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MINUTES OF THE 174TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON FRIDAY 13TH DECEMBER 2013

- PRESENT: His Excellency the Acting Governor, Mr Stanley Reid
- 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 Acting Deputy Governor, Mr Larry Franklin
- 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 Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing
- The Honourable Attorney General, Mr James Wood QC
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mr Leslie Hodge, Director Designate, Lands & Surveys
Mr Rommel Hughes, CEO, WCA
Dr Aidan Harrigan, PS, FIN
Mrs Mary Clare Haskins-Banton, Crown Counsel
Mr Ivor Greene, Senior Crown Counsel (Civil)
Ms Gecheal Richardson-Gumbs, CIR
Mr Perin Bradley, Compliance Manager
- ABSENT: Her Excellency the Governor, Ms Christina Scott

EX MIN 13/835

CONFIRMATION OF THE MINUTES

Council confirmed the Minutes of the 173rd Meeting held on Thursday 28th November 2013 and the Minutes of a Special Meeting held on Monday 9th December 2013.

MATTERS ARISING FROM THE MINUTES

EX MIN 13/836

EX MIN 13/812 EX MEM 13/291 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – BRETT DEL FETTEROLF (REGISTRATION SECTION: EAST END; BLOCK: 99415B; PARCEL 391 CONTAINING 0.30 ACRE)

Mr Leslie Hodge, Director Designate, Lands & Surveys joined the Meeting.

Further to EX MIN 13/812 of 28th November 2013, Council agreed that the matter should be deferred.

Action: MINS OF GOV'T; PS, MHA/LANDS; DLS

EX MIN 13/837

EX MIN 13/813 ISSUES AT THE HEALTH AUTHORITY OF ANGUILLA (HAA)

With reference to EX MIN 13/813 of 28th November 2013, Council noted that the Hon Chief Minister wished to be updated regarding the issues at the HAA before further discussion in Executive Council.

Action: PS, HSD; AG; HON CM

EX MIN 13/838

EX MIN 13/815 UPDATE ON PROGRESS WITH PROCUREMENT REGULATIONS

Council noted that the Procurement Regulations would be ready for consideration in Executive Council at the next regular meeting of Executive Council to be held on Friday 20th December 2013 and should be placed on the Agenda.

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

Action: AG; PS, FIN; PAS, FIN; PS, HSD

EX MIN 13/840

EX MEM 13/381 AWARD OF ANGUILLA ISLAND SCHOLARSHIP 2013

Council:-

- 1) confirmed Ms Carty's selection for the Anguilla Island Scholarship for 2013;
- 2) agreed that the scholarship should be for the duration of six (6) years beginning September 2013;
- 3) agreed that the scholarship should be tenable at Clark University in the USA to pursue a degree in Biochemistry and Molecular Biology followed by the Masters in Biochemistry and Molecular Biology; and
- 4) agreed that the cost of the scholarship should not exceed EC\$600,000.00.

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

EX MIN 13/841

EX MEM 13/382 REDUCING THE DUTY ON MOTOR VEHICLES AND PARTS TO THE ORIGINAL 25%

Council:-

- 1) noted that on the 31st December 2013, the temporary reduction on duty for motor vehicles and parts and the accompanying Integrated Customs Tariff (Amendment Regulations) 2013 will expire;
- 2) supported the position taken by the Ministry of Finance that, in a sluggish economy, it does not make economic sense to return to the substantially higher pre-reduction rate of duty but rather to the slightly higher original rate of 25% which was in place before fiscal stabilization measures were considered;
- 3) agreed to return the duties on motor vehicles and parts to the original 25%; and
- 4) further noted that there would be no adverse impact economically for returning the duties to the original 25%.

