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**MINUTES OF THE 159<sup>TH</sup> MEETING OF THE TENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 15<sup>TH</sup> AUGUST 2013**

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- 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 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
- The Honourable Acting Deputy Governor, Dr Bonnie Richardson-Lake
- The Honourable Attorney General, Mr James Wood QC
- Mrs Jewelle Fleming, Clerk to Executive Council
- ABSENT: The Honourable Deputy Governor, Mr Stanley Reid
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,  
Utilities and Housing
- IN ATTENDANCE: Dr Wycliffe Fahie, Chairman, Procurement Board  
Mr Perin Bradley, Trade and Investment Officer  
Mr Foster Rogers, PS, EDICT  
Mrs Chanelle Petty-Barrett, PS, ELSYC
- EX MIN 13/528 **CONFIRMATION OF THE MINUTES**
- Council confirmed the Minutes of the 158<sup>th</sup> Meeting held on Thursday 1<sup>st</sup> August  
2013.
- MATTERS ARISING FROM THE MINUTES**
- EX MIN 13/529 **EX MIN 13/515 WASTE COLLECTION**
- Dr Wycliffe Fahie, Chairman of the Procurement Board joined the Meeting.

Further to EX MIN 13/515 of 1<sup>st</sup> August 2013, Council agreed that:-

- (i) the PS, HSD should co-ordinate with the Procurement Board with the Procurement Authority/Evaluation Committee and other relevant bodies on the way forward; and
- (ii) a report be brought back to the next meeting of Executive Council on Thursday 22<sup>nd</sup> August.

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

EX MIN 13/530

**EX MEM 13/192 APS EFFICIENCY REVIEW – THE FUTURE OF THE IDENTITY SERVICES ONE STOP SHOP**

Ministers were concerned that the proposals for the Identity Services One Stop Shop would prove to be more costly to the GoA.

Council agreed that:-

- (i) there should be a regrading of jobs at the Passport and Immigration Departments to determine what the financial implications would be of the proposal being made for a One Stop Shop, and that this information would be submitted to Executive Council in due course for consideration; and
- (ii) prior to the above being undertaken, there should be further discussion between Ministers of Government, the Hon Deputy Governor and relevant personnel as to what exactly was intended to be achieved by the proposals under consideration.

Action: HON DG; MINS OF GOV'T; PS, MHA/LANDS; PS, PA

EX MIN 13/531

**EX MEM 13/233 MATTERS RELATING TO DOLPHIN DISCOVERY ANGUILLA LTD**

Council agreed that prior to the meeting of Executive Council on Thursday 22<sup>nd</sup> August that there should be a meeting between the Ministers of Government and the Hon Attorney General to discuss the matter further.

Action: MINS OF GOV'T; AG

EX MIN 13/532

**EX MEM 13/243 MEMBERSHIP OF THE INVESTMENT COMMITTEE OF THE ASSB**

Council agreed that Mr Patrick Hanley and Mrs Gele Bryan would be re-appointed to serve on the Investment Committee of the Social Security Board for the period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014. Council further agreed that Mr Hanley would be appointed as Chairman of the Board.

Action: PS, FIN; PS, EDICT; PAS, FIN; ACC GEN; DIR, SSB

EX MIN 13/533

**EX MEM 13/244 FILLING THE VACANT POST OF LABOUR COMMISSIONER**

Council noted that the Labour Commissioner had tendered his resignation effective 2<sup>nd</sup> November 2013.

Council agreed that the vacant post of Labour Commissioner in the Labour Department be advertised with immediate effect.

Action: PS, MHA/LANDS; PS, PA; PS, FIN; BD

EX MIN 13/534

**EX MEM 13/245 MS YOLANDE DASH**

Council agreed that the contract for consultancy services for Ms Yolande Dash to the Attorney General's Chambers should be extended by twelve (12) months.

Action: AG; PS, PA; PS, FIN; PS, EDICT; ACC GEN; BD

EX MIN 13/535

**EX MEM 13/246 REVISION OF ALLOWANCES FOR LITERACY, NUMERACY AND SEN CO-ORDINATORS**

Mrs Chanelle Petty-Barrett, PS, ELSYC and Mr Perin Bradley, TIO joined the Meeting.

