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MINUTES OF THE 144th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 13th JULY 2023 AT 9.00 AM

- PRESENT: Acting Governor, Mr Paul Candler
- 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, Mrs Angela Hughes
- IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr Merrick Richardson
- Financial Specialist, Mr Stephen Turnbull
- ABSENT: The Honourable Minister for Sustainability, Innovation and Environment, Mrs Quincia Gumbs-Marie

EX MIN 23/226

CONFIRMATION OF THE MINUTES

Parliamentary Secretary and Financial Specialist remained.

Council confirmed the Minutes of the 143rd Meeting of Executive Council held on Thursday 6th July, 2023.

MATTERS ARISING FROM THE MINUTES

EX MIN 23/228

EX MEMO 23/183 2023 STATUTORY BODY BUDGETS – ANGUILLA AIR AND SEA PORTS AUTHORITY (AASPA)

Parliamentary Secretary and Financial Specialist remained. AASPA - CEO, Mr Sherman Williams and Chairman of the Board, Mr Andrew Niles joined the meeting.

Council:

- 1) noted that the 2023 AASPA Budget was initially presented to Executive Council for approval on January 31, 2023. Executive Council decided not to approve the Budget presented and raised certain concerns, which AASPA have addressed satisfactorily;
- 2) noted the key changes between the 2023 Budget submitted in January 2023 and the revised May 2023 version;
- 3) noted the related concerns. There is a general concern that AASPA officials do not fully understand how allocations have been reflected in the Budget. This could be an indicator of poor financial control. Noted that while some adjustments were directed by Executive Council, numerous other adjustments have been made without Executive Council's approval;
- 4) noted that arrears payments have commenced, payments to Social Security began in March 2023 and Universal Social Levy payments began in April 2023. Payments to the Water Corporation of Anguilla have commenced and electricity

payments to ANGLEC should start this month, EC\$1.7 million is owed. The aim is to clear all arrears by December 31, 2023;

- 5) approved the planned 2023 Budget of the Anguilla Air and Sea Ports Authority, for onward transmission to the House of Assembly for consideration at its next sitting; and
- 6) instructed AASPA, as follows:
 - a) to prepare and submit the Quarter 1, 2023 Statutory Body financial report inclusive of up to date Accounts Receivables to the Ministry of Finance on or before August 15;
 - b) to prepare a debt collection policy and establish a timetable for the full recovery of receivables, which should clearly detail formal debt recovery processes and robust preventative measures;
 - c) to revisit and justify planned salary adjustments within HR estimates which should be appropriately rationalized within the context of an approved salary scale and full consideration of job duties/responsibilities for part of the 2024 Budget submission;
 - d) to conduct a comprehensive employment appraisal process, establish a robust salary scale and job grading policy; and
 - e) to establish a prudent reserves policy to build resilience to future shocks.

Action: PS, FIN; PAS, FIN; PS, MICUHT; HON, MIN MICUHT
HON, PREM

EX MIN 23/229

**EX MEMO 23/184 APPOINTMENT OF MEMBERS TO THE
ANGUILLA TRANSPORT BOARD - VEHICLES AND ROAD TRAFFIC
ACT R.S.A. C. V10**

Parliamentary Secretary and Financial Specialist remained.

The Hon Minister for MICUHT briefed Council. Section 2 of the Vehicles and Road Traffic Act R.S.A. c. V10 states that *“There is established a body to be called the Anguilla Transport Board consisting of the Traffic Commissioner, the Permanent Secretary of Public Works and 3 other persons to be appointed by the Governor.”*

Council:

- 1) approved the removal of Mr Jameel Rochester from the Anguilla Transport Board;
- 2) approved the appointment of the following persons as members of the Transport Board:
 - a) **Mr Keri Gumbs** Anguilla Tourist Board for a **two year period**, effective July 15, 2023;
 - b) **Mr Wilmoth Hodge**,(reappointment), President of the Anguilla Taxi Association for a **two (2) year period**, effective July 15, 2023;
 - c) **Mr James Lake**, (reappointment), Independent Taxi Driver for a **two (2) year period**, effective July 15, 2023;
 - d) **Mr Robert Muir Clark, Commissioner of Police**, as stipulated by law (or a designate) as the Chair of the Anguilla Transport Board, **for a two (2) year period**, effective July 15 , 2023;
 - e) **Mr Elliot Forbes, Deputy Commissioner of Police** as an alternate member for the Commissioner of Police to the Anguilla Transport Board, **for a two (2) year period**, effective July 15 , 2023; and
- 3) approved the appointment of Ms Cristene Irish, Executive Assistant at the MICUH&T to serve as Secretary to the

