

THE ANGUILLA HOUSE OF ASSEMBLY

TRANSCRIPT OF PROCEEDINGS OF
THE NINTH MEETING OF THE FIRST SESSION
OF THE ELEVENTH ANGUILLA HOUSE OF ASSEMBLY
HELD ON MONDAY 23RD NOVEMBER 2015 AT 2:05 P.M.
AT THE ATLIN NORALDO HARRIGAN, OBE, PARLIAMENTARY BUILDING,
THE VALLEY, ANGUILLA

Presiding

Hon Speaker of the House of Assembly, Mr. Leroy Rogers

Members Present in the Assembly

Hon Member for Valley South, Mr. Victor F. Banks
Hon Member for Valley North, Mr. Evans M. Rogers
Hon Member for Sandy Hill, Mrs. Cora Richardson-Hodge
Hon Member for Road South, Mr. Curtis Richardson
Hon Member for Road North, Mrs. Evalie Bradley
Hon Member for West End, Mr. Cardigan Connor
Hon Member for Island Harbour, Ms. Palmavon Webster
Hon First Nominated Member, Mr. Terry Harrigan
Hon Second Nominated Member, Mr. Paul Harrigan
Hon Deputy Governor, Mr. Stanley Reid
Hon Attorney General, Mr. Rupert Jones

In attendance

Clerk to the House of Assembly, Mr. Lenox Proctor
Court Reporter, Miss Carla S. Ritchie
Sergeant at Arms, Mr. Carl Ruan
Chaplain, Pastor Lucien MacDonna

Court Reporting Unit
Government of Anguilla
The Valley, Anguilla
BWI

DONE BY: CARLA S. RITCHIE, CERTIFIED COURT REPORTER

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1 Meanings of Symbols and Words used in Transcripts

2 Dashes

3
4 A series of two dashes (--) is used to show:

- 5 (1) Changes of thought: When the speaker has a
6 sudden change of thought leaving a sentence
7 unfinished to begin a new sentence or a phrase.
- 8 (2) Mid-word: When a speaker leaves a word unfinished
9 and starts another word.
- 10 (3) Interruption: When a speaker is interrupted by
11 another speaker. These dashes normally appear
12 at the end of the sentence. When the dashes
13 appear at the beginning of the sentence it means
14 that the speaker continued speaking even though
15 interrupted or resumed the sentence after the
16 interruption.

17 The word (indiscernible):

18 Used when a word or phrase is unintelligible and cannot
19 be transcribed due to interruption, simultaneous speech,
20 cough, voice lowered.

21 The word (inaudible):

22 Used when a speaker cannot be heard.

23 The word (phonetic):

24 When the correct spelling of a word or name cannot be
25 ascertained from available resource material the word is
typed as it sounds phonetically and the word phonetic
follows in brackets.

The word (sic):

Used when a speaker uses a term or word or figure/number
that is known to be incorrect.

P-R-O-C-E-E-D-I-N-G-S

(Meeting began at 2:05 p.m.)

THE CHAPLAIN: Good afternoon.

In Exodus 33:12-15 reads: *"Moses said unto the Lord, "You have been telling me, 'lead these people', but you have not let me know whom you will send with me. You have said, I know you by name and you have found favour with me.*

If you are pleased with me, teach me your ways so that I may know and continue to find favour with you. Remember this nation it's your people." The Lord replied, "My presence will go with you, and I will give you rest. Then Moses said to him, "If your presence does not go with me, do not send us from here."

Today as you sit in this Honourable House to carry out the people's business, may God give you grace and grant you wisdom and strength to govern this nation. May there be a good working relationship among all in this house today. Let justice rule for blessed is the nation whose God is the Lord. Let us pray.

And now Lord our Saviour, as I lift my voice to you, I thank you that you hear and answer me each time I call. We thank you and praise you for this day which is a gift to us. I thank you for giving us, giving Anguilla peace. Thank you for giving guidance to this Government. May your glory and strength shine over this nation. May you remove all dark

1 spells over this Government and this nation. I pray that you
2 will give this Government wisdom and understanding as they
3 serve the people and this country of Anguilla. Lord, as they
4 sit in this Honourable House may the policies and laws that
5 they are agreed upon today, may it be done without hindrance
6 or oppression to the people. Bless this nation and bless this
7 Government. Unite us, Lord, as we pray, prosper us and keep
8 us on your holy hand. Thank you for your goodness and your
9 continual mercies. Bless this house and bless this nation in
10 the name of the Father, the Son and Holy Spirit. Amen.