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

Action: PS, FIN; PS, EDICT; PAS, FIN; CIR; ACC GEN; COC; AG

EX MIN 13/842

EX MEM 13/383 AMENDMENT TO EXCO MINUTE 12/643 GRANTING A LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – SPECIALTY VACATIONS PROPERTIES LLC (SECTION: NORTH; BLOCK: 59018 B; PARCEL 193 SL B/3A CONTAINING 1,747 SQUARE FEET) – SVANGUILLAPROPERTIES LLC

Director Designate, L & S remained for discussion.

Council noted that in EX MIN 12/643 of 13 September 2013, Executive Council approved an Aliens Land Holding Licence for Specialty Vacations Properties LLC to hold, on a freehold basis, a strata lot being a luxury condominium unit that is approximately 1,747 sq. ft. (being 1/18 of the overall unit entitlement) in Registration Section North, Block 59018B Parcel 193 SL B/3A, which forms part of Anguilla Aviation Limited a Condominium development at Shoal Bay, Anguilla.

Following a request from Solicitors to have a name change, Council agreed that EX MIN 12/643 of 13 September 2013 should be amended from Specialty Vacations Properties LLC to SVAnguillaProperties LLC.

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

Action: PS, MHA/LANDS; PS, FIN; PS, EDICT; DLS

EX MIN 13/844

EX MEM 13/385 APPLICATION FOR DUTY EXEMPTION FOR LIONS COMMUNITY

PS, FIN remained for discussion.

Council agreed that the paper should be deferred to ascertain from the Comptroller of Customs which of the requested items should be duty paid.

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

Action: PS, FIN; COC; FO

ORAL MENTION

EX MIN 13/845

ALIENS LAND HOLDING POLICY

Director Designate, L & S remained for discussion. In EX MIN 13/800 of 14 November 2013, Council agreed that consideration be given to agreeing a holistic policy in relation to the granting of Aliens Land Holding Licences. Council further agreed that the PS, EDICT and PS, FIN should be a part of the discussion.

Council stressed the importance of having an Aliens Land Holding Policy in place. In addition to looking at Aliens Land Holding Licences particular reference was made to the Policy addressing Work Permit issues. Council agreed that an ALH Policy be submitted to Executive Council for consideration as soon as possible.

Action: PS, MHA/LANDS; PS, FIN; PS, EDICT; DLS

EX MIN 13/846

MEMORANDUM OF UNDERSTANDING BETWEEN GOVERNMENT OF ANGUILLA AND GGII OF ANGUILLA LTD

Director Designate, L & S, Compliance Manager and Crown Counsel remained for discussion.

Council, subject to the agreed amendments to the MoU:-

- (i) approved the MoU between the Government of Anguilla and GGII of Anguilla Ltd;
- (ii) authorised the Hon Chief Minister to sign the MoU between the Government of Anguilla and GGII of Anguilla Ltd on behalf of the Government of Anguilla.

Council noted the advice from the technical persons including legal persons that approving and signing the MoU without the benefit of an EIA could have serious adverse consequences.

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

Action: PS, FIN; PS, EDICT; PAS, FIN; PS, MICUH; AG; COM MAN

EX MIN 13/847

INVITATION TO EXECUTIVE COUNCIL

Council agreed that the gatekeeper at the Corito Landfill site should be invited to attend Executive Council on 20th December 2013 with all the relevant files and log book to enable Council to get a clearer picture of issues at the Corito Landfill site.

Council further agreed that the requisite personnel should be in attendance at the Meeting.

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

Action: PS, HSD; PS, FIN; PAS, FIN; PS, EDICT; HP

EX MIN 13/848

REQUEST FOR A WAIVER FOR WORK PERMIT FOR DEVYN ASHLIMILLICENT TYSON

Council agreed that Miss Devyn Ashlimillicent Tyson (c/o Ms Tiffany M. Rogers, Managing Partner of a company called iPlan Eventz) should be exempted from the requirement of a Work Permit. Ms Tyson, a USA national would be the performing artist at a function on Sunday, 15th December 2013, which is the company's first major non-profit event, Kids Zone.

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

Action: PS, IMMIGRATION; LAB COM; CIO
