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MINUTES OF THE 205TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 14TH AUGUST 2014

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 Acting Deputy Governor, Dr Bonnie Richardson-Lake

The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human
Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister
of Education, Library Services, Sports, Youth and Culture

The Honourable Attorney General, Mr Rupert Jones

Mrs Sonia Brooks, Acting Clerk to Executive Council

IN ATTENDANCE: Ms Anthea Ipinson, Chief Projects Officer
Ms Gecheal Richardson-Bramble, Comptroller of Inland Revenue
Ms Jasmin Garraway, Co-ordinator, Tourism Sector Development Project

ABSENT: The Honourable Deputy Governor, Mr Stanley Reid

The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing

EX MIN 14/497 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 204th Meeting held on Wednesday 6th
August 2014.

MATTERS ARISING FROM THE MINUTES

EX MIN 14/498 None

EX MIN 14/499

EX MEM 14/267 REQUEST FOR DIRECTIONS - BLOWING POINT BASKETBALL FACILITY

Council agreed the following:

- (i) that there should be drawn up by the end of August a contractual agreement with the community group that is seeking to construct a basketball court on Registration Section South Central, Block 38410B. This should cover issues such as:
 - (a) specifications for construction;
 - (b) responsibility for construction costs;
 - (c) project oversight and management;
 - (d) building and planning permission; and
 - (e) management and maintenance arrangements post construction.
- (ii) that the basketball facility located next to the ATA should remain there until the construction of any new basketball court under (i) above, and at that point the government deciding what to with the land on which the current basketball court is located; and
- (iii) that the Minister of Sports should liaise with the Permanent Secretary Sports to draw up contract.

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

Action: PS, ELSYC; HON MIN, ELSYC; PS, MICUH; DLS; PPO

EX MIN 14/500

EX MEM 14/270 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – CHARLES ARLAND MEADE AND MARY-BRIGID ARCAND (REGISTRATION SECTION: NORTH; BLOCK: 58616 B; PARCEL 60; CONTAINING 0.25 ACRES)

Council agreed to issue an Aliens Land Holding Licence to Charles Arland Meade and Mary-Brigid Arcand to hold, on a freehold basis, as joint owners 0.25 acre of land, described as Registration Section North, Block 58616 B Parcel 60 with dwelling house thereon located at Limestone Bay, for private residential purposes, subject to the following:

- (a) Payment of the following stamp duties:
 - (i) under the Stamp Act – 5%
of EC\$403,230.00. EC\$20,161.50

(ii)	under the Aliens Landholding Regulation Act – 12.5% of EC\$403,230.00	EC\$50,403.75
	TOTAL	----- EC\$70,565.25 =====

- (b) With the expressed condition that the land is to be used for residential purposes and that the Licencees must not rent their dwelling house unless an application is made and written permission is obtained from the Ministry of Finance Economic Development, Investment and Trade, Commerce and Tourism (FEDICT).

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

EX MIN 14/501

EX MEM 14/271 THE EXPANSION OF THE NATIONAL AIDS PROGRAMME TO CREATE A CHRONIC DISEASE UNIT

Council approved the following:

- (a) the Unit's change in name from the National HIV/AIDS Programme to the Chronic Disease Programme;
- (b) the expanded role for the Director of the Unit as outlined in the job description;
- (c) the creation of a Non-Communicable Disease Programme Officer post;
- (d) the filling of the NCD Programme Officer post; and
- (e) that if the grading of the posts changed they should be brought back to Executive Council.

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

EX MIN 14/502

EX MEM 14/272 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Council agreed that Mr Reynold A Bailey, A national of St Vincent and the Grenadines, who is representing the ECCB in Anguilla as a Financial Consultant at National Bank of Anguilla, should be exempted from the work permit requirement for the period 9th July 2014 to 8th January 2015 in accordance with Section 3 (f) of the Control of Employment Act 2000.

Action: PS, IMM; LAB COM; CIO

EX MIN 14/503

EX MEM 14/273 APPROVAL TO FILL TWO KEY VACANCIES IN THE MINISTRY OF FINANCE

Council:

- (i) agreed that the following vacancies in the Ministry of Finance which would become vacant due to resignations of the incumbents should be filled as soon as possible.
 - (a) Comptroller of Inland Revenue
 - (b) Deputy Accountant General
- (ii) noted that the Permanent Secretaries had endorsed the filling of the positions.

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

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

EX MIN 14/504

EX MEM 14/274 AMENDMENT TO SOCIAL SECURITY ACT TO PROVIDE FOR DEPUTY DIRECTOR OF SOCIAL SECURITY

Council agreed that the Social Security Act should be amended to allow for a Deputy Director of Social Security who would act as Director in the absence of the substantive holder of the post.

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

Action: PS, FIN; PS, EDICT; AG; DIR, SS

EX MIN 14/505

EX MEM 14/275 APPOINTMENT OF ACTING DIRECTOR OF SOCIAL SECURITY, AUGUST 12 – 31, 2014

Council agreed that Mrs Maglan Richardson, Deputy Director, Social Security Board would act as Director, Social Security Board for the period August 12 – 31, 2014.

