FEDICT to send out the draft Cooperative Societies Act for public consultation and to work with the Financial Services Commission to circulate it to industry participants for comment; and
- (ii) the Attorney General's Chambers to resume finalising the draft Cooperative Societies Regulations.

Action: PS, FIN; PS, EDICTIT; HON AG; PAS, FIN; DEP; BD; COM MAN;
DIR, FSC; ROC; MINS OF GOV'T

EX MIN 18/593

EX MEM 18/286 PROPOSED POLICY ON INCENTIVES TO STIMULATE SALES OF CONDOMINIUM AND LUXURY REAL ESTATE PRODUCTS OF RESORT-BASED PROPERTIES

Hon Parliamentary Secretary, Financial Specialist, PS, Finance, PS, Economic Development, PS, Health & Lands, Director, Lands & Surveys and Compliance Manager remained.

Council:

- (i) noted the proposed draft discussion policy on incentives to stimulate sales of condominium units and luxury real estate products of resort-based properties;
- (ii) approved the proposed policy in principle; and
- (iii) authorised the Attorney General's Chambers to review and advise on the most appropriate mechanism to implement the proposed policy.

Action: PS, EDICTIT; HON AG; PS, FIN; PAS, FIN; DEP; BD; PS, HLPP; DLS;
COM MAN; MINS OF GOV'T

EX MIN 18/594

EX MEM 18/287 APPROVAL OF DRAFTING LEGISLATION FOR RRAL – ANNUAL LEVY ON LUXURY REAL ESTATE PRODUCTS

Hon Parliamentary Secretary, Financial Specialist, PS, Finance, PS, Economic Development, PS, Health & Lands, Director, Lands & Surveys and Compliance Manager remained.

Council:

- (i) mandated the MFEDICT to collaborate with the Attorney General's Chambers to submit a paper to Executive Council by 13 December 2018 combining the RRAL into the ALHL for its consideration; and
- (ii) agreed that following deliberation and approval of the paper, clear drafting instructions be sent to the AG's Chambers to give effect to the RRAL regime.

Action: PS, EDICTIT; PS, FIN; HON AG; PAS, FIN; COM MAN; PS, HLPP; DLS;
MINS OF GOV'T

EX MIN 18/595

EX MEM 18/288 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE

Hon Parliamentary Secretary and Financial Specialist remained.

Council agreed that twenty (20) persons should be granted the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act.

Council did not approve the Permit of Permanent Residence for one person as the requirements were not yet met.

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

Action: PS, MHA; LAB COM; CIO

EX MIN 18/596

EX MEM 18/289 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE

Hon Parliamentary Secretary and Financial Specialist remained.

Council agreed that thirteen (13) persons should be granted the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act.

Council did not approve the Permit of Permanent Residence for two persons as they do not yet meet the requirements.

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

Action: PS, MHA; LAB COM; CIO

EX MIN 18/597

EX MEM 18/290 REFUSAL TO GRANT WORK PERMITS

Hon Parliamentary Secretary and Financial Specialist remained.

In keeping with Section 4 (1) of the Control of Employment Act, the Hon Minister of Home Affairs and Immigration consulted with Executive Council on the refusal to grant work permits. Council considered and endorsed the recommendation from the Minister that thirteen (13) persons should not be granted work permits.

Council noted that the refusals are based on the grounds that:

- (a) there are suitably qualified belongers of Anguilla who can do the work;
- (b) the wages proposed to be paid for the positions are such that it is likely that these persons would be unable to sustain themselves in Anguilla or will have to seek additional work (which is prohibited for persons already in possession of a work permit); and
- (c) based on the cost to sustain a livelihood in Anguilla, most of these persons will fall below the poverty line (approximately EC\$16,348 per annum) or the vulnerability (i.e. at risk of being poor if there is any external shock) line (approximately EC\$20,484 per annum) which will put an additional strain on social services.

Council further noted the Minister’s intention to withdraw one name for further information.

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

Action: PS, MHA; LAB COM; CIO

EX MIN 18/598

EX MEM 18/291 APPOINTMENT/RE-APPOINTMENT OF THE MEMBERS TO THE BOARD OF THE WATER CORPORATION OF ANGUILLA

Hon Parliamentary Secretary and Financial Specialist remained.

Council:

- (i) noted the proposal for the appointment/re-appointment of members to the Board of the Water Corporation of Anguilla (WCA);
- (ii) approved the re-appointment of Mr Christopher Richardson as a Member and Chairperson (Business Management) to the WCA for one and a half years; and
- (iii) appointed Ms Marynell Angeline Norman-Connor (Business and Accounting) as new Member to the WCA for a two-year period.

Council noted that the allowances for the members of the Board are paid by the WCA and not by the Government of Anguilla.

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

Action: PS, MICUHAFE; CEO, WCA; HON MIN, MICUHAFE
