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MINUTES OF THE 193RD MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON FRIDAY 21ST JUNE 2019
AT 10:00 AM

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

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

The Honourable Attorney General (acting), Ms Erica Edwards

Clerk to Executive Council, Mrs Jewelle Fleming, MBE

IN ATTENDANCE: Hon Parliamentary Secretary, Mr Cardigan Connor
Ministerial Assistant to the Hon Minister, MHA, Mrs Evalie Bradley
Financial Specialist, Mr Stephen Turnbull
PS, Finance, Dr Aidan Harrigan
PS, Public Administration, Mrs Kathleen Rogers
Accountant General, Mr Vonlee Harris
Administrator, Public Service Pension Fund, Mrs Monifa Brooks-Gumbs
Commissioner of Police, Mr Paul Morrison, OBE

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

The Honourable Attorney General, Mr Dwight Horsford

EX MIN 19/287 **CONFIRMATION OF THE MINUTES**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and
Financial Specialist remained.

Council confirmed the Minutes of the 192nd Meeting held on Friday 14 June 2019.

MATTERS ARISING FROM THE MINUTES

EX MIN 19/289

MTEFP UPDATE

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained. PS, Finance, Dr Aidan Harrigan joined.

Council:

- (i) noted the MTEFP update, including the implications for 2019 and beyond arising from the delayed sale of the GoA's shareholding in ANGLEC and the implications of this for the release of the CDB policy based loan (PBL);
- (ii) noted the need to swiftly put in place the other requirements for release of the PBL, specifically the two pieces of required legislation regarding Physical Planning and Environmental Management;
- (iii) agreed that a paper from the MFEDICTIT should be submitted to Executive Council outlining the issues considered and how they would be dealt with to be discussed at its next meeting to be held on Thursday 4 July; and
- (iv) agreed that Executive Council would take papers at the meeting of 4 July on the Physical Planning Act and Regulations and the Environmental Management Act.

Action: PS, FIN; PS, HLPP; PS, EDICTIT; PAS, FIN; DEP; BD; CPO; HON AG;
ACC GEN; CIR; MINS OF GOV'T

EX MIN 19/290

EX MEM 19/140 DISSOLUTION OF THE POLICE PENSION FUND

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained. PS, Finance remained. The following persons joined:

PS, Public Administration, Mrs Kathleen Rogers
Accountant General, Mr Vonlee Harris
Administrator, Public Service Pension Fund, Mrs Monifa Brooks-Gumbs
Commissioner of Police, Mr Paul Morrison, OBE

Council:

- (i) agreed that the Police Pension Fund should be dissolved and all future obligations should be handled on a pay-as-you go basis through the consolidated fund as per the recommendations of the actuary of the funds (ref: Actuarial Report of the Police Pension Fund as of 31 December 2016);
- (ii) authorised the transfer of funds for the Police Pension Fund currently in hand with the Public Service Pension Fund Board to the consolidated fund, more specifically in a sub-account within the consolidated fund in order to ring fence the funds, so that Treasury Department would now be responsible for dealing with and processing requests by police officers;
- (iii) agreed that further consultation with police officers to include representatives from the Public Service Pension Fund, the Hon Deputy Governor and

Accountant General should commence work beginning 24 June 2019;

- (iv) agreed that existing police officers would retain their benefits for the period of service up to the revision of the pension fund and new benefits, subject to consultation to be adopted from an agreed future date. New recruits to the Royal Anguilla Police Force would be subject to a different regime as outlined in the Draft Pension (Amendment) Act 2018 and Regulations so as to reduce the liability of police pensions on the consolidated fund;
- (v) authorised the Attorney General's Chambers to begin work on the dissolution of the Police Pension Fund;
- (vi) agreed that the amendments to the Act should be submitted to Executive Council in two weeks (4 July) for consideration; and
- (vii) agreed that legislation should be in place by September 2019.

