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MINUTES OF THE 76th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 10th FEBRUARY 2022 AT 9.00 AM

- PRESENT:
- Her Excellency the Governor, Ms Dileeni Daniel-Selvaratnam
 - The Honourable Premier and Minister for Finance and Health,
Dr Ellis Webster
 - The Honourable Deputy Governor, Mr Perin Bradley
 - The Honourable Minister for Social Development, Cultural Affairs,
Youth Affairs, Gender Affairs, Education and Library Services,
Ms Dee-Ann Kentish-Rogers
 - The Honourable Minister for Home Affairs, Immigration, Labour,
Human Rights, Constitutional Affairs, Information and Broadcasting,
Lands and Physical Planning, Mr Kenneth Hodge
 - The Honourable Minister for Infrastructure, Communications,
Utilities, Housing and Tourism, Mr Haydn Hughes
 - The Honourable Minister for Economic Development, Commerce,
Information Technology, Environment and Natural Resources,
Mr Kyle Hodge
 - The Honourable Attorney General, Mr Dwight Horsford
 - Clerk to Executive Council, Mrs Angela Hughes
- IN ATTENDANCE:
- Hon Parliamentary Secretary for Economic Development,
Mrs Quincia Gumbs-Marie
 - Hon Special Ministerial Assistant to the Hon Minister for Social
Development/Education, Mr Merrick Richardson
 - Financial Specialist, Mr Stephen Turnbull

EX MIN 22/52

CONFIRMATION OF THE MINUTES

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council confirmed the Minutes of the 75th Meeting of Executive Council held on Thursday 3rd February, 2022.

MATTERS ARISING FROM THE MINUTES

EX MIN 22/53

COVID-19 UPDATE

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained. The following persons joined:

CMO, Dr Aisha Andrewin
Health Planner, Ms Rochelle Rogers
Dir, CDU, Mrs Twlya Richardson Bradshaw

Epidemiology***Global overview***

For the past week (31 January – 6 February 2022), globally, the number of new cases has decreased by 17%, while the number of new deaths increased by 7% compared to the previous week. This past week, across the six WHO regions, over 19 million new cases were reported and just under 68,000 new deaths were reported. As of February 6, over 392 million confirmed cases and over 5.7 million deaths have been reported.

Update on the Emergence of Variant of Concern Omicron (B.1.1.529)

Omicron continues to dominate, accounting for 96.7% of the samples sequenced in the last 30 days. This was followed by Delta at 3.3%

and <0.1% each for Gamma and Alpha. There were no sequences reported for any other variant, including for VOI Mu and Lambda.

Caribbean Region

Since the previous report on January 31, an additional 80,908 cases of COVID-19 were confirmed in 34 countries within the Caribbean, bringing the region's total confirmed cases to 3,119,565 in 35 countries/territories (including the 26 CARPHA Member States). The new total represents a 2.7% increase in the number of confirmed cases. There were 31,642 deaths recorded in the Caribbean Region as of February 7.

Anguilla

As of February 9, 2022 the total number of confirmed cases since the beginning of the pandemic in early 2020 is 2458 with 2435 recoveries, 9 deaths (7 unvaccinated and 2 vaccinated) and 14 active cases. Two unvaccinated adult males are currently admitted to the Isolation Unit.

Since the confirmation of the Omicron variant from samples sent in late December, 29 out of 36 samples (81%) were identified as Omicron, with 19 out of 29 (66%) being local cases. The sequencing results for the 9th death identified the Omicron variant.

An inquiry was made as to the feasibility of replicating the COVID-19 (ongoing) antibody study that was done in the UK. Thus far two other UKOTs have indicated that they would also be interested and the UKHSA has agreed to look into this and to give further feedback.

The one-step application process has been operational since Friday, February 4.

Vaccination Deployment Update

Vaccine Uptake

As of February 9, 2022, 10,223 first doses and 9,446 second doses have been administered. In an estimated population of 15,500 total

persons, this would represent 66% of the population having received the first dose and 61% of the population having received two doses.

