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**MINUTES OF THE 177th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 21st MARCH 2024 AT 9.00 AM**

- PRESENT: Her Excellency the Governor, Ms Julia Crouch
- The Honourable Premier and Minister for Finance, Economic Development & Investment 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 Attorney General, Mr Dwight Horsford
- Clerk to Executive Council, Ms Dumisa Webster
- ABSENT: The Honourable Minister for Sustainability, Innovation, and Environment, Mrs. Quincia Gumbs-Marie
- IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr Merrick Richardson
- Financial Advisor, Mr. Evarist Mwesigye

EX MIN 24/067

CONFIRMATION OF THE MINUTES

Hon. Parliamentary Secretary and Financial Adviser remained.

Council confirmed the Minutes of the 176th Meeting of Executive Council held on Thursday 14th March and Special Meeting held on Monday 18th March 2024.

EX MIN 24/068

EX MEMO 24/46 2024 Statutory Body Budgets- Anguilla National Trust

Hon. Parliamentary Secretary and Financial Adviser remained.

The following persons joined the meeting:

Ms. Avon Carty, President, Anguilla National Trust (ANT)

Ms Kimberly Gumbs, Administrative Manager, ANT

Ms Farrah Mukhida, Executive Director, ANT

Ms Rochelle Bryan, Budget Officer, Finance

Ms Farrah Mukhida briefed Council. The mission of the Anguilla National Trust is to be leaders in promoting, supporting, and enabling sustainable development in Anguilla. Their commitment is to the conservation of Anguilla's natural and cultural heritage, while promoting and supporting environmental and cultural stewardship.

Section 64 of the financial Administration and Audit Act requires Government Agencies to submit its estimates of expenditure and revenue for approval by its respective Minister and the respective Minister of Finance. The ANT's total expenditure budget for 2024 is EC\$1.9 million which represents a 63% decrease from the 2023 forecast outturn of EC\$3.20 million. This variance is due to differences in confirmed project expenditure between 2023 and 2024. The ANT's Operational budget is 599K, a 77% decrease from the 2023 forecast outturn of EC\$2.61 million to EC\$474k, a decrease of 81%. This decrease is due to the conclusion of works at the Fountain National Park. There is no capital expenditure for 2024.

Illegal sand mining in Anguilla remains an issue.

Council:

1) Noted and approved the planned 2024 budget of the Anguilla National Trust.

2) Noted that illegal sand mining in Anguilla is an issue that may require police involvement, via action from HE The Governor.

Action: PS, FIN; PAS, FIN; HON PREM; HE THE GOVERNOR

EX MIN 24/069

The Honourable Attorney General's Note of Advice to Executive Council- Integration of Registry into Financial Services Commission (Miscellaneous Amendments) Act, 2024.

Hon. Parliamentary Secretary and Financial Adviser remained.

The Honourable Attorney General briefed Council. The current enacting formulation in the Draft Integration of Registry into Financial Services Commission (Miscellaneous Amendments) Act, 2024 will not achieve what it is intended to. Within the draft act, authority is given to the House of Assembly to transfer public officers by enactment, however, the House of Assembly is not competent to perform this action. The most suitable pathway is to allow public officers the option of a secondment to the Financial Services Commission (FSC) with contractual terms and conditions of engagement that are 'no less than those hitherto enjoyed in the service'. The opportunity to elect for secondment has a time window of three months. After the three month period, all registry offices and positions will be abolished. Officers seconded and those who have not elected for secondment remain public officers, with the latter requiring redistribution. The responsibility to redistribute these officers into positions of equivalent grade is on the Governor or Deputy Governor. Seconded officers are allowed to sever the link with the civil service under terms with the FSC which are more favorable to them. Abolition of office does not automatically result in termination of the employment of a public officer in law. The Honourable Attorney General provided a re-draft of the transitional provision regarding employees at the Registry in line with his advice.

Council noted the Attorney General's Advice to Executive Council.

Action: EXCO MEMBERS; EXCO CLERK