11 THE SPEAKER: Please be seated.
12 Thank you very much, Pastor MacDonna.

13 THE CLERK: Confirmation of
14 minutes. Minutes of the Third Meeting of the First Session of
15 the Eleventh Anguilla House of Assembly.

16 THE SPEAKER: Okay. You just
17 received those minutes so I'll let them, the confirmation for
18 the next meeting, give you a chance to go through those
19 minutes. Okay.

20 MEMBER FOR VALLEY SOUTH: Thank you,
21 Mr. Speaker.

22 THE CLERK: Oaths of allegiance:
23 None. Announcements by the direction of the Speaker: None.
24 Papers: None. Reports from Committees: None. Petitions:
25 None. Government notices: None. Unofficial notices: None.

1 Questions: None. Motions: None. Other business, Government
2 business: Eastern Caribbean Asset Management Corporation
3 Bill, 2015, first reading.

4 MEMBER FOR VALLEY SOUTH: Mr. Speaker --

5 THE SPEAKER: Member for Valley
6 South.

7 MEMBER FOR VALLEY SOUTH: -- I move that a Bill
8 shortly entitled the Eastern Caribbean Asset Management Bill,
9 2015, be read a third time --

10 THE SPEAKER: First time.

11 MEMBER FOR VALLEY SOUTH: Be read a first time.

12 MEMBER FOR ISLAND HARBOUR: May it please you,
13 Mr. Speaker.

14 THE SPEAKER: Yes. Member for
15 Island Harbour.

16 MEMBER FOR ISLAND HARBOUR: Thank you. I'm
17 objecting, Mr. Speaker, to the first reading of the Bill under
18 Section 51(2).

19 THE SPEAKER: Yes. You have someone
20 seconding you?

21 MEMBER FOR ISLAND HARBOUR: The rule --

22 SECOND NOMINATED MEMBER: Yes. Mr. Speaker, I
23 second the motion.

24 MEMBER FOR ISLAND HARBOUR: *"If a member moves a*
25 *motion opposing the introduction of a Bill the Speaker, after*

1 *permitting (if he thinks fit) a brief explanatory statement*
2 *from the member who seeks to introduce the Bill and from the*
3 *member who opposes it, may, without further debate, put the*
4 *question thereon."* So, Mr. Speaker.

5 THE SPEAKER: Yes. You may give a
6 brief explanation and then the Leader of the Opposition has
7 the opportunity.

8 MEMBER FOR VALLEY SOUTH: Mr. Speaker, I'm not
9 sure what you're asking me to do.

10 THE SPEAKER: Well it says that, the
11 rule says if somebody gets up to object, the mover -- It's on
12 but it's, okay. It's on all the time.

13 Yes. It says that if somebody objects the mover
14 may give a brief explanation for the Bill, first reading, and
15 then the person objecting can give a brief, give brief reason
16 why they're objecting.

17 MEMBER FOR VALLEY SOUTH: Mr. Speaker, I'm not
18 going to make any presentation.

19 THE SPEAKER: His decision. Your
20 turn to say something.

21 MEMBER FOR ISLAND HARBOUR: Mr. Speaker, I'm
22 surprised that the mover of the Bill, because the person
23 introducing the Bill isn't going to say anything about it at
24 all because that in itself points to a serious deficit. I
25 mean, this is the forum, Mr. Speaker, where the people are

1 listening to understand about the Bill. There needs to be an
2 explanatory, some explanation of why the Bill is here.

3 THE SPEAKER: You heard him.

4 MEMBER FOR ISLAND HARBOUR: Thank you. Thank
5 you, Mr. Speaker. I understand.

6 MEMBER FOR VALLEY SOUTH: Sorry, Mr. Speaker.
7 I'm presenting the first reading of the Bill. I do my
8 explanatory notes during the second reading, I don't do them
9 now. Now, if you think fit I can make a presentation but I
10 don't see any reason why I should. I'll do that in the second
11 motion.

12 THE SPEAKER: It's up to you.

13 MEMBER FOR ISLAND HARBOUR: You see, Mr. Speaker,
14 I'm really trying to follow the rules in their totality. And
15 one of the purposes of that rule, I believe, and it's been
16 there for so many years, is that even at the first reading, so
17 that an objection is not just vexatious, there's a balance,
18 the people listening will hear and, you know, have an
19 opportunity to better understand what the Bill is about.