The breakdown by age of persons having received a first dose is as follows:

- 479 persons age 12 - 17
- 3050 persons age 18 - 34
- 2904 persons age 35 - 49
- 2488 persons age 50 - 64
- 1321 persons age 65+

The occupational breakdown of first doses is as follows:

- 355 Healthcare workers
- 546 Civil and Border Protection
- 1830 Hospitality
- 1105 Retired
- 6427 Others

Distribution (Pfizer)

As of February 9, 3046 doses of Pfizer have been administered, this includes 663 first doses, 216 second doses and 2172 booster doses. This includes 479 first doses and 118 second doses for 12 - 17 year olds. This represents roughly 35% of the estimated 12 – 17 year old population.

Tentatively, 700 pediatric doses for children aged 5 to 11 are anticipated to arrive on February 16, for distribution to this age group.

Exit Strategy Part 2

The Ministry of Health has shared recommendations for the relaxation of entry measures, which are largely driven by the high vaccination coverage in eligible persons and the planned vaccination distribution for children aged 5 to 11 years. Further, the case peaks noted with Omicron are largely decreasing globally.

Council:

- 1) thanked the health team for their continued hard work;
- 2) noted that entry testing is proceeding as planned with the timely issue of results;
- 3) agreed that in relation to the accepted pre-arrival tests, effective March 1, 2022, the 2 - 5 day testing window will no longer be adopted. Antigen tests must be taken within 2 days of the arrival date to Anguilla, and all other accepted tests must be taken within 3 days of the arrival date to Anguilla (RT-PCR/NAA/RNA);
- 4) noted that the pediatric doses are expected to arrive on February 16, children will need to receive 2 doses 8 weeks apart and the shelf life of the vaccine is 10 weeks. Thus a robust vaccination distribution plan is required for implementation next week in order to maximize uptake. Clinic days for vaccine distribution are being organized and promotion will commence tomorrow on February 11 starting with a Question and Answer with the pediatrician; and
- 5) noted and approved in principle changes to entry travel requirements effective April 1.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

Action: PS, HLTH; PS, FIN; PS, EDCITENR; BD; ACC, GEN;
HON, DG; HON, AG; MINS OF GOV'T

EX MIN 22/55

EX MEMO 22/34 APPLICATION TO HOST RAFFLE AND EXEMPTION FROM PUBLIC LOTTERIES TAX

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

The Hon Premier briefed Council. Lil Soldiers FC Amateur Football Team is an organisation formed to support the needs of amateur footballers. The proceeds of the event will be used to buy uniforms and other gear. The applicant has reported that they intend to sell 400 tickets at US\$5 each, the raffle will take place on April 18 and all prizes are sponsored.

Council:

- 1) noted that in respect of every lottery ticket sold there is a duty charged at the rate of 10% of the price of the ticket. Raffle tickets are defined as lottery tickets;
- 2) noted that the grant of the requested tax exemption may result in tax loss of up to EC\$536; and
- 3) approved the application by Lil Soldiers FC to host a raffle in aid of purchasing uniforms and the remission of the Public Lotteries Tax associated with the raffle to a maximum of EC\$1000 in accordance with section 16 of the Financial Administration and Audit Act.

Action: PS, FIN; PAS, FIN; CIR; HON, PREM

EX MIN 22/57

EX MEMO 22/36 DRUG & ALCOHOL POLICY

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

The Hon Minister for Social Development briefed Council. The aim of the policy is to encourage a safe and healthy environment in

Anguilla's public schools with the aim of making the schools alcohol and drug free. The goal of this policy is to provide a safer and healthier environment for children to learn, grow and to fulfil their potential.

The policy seeks to nurture a climate, which will enable students and adults to discuss more openly the actual or potential use of drugs and/or alcohol, and to provide guidance for the re-integration of students into the school community after they have been engaged in alcohol and drug use.

