



THE ANGUILLA HOUSE OF ASSEMBLY

QUESTION PAPER

TWENTY SECOND MEETING OF THE FIRST SESSION
THE ELEVENTH ANGUILLA HOUSE OF ASSEMBLY
Tuesday 31st MAY, 2016 at 8:30:00AM

No. 1

The Honourable Member for Island Harbour to ask the Honourable Member for Valley South, the Chief Minister, the following questions:

WHEREAS it has only just come to my notice that an Exchange of Notes, concerning the obligatory exchange of private and confidential financial information, between the UK government and the government of Anguilla, was published on the UK Government website on 21st April 2016: <https://www.gov.uk/government/publications/anguilla-sharing-beneficial-ownership-information>

1. Will he explain why he did not consult with the people of Anguilla prior to signing the Exchange of Notes?
2. Were his fellow ministers and elected members of the Assembly aware of his intention to sign the Exchange of Notes, and were they aware of his decision to do so without consulting the people of Anguilla?
3. Is it his understanding that the enforceability of the Exchange of Notes will be conditional upon the necessary enabling legislation being passed in the House of Assembly and assented to?
4. Is it his intention to consult effectively with the people of Anguilla and the financial services industry on the necessary enabling legislation and to take the people's and the industry's views into account in framing the enabling legislation?
5. What pressure was exerted by the UK government for the signing of the Exchange of Notes and to what degree was such signing required by the UK Government before rather than after "banking resolution day", as a condition of the UK government's agreement to the so-called banking resolution?
6. If there was any linkage whatsoever between the signing of the Exchange of Notes and the so-called banking resolution, why has he still not brought the Exchange of Notes, which is of crucial significance to Anguilla as a whole - not just to the financial services industry - to the people's attention, and will he do so immediately?
7. What conflict of interest did he have in connection with the agreement embodied in the Exchange of Notes, arising from his relationship to Banx Professional Services Ltd., and what steps did he take to eliminate the impact of any such conflict?

No. 2

The Honourable Member for Island Harbour to ask the Honourable Member for Valley South, the Chief Minister, the following questions:

1. Did the Honourable Chief minister receive advice from the Eastern Caribbean Central Bank as to the so-called bank resolution ("the resolution plan") that would be in the best interests of Anguilla and/ or the Anguillian people?
2. If so, did he follow that advice?
3. If he did not follow that advice, what reasons did he have for not doing so?
4. Did he receive advice on the resolution plan from independent counsel experienced in the relevant areas of law?
5. If so, did he follow that advice?
6. If he did not follow that advice, what reasons did he have for not doing so?
7. Did he receive advice on the resolution plan from the Honourable Attorney General?
8. If so, did he follow that advice?
9. If he did not follow that advice, what reasons did he have for not doing so?
10. Did he receive advice and/or representations on the resolution from interested parties in Anguilla?
11. If so, did he follow that advice or those representations?
12. To the extent that he did follow that advice or those representations, did he do so only after having satisfied himself that the advice or representations were not self-interested but were in the best interests of Anguilla, the Anguillian people and the future of Anguilla?
13. If he did not follow that advice or those representations, what reasons did he have for not doing so?
14. Did he participate in discussions of the Monetary Council on the resolution plan and, if so, did he recuse himself when decisions of the Monetary Council were taken?
15. Was the resolution plan in conformity with the recommendations of the Monetary Council?
16. To what, if any, degree was the enactment of the proposed Justice Protection Act a requirement of the UK Government, as distinct from an initiative of the government of Anguilla, and was it a condition of the UK government's agreement to the so-called banking resolution?

No. 3

The Honourable Member for Island Harbour to ask the Honourable Attorney General the following questions:

1. As at the business day preceding the forthcoming meeting of this Honourable House scheduled for 31st May 2016, how many law suits is he aware of that have been filed with regard to the so-called banking resolution?
2. How many of such law suits concern claims for money deposited with, respectively:
 - (a) National Bank of Anguilla Limited (in receivership)?
 - (b) Caribbean Commercial Bank (Anguilla) Limited (in receivership)?
 - (c) National Commercial Bank of Anguilla Limited?
 - (d) National Bank of Anguilla (Private Bank and Trust) Limited (In Administration)?
 - (e) Caribbean Commercial Investment Bank Limited (In Administration)?
3. How many of such law suits cite one or more ministers in the Government of Anguilla as a defendant?
4. What amounts separately and in aggregate are so far subject to such claims?
5. What amounts, separately and in aggregate, are not so far subject to such court claims?