Action: PS, FIN; PS, PA; HON DG; AD, PSPF; HON AG; ACC GEN; COP;
MINS OF GOV'T

EX MIN 19/291

EX MEM 19/141 COMPENSATION FOR WALL REMOVED DURING ROAD CONSTRUCTION PROJECT

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Council:

- (i) noted that a 450 ft. concrete block wall was being proposed as compensation to the land owner to replace a wall that was removed as a result of the Well Gap Road improvement project;
- (ii) noted that funding in the amount of EC\$112,173.00 was being requested for the construction of the wall;
- (iii) further noted that this was long-standing matter which had to be addressed;
- (iv) agreed that the PS, HLPP; PS, MICUHAFE and Roads Engineer should have the road demarcated; and
- (v) agreed that officials should identify where the funding of EC\$112,173.00 for the construction of the road would be sourced.

Action: PS, HLPP; PS, MICUHAFE; ROADS ENG; PS, FIN; PS, EDICTIT; BD;
ACC GEN; MINS OF GOV'T

EX MIN 19/293

EX MEM 19/143 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – VAN HORNE ANGUILLA LLC – REGISTRATION SECTION SOUTH CENTRAL, BLOCK 38711 B, PARCEL 221 CONTAINING 0.50 OF AN ACRE

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Council agreed to issue an Aliens Land Holding Licence to Van Horne Anguilla LLC to hold property situated in Registration Section South Central, Block 38711 B, described as Parcel 221 containing 0.50 of an acre of land located at Lockrum, Anguilla for residential purposes with a dwelling house thereon, subject to the following:

- (a) stamp duties payable are as follows:
- | | | |
|------|-----------------------------------------------------------------------------|------------------------------|
| (i) | under the Stamp Act – 5%
of EC\$4,723,167.40 | EC\$236,158.37 |
| (ii) | under the Aliens Land Holding
Regulation Act – 5%
of EC\$4,723,167.40 | <u>EC\$236,158.37</u> |
| | TOTAL | <u>EC\$472,316.74</u> |
- (b) with the expressed condition that the land is to be used for residential purposes and that the Licencee must not rent the dwelling house without first notifying the Ministry of Lands.

Action: PS, HLPP; DLS; PS, FIN

EX MIN 19/294

EX MEM 19/144 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – MARK EDWARD QUIRK AND JANICE ANN QUIRK – REGISTRATION SECTION EAST END, BLOCK 99315 B, PARCEL 206 CONTAINING 1.54 ACRES

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Council agreed to issue an Aliens Land Holding Licence to Mark Edward Quirk and Janice Ann Quirk to hold property situated in Registration Section East End, Block 99315 B, described as Parcel 206 containing 1.54 acres of land located at Sea Feathers, Anguilla for residential purposes with a house thereon, subject to the following:

- (a) stamp duties payable are as follows:
- | | | |
|------|-----------------------------------------------------------------------------|------------------------------|
| (i) | under the Stamp Act – 5%
of EC\$1,962,386.00 | EC\$ 98,119.30 |
| (ii) | under the Aliens Land Holding
Regulation Act – 5%
of EC\$1,962,386.00 | <u>EC\$ 98,119.30</u> |
| | TOTAL | <u>EC\$196,238.60</u> |
- (b) the applicants be granted exemption from government's policy restricting aliens to purchase no more than half an acre of land on the grounds that Parcel 206 is already alienated land which is being sold by a non-belonger of Anguilla as a whole is justifiable; and

- (c) with the expressed condition that the land is to be used for residential purposes and that the Licencees must not rent their dwelling house without first notifying the Ministry of Lands.

Action: PS, HLPP; DLS; PS, FIN

ORAL MENTION

EX MIN 19/296

OVERSEAS TRAVEL

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Council noted the following dates of travel:

- 1) Hon Premier - 23 June – 3 July 2019, Pre Joint Ministerial Consultative Meetings, Cayman Islands
- 2) Hon Minister, Social Dev - 23 June – 1 July 2019, Pre Joint Ministerial Consultative Meetings, Cayman Islands
- 3) Hon Minister, Education - 21 – 28 June 2019

Action: EXCO MEMBERS

EX MIN 19/297

MEETING OF EXECUTIVE COUNCIL

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Council agreed that due to the absence of ministers on overseas travel, there would be no meeting of Executive Council on 27 June. The next scheduled meeting would be held on Thursday 4 July.

Action: EXCO MEMBERS
