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MINUTES OF THE 126TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 25TH JANUARY 2018

- PRESENT: His Excellency the Governor, Mr Timothy Foy, OBE
- The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Tourism and Information Technology
- The Honourable Deputy Governor, Mr Perin Bradley
- The Honourable Evans Rogers, Minister of Health and Social Development, Lands
and Physical Planning
- The Honourable Cora Richardson-Hodge, Minister of Home Affairs and Education
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications,
Utilities, Housing, Agriculture, Fisheries and Environment
- The Honourable Acting Attorney General, Mr Ivor Greene
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary
Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA
Mrs Chanelle Petty Barrett, PS, MHA
Mrs Jo-Anne Hodge, Labour Commissioner (Acting)
Mr Karim Hodge, PS, MICUHAFIT
Mr Kenneth Hodge, PAS, MHA
Mrs Lana Horsford-Harrigan, Director, Human Resource Management
Mr William Vanterpool, Director of Agriculture
Mr Calvin Samuel, Director of Environment
Mr Rhon Connor, Deputy Director of Environment
Mr Remone Johnson, Fisheries Officer
Ms Jennifer Gaskin, CEO, WCA (Acting)
Mr Christopher Richardson, Chairman, WCA Board
Dr Aidan Harrigan, PS, FIN
Mr Kiel Connor, Comptroller, Inland Revenue
Mrs Shona Proctor, Budget Director
Mrs Shantelle Richardson, Director of Economic Planning
Ms Jamila Gumbs, Budget Officer
- ABSENT: The Honourable Attorney General, Mr John McKendrick QC

EX MIN 18/40

CONFIRMATION OF THE MINUTES

Hon Cardigan Connor, Parliamentary Secretary and Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA joined the Meeting.

Council confirmed the Minutes of the 125th Meeting held on Thursday 18th January 2018.

MATTERS ARISING FROM THE MINUTES

EX MIN 18/41

EX MIN 18/27 CLOSED BATHROOMS AT ISLAND HARBOUR

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Further to EX MIN 18/27 of 18th January 2018, the Hon DG informed Council that he had spoken to the PS, MICUHAFIT and the Director of Health Protection, who were working together to resolve the matter.

Action: HON DG; PS, MICUHAFIT; DIR, HP; MINS OF GOV'T

EX MIN 18/42

EX MIN 18/31 EX MEM 18/18 ANGUILLA'S PARTICIPATION IN THE TORONTO CARNIVAL RUN

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Further to EX MIN 18/31 of 18th January 2018, Council agreed that this matter should be deferred until next year.

Action: PS, ELSYC; PARL SEC; DIR, Y & C; CSP; PS, FIN; PS, EDICTLP; BD;
MINS OF GOV'T

EX MIN 18/43

EX MEM 18/26 A BILL FOR THE LABOUR CODE 2018

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. Mrs Chanelle Petty Barrett, PS, MHA and Mrs Jo-Anne Hodge, Labour Commissioner (Acting) joined the Meeting.

Council:-

- (i) noted the Bill for the Labour Code 2018 with proposed amendments;
- (ii) agreed that the Bill should be presented to the House of Assembly in its current form for its first reading on Tuesday 30th January 2018; and
- (iii) agreed that matters to be clarified should be brought back to Executive Council for further consideration.

Council commended the Ministry of Home Affairs for good legislation.

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

Action: PS, MHA; LAB COM (Acting); CL, HOA; MINS OF GOV'T

EX MIN 18/44

EX MEM 18/28 AMENDMENT TO POLICY ON WORK PERMIT EXEMPTIONS

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. PS, MHA and Labour Commissioner (Acting) remained for discussion.

Council noted that in order to assist the decision making process in the granting of exemptions, the Ministry of Labour has adopted a policy which outlines categories of persons for whom exemptions should be granted that is used in making recommendations to the Governor in Council with regard to exemptions. The current categories and criteria are as follows:-

- a) The exemption must be in relation to a job that has been advertised, not for the purpose of finding a job.
- b) Persons working for a non-profit cultural, educational or charitable body; employment as a voluntary worker which covers certain unpaid workers for a charity, a voluntary organisation, an associated fund-raising body or a statutory body.
- c) Persons who have attended primary and secondary school in Anguilla covering a minimum of 5 years. Original school letters must be provided.
- d) Spouses of persons in essential services, including but not limited to medical doctors and air traffic controllers. Must be in relation to a job being advertised for which there is no qualified Anguillian who can legitimately fill the position.
- e) Persons in the aviation industry.

Council agreed to add other categories to the current categories to include the following persons:-

- f) Persons who are required to restore essential services including utility, transportation and telecommunication services in the six weeks immediately after a natural disaster, in the first instance.
- g) Persons who are British Overseas Territories Citizens (from territories other than Anguilla) who have obtained permanent residence status and renew it annually.
- h) additionally agreed that category d) above should be amended in part to read, "Spouses of persons in essential services, including but not limited to health care professionals and air traffic controllers".

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

Action: PS, MHA; PAS, MHA; LAB COM (Acting); CIO; HON MIN, MHA

EX MIN 18/45

EX MEM 18/29 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. PS, MHA and Labour Commissioner (Acting) remained for discussion.

Council agreed that the persons on the attached list should be exempted from the work permit requirement in accordance with Section 3 (g) of the Control of Employment Act.

