

THIS DOCUMENT IS THE PROPERTY  
OF THE GOVERNMENT OF ANGUILLA

Copy No.

**MINUTES OF THE 127<sup>th</sup> MEETING OF THE TWELFTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 9<sup>th</sup> MARCH 2023 AT 9.00 AM**

- PRESENT: Acting Governor, Mr Perin Bradley
- The Honourable Premier and Minister for Finance, Economic Development & Investment and Health, Dr Ellis Webster
- Acting Deputy Governor, Dr Aidan Harrigan
- 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 Attorney General, Mr Dwight Horsford
- Clerk to Executive Council, Mrs Angela Hughes
- IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr Merrick Richardson
- Financial Specialist, Mr Stephen Turnbull
- ABSENT: Her Excellency the Governor, Ms Dileeni Daniel-Selvaratnam
- The Honourable Minister for Sustainability, Innovation and Environment, Mrs Quincia Gumbs-Marie

EX MIN 23/67

**CONFIRMATION OF THE MINUTES**

Parliamentary Secretary and Financial Specialist remained.

Council confirmed the Minutes of the 126<sup>th</sup> Meeting of Executive Council held on Wednesday 1<sup>st</sup> March, 2023. Council noted the apologies of H.E. the Governor for her absence whilst on official business.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 23/69

**EX MEMO 23/50 UPDATE THE RECORD OF A GRANTED APPLICATION FOR PERMANENT RESIDENCE**

Parliamentary Secretary and Financial Specialist remained.

In Ex Memo 23/29 an application was presented for permanent residence pursuant to section 3 of the Anguilla Economic Residence Act. The date of the property transfer is **July 30, 2019**, as recorded in the land register and not the date of acquisition as presented in the first paper. This means that the application was not pursuant to the retroactive option (investment in real property in Anguilla on or before 31<sup>st</sup> May 2019).

The Anguilla Executive Council held on Thursday 16<sup>th</sup> February 2023 considered the application pursuant to section 10(2) of the Anguilla Economic Residence Act and as recorded in Ex Min 23/42 granted permanent residence to the Applicant and her spouse. The Applicant was notified through an authorised agent of the decision taken, for conditional approval and the requirement for payment of fees was fulfilled by the Applicant.

Council:

- 1) noted the updated correct information;
- 2) noted that the prescribed fees for the Residency by Investment Programme Real Estate Option were levied and have been remitted. The information presented does not cause any monies to be due from or refunded to the Applicant;
- 3) noted that by virtue of the Agreement of October 15, 2018, between the Government of Anguilla and the Anguilla Agency

Consortium Ltd (which funds the operations of Select Anguilla Agency), the Consortium will be entitled to fees equivalent to 20% of the Stamp Duty collected by Government in relation to the purchase of the property by the Applicant and also 20% of the permit fees, a total of US\$39,140;

- 4) noted that the principal applicant, submitted her application for her and her spouse, on the basis of the legal ownership of property in Little Harbour, Anguilla, acquired as of July 30, 2019. The application complies with the categories provided under statute and the valuation of the primary property exceeds the required USD\$750K threshold;
- 5) approved the application, as updated, pursuant to section 10(2) of the Anguilla Economic Residence Act;
- 6) noted that the Review Committee - RBI and the Select Anguilla Agency should be informed of Executive Council's decision; and
- 7) instructed the Ministry of Economic Development to notify the Applicant of the decision taken and request that they fulfil any requirements within 60 days.

Action: PS, EDMSIE; HON, PREM

EX MIN 23/70

**EX MEMO 23/51 GRANTING OF CROWN LAND LEASE, PROPERTY DESCRIBED AS REGISTRATION SECTION NORTH CENTRAL, BLOCK 48814 B, PARCEL 249**

Parliamentary Secretary and Financial Specialist remained.

The Hon Minister for Home Affairs briefed Council.