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

Action: PS, FIN; PS, EDICT; DIR, SS

EX MIN 14/506

EX MEM 14/276 DRAFT BILL FOR PENSION (AMENDMENT) ACT, 2014

Council approved the draft Bill for Pensions Amendment (Act), 2014, for Publication in the Gazette and introduction into the House of Assembly.

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

Action: PS, FIN; PS, PA; AG; ACC PSPF; ACC GEN

EX MIN 14/507

**EX MEM 14/277 2014 CAPITAL BUDGET – PRIORITISED
IMPLEMENTATION REMAINING PROJECTS**

Ms Anthea Ipinson, Chief Projects Officer, Mrs Gecheal Richardson-Bramble, Comptroller of Inland Revenue and Ms. Jasmin Garraway, Co-ordinator, Tourism Sector Development Project joined the meeting.

Council considered the prioritisation of the 2014 Capital Budget Projects (excluding those to be funded by the UK Grant and those EDF 10 grants already ringfenced). Areas of proposed expenditure totalled EC\$3.1m to be financed from an expected envelope of remaining available funds of EC\$1.2m.

Council noted that the difficulty at this stage in committing to further expenditure was exacerbated by uncertainty in three areas: revenue receipts for the remainder of 2014; the timing and amount of EDF grant; and the costs of the software required for compliance with FATCA (which the ECCB was procuring on behalf of ECCU states).

Council also considered the priority list that was approved for a two week period from its last consideration on 23 July 2014 and resolved the following:

1. that further consideration would be delayed pending the presentation by MICUH personnel on the progress of implementation of the UKG grant funded projects at the next Council meeting;
2. the priority list would remain as previously agreed (ExCo meeting of 23 July) with the following stipulations:
 - i. the Valley Food Court, Tax Reform and Land Acquisition Projects would be examined further to ascertain if activities or payments could be delayed or reduced;
 - ii. expenditure on the Tourism Sector Development Project would be restricted to outstanding bills;
 - iii. the Health Authority would be asked to provide information on the crucial areas of capital expenditure for which they require support; and
 - iv. options of external support in payment of the associated costs of the FATCA software Project would be explored. Ministry of Finance would consider raising the difficulties that uncertainties in this area were causing for budgeting at the next Monetary Council meeting.

Action: PS, EDICT; PS, FIN; CPO; BD; PS, MICUH, COMP MANAGER

EX MIN 14/508

**EX MEM 14/278 CREATION AND FILLING OF ADDITIONAL POST –
TECHNICAL STUDIES TEACHER**

Council approved the creation and filling of additional post of Technical Studies Teacher, with the expenditure for 2014 covered by existing Department of

Education budgets. The 2015 expenditure for this post would have to be submitted as new spending for consideration by ExCo in the 2015 budget exercise, or else provisions found from elsewhere in the Department of Education's budget for the post.

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

Action: PS ELSYC; PS, PA; PS, FIN; PS, EDICT; BD

EX MIN 14/509

EX MEM 14/279 GOVERNMENT'S POSITION ON SUPPORT FOR DRAG RACING

Council noted the advice received from a senior official committee, including the Commissioner of Police, that it would not be advisable to close particular roads for specified times to allow the sport of drag racing to take place given the difficulties in ensuring the safety of the public and the potential for Government liability in cases of accidents.

Ministers nevertheless remained interested in exploring this option, and tasked the Permanent Secretary for Sports to draft a policy document for public consultation, which would set out how such a scheme might operate, and would set out the advantages and disadvantages of limited use of public roads for drag racing. This should be brought to Council in a month's time.

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

Action: PS, ELSYC

EX MIN 14/510

EX MEM 14/280 WORK PERMIT APPLICATION REFUSAL

The Hon Minister of Labour after consultation with the Executive Council and in accordance with Section 4 (1) of the Control of Employment Act, was not inclined to approve the following:-

<u>Name</u>	<u>Country</u>	<u>Employer</u>	<u>Position</u>
Jon Phillip Plude	USA	Viceroy Anguilla Resort	Director of Loss Prevention

HE the Governor expressed concern that it appeared that the decision to reject the application for a work permit was being done without advice from the Labour Commissioner as to whether the correct recruitment process had been followed.

HE the Governor indicated that she would ask the Permanent Secretary for Labour to update Council on the introduction of the new Labour Code, given the points Ministers had made about the importance of protecting workers' rights.

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

Action: PS, IMM; LAB COM; CIO

ORAL MENTION

EX MIN 14/511

MEETING OF THE HOUSE OF ASSEMBLY.

Ministers indicated that they were minded to ask the Speaker, House of Assembly to hold the next meeting of the House of Assembly on the 26 or 27 August 2014.

Action: CHIEF MINISTER, CLERK, HOA