20 My objection is based -- I'm -- My objection is
21 based on the fact that this is a very, very, very serious Bill
22 in terms of what the consequences are and what is possible
23 under the Bill. I believe that this Bill is probably, in
24 fact, I was going to say that it's probably as, you know,
25 right there with the constitution, lined up with the

1 constitution in dealing with our rights because under the
2 constitution, you know, the matters that come before the
3 Constitutional Court more often than not in this region always
4 has to do with how property is transferred, how people are
5 deprived of their rights, whether -- this is, you know, all
6 relevant. And this Act seeks to change, not just the way in
7 Anguilla we know how the Alien Landholding Laws operate, we've
8 seen that in the Banking Bill and talked about it already, but
9 in this Bill there is provision for varying how the
10 registration of lands, our register of lands functions even.
11 And it is just beset, I think, with a lot of potential harms
12 that we need to be cognizant of. Because, you know,
13 Mr. Speaker, it's one thing and we've seen what a costly
14 exercise it is to pass a Bill. It goes through the first
15 reading, it goes through the second and third readings, goes
16 for assent, maybe comes back. But then it's up to the lawyers
17 in the Courts and they, you know, I'm a lawyer as well. I
18 know you get a lot of intellectual stimulation out of it. But
19 ultimately, at the end of these matters, who is going to pay?
20 That is the question we have to ask ourselves. So why would
21 we rush to put a law in place unless we've addressed all of
22 those aspects of the law, because, you know, that it
23 ultimately, the ordinary person on the street bears it.

24 But the second reason, Mr. Speaker, why I wanted
25 the Honourable Member for Valley South to give an explanation

1 in line with Section 51(2) is that the -- one of the purposes
2 of gazetting a draft piece of legislation is for notice to the
3 people so that they can really look through it, analyse it,
4 vet it. And I understand that only -- we've -- this piece of
5 legislation was only gazetted, you know, and in an
6 extra-ordinary gazette as well just this past Friday. So I'm
7 just laying out what I, briefly as I see it, you know, my
8 objections to the first reading occurring today. Thank you,
9 Mr. Speaker.

10 THE SPEAKER: Thank you. Thank you
11 very much. Okay. So there was an objection raised and it was
12 seconded so I'll put the question based on the objection that
13 this Bill not be read a first time today. Those in favour of
14 that?

15 MEMBER FOR ISLAND HARBOUR: Aye. Not read today.

16 THE SPEAKER: Okay. Those against
17 that, meaning that the Bill should be read today a first time?

18 (Members of Government said "aye".)

19 Okay. That motion has failed so the Bill will
20 be read a first time today so I'll ask the Clerk to read the
21 Bill a first time.

22 THE CLERK: Eastern Caribbean Asset
23 Management Corporation Bill, 2015, first reading. A Bill to
24 give legal effect to the agreement establishing the Eastern
25 Caribbean Asset Management Corporation and for matters

1 connected there with.

2 THE SPEAKER: Thank you. That's the
3 first reading.

4 THE CLERK: Adjournment.

5 MEMBER FOR VALLEY SOUTH: Mr. Speaker, I move
6 that this house stand adjourned until Thursday the 26th of
7 November at 2 o'clock in the afternoon.

8 THE SPEAKER: Do we have a seconder?

9 MEMBER FOR VALLEY NORTH: Mr. Speaker, I beg to
10 second that.

11 THE SPEAKER: Seconded by the Member
12 for Valley North. The question then is that this house be now
13 adjourned until Thursday, 26th of November 2015. Those in
14 favour?

15 (Members of Government said "aye".)

16 Those against?

17 (No response.)

18 The ayes have it.

19 This house now stands adjourned.

20 **(Meeting adjourned at 2:20 p.m.)**

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REPORTER'S CERTIFICATE

I, **CARLA S. RITCHIE**, a Certified Court Reporter, do hereby certify:

That on the 23rd day of November, 2015, the foregoing proceedings were taken down by me in machine shorthand consisting of 8 pages herein;

That the foregoing is a true and correct transcript of the proceedings had;

That I am not an attorney, relative, or employee of any party hereto, or otherwise interested in the events of this cause;

IN WITNESS WHEREOF, I have hereunto affixed my signature at The Valley, Anguilla, British West Indies, this 7th day of January, 2016.


.....
CARLA S. RITCHIE
Certified Court Reporter