By application dated February 24, 2021, the applicant applied for permission to lease Crown lands situate in Registration Section North Central, Block 48814 B described as Parcel 249 being 1 acre of land, for a term of fifty (50) years.

The subject property was previously leased on August 1, 2013 for a period of 75 years. In 2020, the said company begun construction on a portion of the land but this was not completed. A termination of lease agreement letter dated November 1, 2019 was issued and the lease was terminated on March 10, 2021.

The Department of Lands and Surveys in analysing the lease request and the portion of land which was used for construction noted that the area available for use would be approximately 0.79 of an acre. However, this was later corrected to 0.74 acres of available land.

The applicant was granted planning permission by the Land Development Control Committee for a Commercial Building and Guest House by Application number 20/0097.

Council:

- 1) noted that the location is prime land. Noted that the correspondence from 2021 to date has not been provided, in order for the full extent of the negotiations to be reviewed and brought within governance;
- 2) agreed in principle to the lease of Crown land, however, final approval is subject to confirmation that the Department of Lands & Surveys has received all of the information that was requested from the applicant in order to take the grant of the lease forward;
- 3) subject to 2 above, approved the lease of Crown land situate in Registration Section North Central, Block 48814 B described as Parcel 249 (Part of) being 0.74 of an acre of land, to the applicant;
- 4) subject to 2 above, approved the terms of the lease as follows:
  - a. Lease term of fifty (50) years with an option to renew;
  - b. Rent per annum in the amount of US\$2,416.84 (EC\$6,496.95) payable annually in advance increasing by five (5%) percent every five (5) years;
  - c. The property is to be used for a Commercial Building and Guest House; and
  - d. Stamp Duty payable is as follows:
    - i. Market Value of the property is US\$120,842.00/EC\$324,847.46; and
    - ii. Stamp Duty on Lease EC\$8,121.19; and

- 5) subject to 2 above, instructed the Department of Lands and Surveys to draft the lease and the Attorney General's Chambers to finalise the lease for execution by the applicant and the Crown.

Action: PS, HA; DLS; HON, AG; HON, MIN HA

EX MIN 23/71

**EX MEMO 23/52 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION, WEST END, BLOCK 18111 B, PARCEL 32 BEING 0.50 OF AN ACRE**

Parliamentary Secretary and Financial Specialist remained.

Council agreed to issue an Aliens Land Holding Licence to hold property situated in Registration Section West End, Block 18111 B, described as Parcel 32 for the construction of two (2) dwelling houses, subject to:

- (a) Stamp Duties payable as follows:
- |   |                      |
|---|----------------------|
| (i) under the Stamp Act – 5%<br>of EC\$121,641.05                                 | EC\$ 6,082.05        |
| (ii) under the Aliens Land Holding<br>Regulation Act – 6.25%<br>of EC\$121,641.05 | EC\$ 7,602.57        |
| (iii) refundable deposit – 10%<br>of EC\$121,641.05                               | <u>EC\$12,164.11</u> |

**TOTAL** **EC\$25,848.73**

- (b) the property must be used for residential purposes;
- (c) the Licencee must not rent their dwelling house without first notifying the Ministry of Economic Development & Investment;
- (d) the approved subdivision to be registered within three (3) months of the issue of the licence;

- (e) the construction of the dwelling houses is to be completed within thirty-six (36) months. If said dwelling houses are not completed at the end of thirty-six (36) months, there shall be a penalty of EC\$3,500.00 for each calendar month or part thereof that the project remains uncompleted, and thereafter to accrue as against the Licence as the Applicant. Thereafter, forfeiture proceedings for the property will be commenced by the Government of Anguilla for twenty-four (24) months if there is no significant justification or progress; and
  
- (f) the Licensee shall fully comply with the laws of Anguilla from time to time, including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour Relations Act 2018 and Control of Employment Act Regulations, the Social Security Act, the Immigration and Passport Regulations and any statutory modification or re-enactment thereof and any rules or regulations made there under.

Action: PS, HA; DLS; HON, MIN HA

\*\*\*\*\*