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

Action: PS, MHA; LAB COM (Acting); CIO

EX MIN 18/46

EX MEM 18/30 APPROVING THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES AND ABOLISHING THE DEPARTMENT OF AGRICULTURE, PROGRAMME 654, THE DEPARTMENT OF FISHERIES, PROGRAMME 655 AND THE DEPARTMENT OF ENVIRONMENT, PROGRAMME 358

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. PS, MHA remained for discussion. The following persons joined the Meeting:-

Mr Karim Hodge, PS, MICUHAFIT
 Mr Kenneth Hodge, PAS, MHA
 Mrs Lana Horsford-Harrigan, Director, Human Resource Management
 Mr William Vanterpool, Director of Agriculture
 Mr Calvin Samuel, Director of Environment
 Mr Rhon Connor, Deputy Director of Environment
 Mr Remone Johnson, Fisheries Officer

Council agreed to:-

- (i) the establishment of the Department of Natural Resources, which would encompass the new org structure, job descriptions and other HR, operational, financial and implementation considerations; and
- (ii) the abolition of the Department of Agriculture, Programme 654, the Department of Fisheries, Programme 655 and the Department of Environment, Programme 358 when the new Department of Natural Resources is ready to be launched.

Action: PS, MHA; PAS, MHA; DIR, AGR; DIR, FISH; DIR, ENV; OTHER PSs;
 MINS OF GOV'T

EX MIN 18/47

EX MEM 18/31 APPOINTMENT OF BOARD MEMBER TO THE ANGUILLA AIR AND SEA PORTS AUTHORITY

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council:-

- (i) noted the letter of resignation from Mr William Grandfield dated 1st December 2017;
- (ii) approved the appointment of Mr Colin C. Connor to the Board of the Anguilla Air and Sea Ports Authority for the period of two years (i.e. 25 January 2018 to 25 January 2020) in accordance with the Anguilla Air and Sea Ports Authority Act; and
- (iii) agreed that the Board of the AASPA must inform the MICUHAFIT three (3) months in advance of the expiry of any and all AASPA Board members.

Action: PS, MICUHAFIT; CEO, AASPA; CHAIR/AASPA; AIR MAN; HON MIN, MICUHAFIT

EX MIN 18/48

EX MEM 18/32 WATER CORPORATION OF ANGUILLA (WCA) BUY OUT OF EXISTING SALT WATER REVERSE OSMOSIS (SWRO) PLANT CONTRACT FOR THE SUPPLY OF POTABLE WATER FROM SEAWATER AT CROCUS BAY ANGUILLA IN NATIONAL INTEREST AND THE SELECTION OF A NEW OPERATOR

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. Mr Christopher Richardson, Chairman, WCA Board and Ms Jennifer Gaskin, CEO, WCA (Acting) joined the Meeting.

Further to EX MIN 17/589 of 13th December 2017, Council noted that the Hon Attorney General had reviewed the timelines, procurement process and escrow documentation and was satisfied that they were in order.

The Chairman, WCA Board informed Council that the tendering process had begun and it was hoped that a new operator would be in place by 1st May 2018.

Action: PS, MICUHAFIT; CEO, WCA (Acting); HON AG; MINS OF GOV'T

EX MIN 18/49

EX MEM 18/36 PRIORITY TRAINING NEEDS FOR 2018 REVISED

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council agreed, given the budgetary shortfall, to defer training areas approved for

funding outlined in EX MIN 17/577 of 13th December 2017, with the exception of the critical areas identified for the Health and Education sector as attached.

Action: PS, PA; TRNG OFF; PS, FIN; PS, EDICTLP; OTHER PSs; BD; ACC GEN;
MINS OF GOV'T

Ministerial Assistant to the Hon Minister, MHA left the Meeting.

EX MIN 18/50

2018 ESTIMATES OF RECURRENT EXPENDITURE AND RECURRENT REVENUE

Hon Parliamentary Secretary remained in attendance. The following persons joined the Meeting:-

Dr Aidan Harrigan, PS, FIN
Mr Kiel Connor, Comptroller, Inland Revenue
Mrs Shona Proctor, Budget Director
Mrs Shantelle Richardson, Director of Economic Planning
Ms Jamila Gumbs, Budget Officer

Council agreed in principle to the:-

2018 Estimates of Recurrent Expenditure - **EC\$207,886,994**

2018 Estimates of Recurrent Revenue - **EC\$177,212,983**

Council noted that the 2018 Budget would be further discussed on Thursday 1st February when the locally funded capital estimates would be presented to Executive Council for consideration.

Action: PS, FIN; PS, EDICTLP; PAS, FIN; BD; DEP; CPO; MINS OF GOV'T

ORAL MENTION

EX MIN 18/51

DUTY EXEMPTION POLICY

Hon Parliamentary Secretary remained in attendance.

Council agreed that a paper on the Duty Exemption Policy should be brought to Executive Council on Thursday 8th February 2018 for consideration. Council additionally agreed that no further applications for duty exemption would be considered until the Duty Exemption Policy is in place.

Action: PS, FIN; PAS, FIN; COC; FO; MINS OF GOV'T

EX MIN 18/52

**CUSTOMS (DUTY EXEMPTION) (HURRICANE IRMA RELIEF)
(AMENDMENT) REGULATIONS, 2018**

Hon Parliamentary Secretary remained in attendance.

Council agreed that H E The Governor should sign the above Regulations and a copy sent to the Clerk, House of Assembly for presentation in the House of Assembly on Tuesday 29th January 2018.

Action: PS, FIN; PS, EDICTLP; PAS, FIN; CL, HOA; BD; CPO; ACC GEN