Council approved the new rate of EC\$250.00 per month for Literary Co-ordinators at small schools effective 1<sup>st</sup> January 2011, subject to the Hon Attorney General Chambers advising if payments could be made retroactively. Council agreed that if, following the advice from the AG's Chambers, it becomes necessary for further approval, the matter would be dealt with by round robin.

Action: PS, ELSYC; AG; PS, FIN; PS, EDICT; ACC GEN

EX MIN 13/536

**EX MEM 13/247 CULTURE POLICY FOR ANGUILLA**

PS, ELSYC and TIO remained for discussion.

Council approved the Culture Policy for Anguilla.

Action: PS, ELSYC

EX MIN 13/537

**EX MEM 13/248 MINISTRY OF SOCIAL DEVELOPMENT'S GIFTS AND CONTRIBUTIONS POLICY**

PS, ELSYC and TIO remained for discussion.

Council approved the Gifts and Contributions Policy effective 1<sup>st</sup> September 2013.

Council agreed that:-

- (i) reference be made in the Policy regarding individuals accepting gifts; and
- (ii) it would be helpful to produce a form for disposal purposes.

Council noted that the delegating responsibility for accepting gifts lied with the Hon Minister of Finance. Council authorised responsibility to all Permanent Secretaries.

Action: PS, ELSYC

EX MIN 13/538

**EX MEM 13/249 US FATCA AND THE UK'S FATCA-LIKE AGREEMENT**

Mr Foster Rogers, PS, EDICT joined the Meeting. Mr Perin Bradley, TIO remained for discussion.

Council noted:-

- a) the collaboration between the Anguilla FATCA Taskforce and ECCU Working Group on FATCA;
- b) the revised timeline of six months (30<sup>th</sup> June 2014) and other guidance, regarding the implementation of FATCA issued by the US Government;
- c) the fact the HMG was currently assessing the impact on their agreements with the CDs and OTs given the recent developments in the US re FATCA; and
- d) that public awareness on the impact of FATCA would be led by the newly established Anguilla FATCA Task Force.

Action: PS, EDICT; PS, FIN; TIO; ACC GEN

EX MIN 13/539

**EX MEM 13/250 THE CONVENTION ON MUTUAL ASSISTANCE IN TAX MATTERS**

PS, EDICT and TIO remained for discussion.

Council:-

- 1) requested the extension of the United Kingdom's signature to the Convention as amended by its Protocol;
- 2) made the following reservations pursuant to Article 30 of the Convention:-
  - a. paragraph 1. a., the Government of Anguilla will not provide any form of assistance in relation to the taxes of other Parties described in Article 2, paragraph 1.b(i), (ii) or (iv), of the Convention (taxes imposed by or
  - b. on behalf of political subdivisions or local authorities and social security contributions); and

- c. paragraph 1. b., the Government of Anguilla will not provide assistance in the recovery of any tax claim, or in the recovery of an administrative fine, for all taxes.

Action: PS, EDICT; PS, FIN; TIO; ACC GEN

EX MIN 13/540

**EX MEM 13/251 APPLICATION FOR DUTY EXEMPTION FOR MALLIOUHANA RESORT AND SPA**

PS, EDICT and TIO remained for discussion.

Council agreed that duty exemption should be granted to Malliouhana Resort and Spa (c/o Mr Greg Tegel) on the attached itemised list in accordance with the MoU.

Council further agreed that the items marked with an ‘X’ must be duty paid.

The assessed duty loss to the GoA is \$1,772,025.00.

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

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

EX MIN 13/541

**EX MEM 13/252 FILLING VACANCIES IN THE MINISTRY OF SOCIAL DEVELOPMENT**

PS, EDICT and TIO remained in attendance.

Council agreed that the Environmental Health Officer, Social Worker Family & Social Services and the Senior Clerical Officer posts in the Ministry of Social Development should be advertised.

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

Action: PS, HSD; PS, PA; PS, FIN; BD

**ORAL MENTION**

EX MIN 13/543

**OVERSEAS TRIP BY PERMANENT SECRETARIES**

PS, EDICT informed Council that all Permanent Secretaries (with the exception of PS, FIN) would be in Dutch St. Maarten on Friday 16<sup>th</sup> August for a retreat with their counterparts there. The PS, EDICT indicated that the occasion was by invitation and an exchange visit to Anguilla with the Dutch St. Maarten General Secretaries would be organized in the near future.

Action: PS, EDICT

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