A policy that guides the conditions under which searches and testing for drugs and alcohol are conducted is required in order to ensure that these activities are undertaken in a fair and just manner. Moreover, the policy speaks to how to intervene in cases where drug or alcohol use is uncovered, in a manner that is rehabilitative as opposed to punitive.

The implementation of this policy seeks to assist students who may have drug and alcohol problems. Instead of taking a punitive approach, the policy focuses on treatment and rehabilitation.

Council:

- 1) noted the Drugs and Alcohol policy for the public schools of Anguilla and the intention to have this implemented by September 2022. Council deferred the matter for further consideration; and
- 2) instructed the Attorney General's Chambers to review the policy taking into consideration: the constitutional underpinning of the proposal including, any legal requirements as it relates to reporting unlawful activity, alignment with the Evidence Act, the permissibility of conferring police type powers and overall content in terms of withstanding lawfulness.

Action: PS, SD; HON, AG; HON, MIN SD

EX MIN 22/58

EX MEMO 22/37 REFUSAL TO GRANT WORK PERMITS

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

The Hon Minister for Home Affairs briefed Council. Section 165(3) of the Labour (Relations) Act 2018, requires the Minister for Home Affairs & Labour to consult with Executive Council before refusing to grant Work Permits. Council noted the reasons for the Ministers proposed work permit refusals as follows:

In relation to: Scarlin Cedeno Ruiz, Jean Carlos Javier Perez, Franklin Romero & Lystra Shanka-Klan Sutherland pursuant to section 171(a) of the Labour (Relations) Act, the employer has not demonstrated a genuine need to engage the services of the prospective workers.

In relation to Frank Julio Fulgencio De La Rosa pursuant to section 171(b) of the Labour (Relations) Act, there are Anguillians, their spouses, or persons resident on island who are qualified to fill the position.

In relation to Leidy Judith Diaz Peralta pursuant to 172 of the Labour (Relations) Act, the prospective employee does not have sufficient financial resources.

Council:

- 1) thanked the Ministry for the paper;
- 2) noted section 164 of the Labour (Relations) Act 2018 containing the principles governing work permits;
- 3) noted that in keeping with section 165(3) of the Labour (Relations) Act 2018, the Hon Minister of Home Affairs & Labour consulted with Executive Council before refusing to grant work permits;
- 4) noted that the application for Lystra Shanka-Klan Sutherland was withdrawn; and
- 5) considered and endorsed the proposal by the Hon Minister

that the following persons be **refused** work permits on the basis of the foregoing information:

- a) Leidy Judith Diaz Peralta
- b) Frank Julio Fulgencio De La Rosa
- c) Scarlin Cedeno Ruiz
- d) Jean Carlos Javier Perez
- e) Franklin Romero

Action: PS, HA ; LAB COMM; HON, MIN HA

EX MIN 22/59

EX MEMO 22/38 EASTERN CARIBBEAN SUPREME COURT (JUDICIAL OFFICERS PENSIONS) ACT, 2019

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

The Eastern Caribbean Supreme Court (Judicial Officers Pensions) Act, 2019 was passed in the House of Assembly on 28th May 2019 and was assented to on 3rd June 2019. The legislation provides for pensions and gratuities to be paid to judicial officers of the Eastern Caribbean Supreme Court.

The monies for pension and gratuities will be charged to the Consolidated Fund. Owing to the possible impact on the Government annual budget, Executive Council directed a review of the financial situation at the time of the passage of the Act in 2019. In 2021 when the commencement of the Act was sought, Council further directed a review of the financial position by the Ministry of Finance. The matter remains under review and the Ministry of Finance indicates that the Act can be commenced on the proposed date, March 1, 2022. Prior to the impending retirement of any particular judge that was first appointed in Anguilla, notification should be given to the Ministry to allow a budget allocation to be provided for the pension payments.

Council approved the commencement of the Eastern Caribbean Supreme Court (Judicial Officers Pension) Act 2019 effective March 1, 2022.

Action: HON AG; SCC (Cr)