Transport Board and payment of a stipend of EC\$ 200.00 per meeting;

Action: PS, MICUHT; HON, MIN MICUHT

EX MIN 23/230

EX MEMO 23/185 ANGUILLA POPULATION AND HOUSING (AP&H) CENSUS 2022 UPDATE

Parliamentary Secretary and Financial Specialist remained. PS, EDMSIE, Mrs Chanelle Petty-Barrett and Chief Statistician, Mrs Lori-Rae Alleyne-Franklin joined the meeting.

The Anguilla Statistics Department (ASD) has been requested to provide a monthly update of the progress of the Anguilla Population and Housing Census 2022 enumeration phase.

Executive Council is asked to note the updated information.

Current Status as at July 7, 2023

	No. of EDs	Completed	Near Complete	In Progress	Needs Enumerators
June 14, 2023	54	10	15	19	10
July 4, 2023	54	11	15	13	15

Definitions:

Completed - all stages completed except validation.

Near complete – between 1 - 20 households remaining and the individuals therein to be completed.

Refusals

As at June 30, 2023, 50 letters have been prepared and given to the bailiff for delivery to non-responsive individuals. They will be given one week to respond, if there is no positive response, thereafter the matters will be forwarded to the Attorney General's Chambers, after processing by the ASD, for action in the near future.

Council:

- 1) noted the status of the Anguilla Population and Housing Census 2022. Commended the ASD for the work done thus far, but concerns about the pace of progress continue;
- 2) noted that the attrition of enumerators continues to be a concern. There has been a slow response to date to requests made by the Hon Deputy Governor for personnel from the APS to be assigned temporarily to the AP&H Census 2022;
- 3) noted the following from the presentation:
 - a) there are 54 Enumeration Districts;
 - b) ASD indicates that there are 14,011 individuals, 7,738 households, 7,417 buildings, 142 visitations for review, 328 individuals for review and 4,272 enumerations completed. There are more people than buildings as some of the buildings are comprised of multiple dwellings;
 - c) the enumeration stage is 57.6% completed and the visitation stage (first stage) is 88.4% completed; and
 - d) 188 visitation pending and 142 at visitation for stage.
- 4) noted that the enumeration phase is projected to be completed by December 31, 2023, this is on the basis that the existing resources continue, this includes the 15 persons currently engaged; and also that additional support of 30 more persons will be provided as soon as possible. There is concern that the AP&H Census 2022 may not be completed in a reasonable time, that this target date may not be met and that it may not be sustainable to have civil servants away from their substantive positions;
- 5) agreed that the 15 persons from within the Anguilla Public Service (APS) that are currently assisting with the AP&H Census 2022 shall be made available on a full-time basis to support the process, as soon as possible;
- 6) further agreed that 30 persons from within the APS shall be identified to work on the AP&H Census 2022, and the list of names shall be provided for Council's consideration at the

next meeting on July 20, 2023, together with an assessment of the impact on the delivery of public services by releasing those persons from their substantive positions. Thereafter, if approved, the persons identified shall work on the AP&H Census 2022. The Hon Deputy Governor shall take this action forward;

- 7) noted that an Executive Council determination was made to explore using an external consultant. The TOR have not been finalised and approved in order for this directive to be progressed and the delay is unacceptable. Once a decision of Executive Council is made it should be taken forward fully as it is a directive and not a request. To do otherwise goes against good governance. Noted that the provision of additional support from within the APS was considered as an option in order to support the AP&H Census 2022 and not as an alternative for pursuing the services of an external consultant as directed; and
- 8) agreed that the TOR for the external consultant shall be provided for Council's consideration at the next meeting on July 20, 2023.

Action: PS EDMSIE; CHF, STAT; HON MIN SIE; HON, DG

EX MIN 23/231

EX MEMO 23/186 APPLICATION FOR EXEMPTION FROM PAYMENT OF STAMP DUTY FOR ECCLESIASTICAL INSTITUTION - REGISTRATION SECTION SOUTH CENTRAL, BLOCK 38712 B, PARCELS 112, 113 AND 114

Parliamentary Secretary and Financial Specialist remained.

The Hon Minister for Home Affairs briefed Council. By email dated April 9, 2022 to Mrs. Kathleen Rogers, Permanent Secretary of Finance, Ms. Sheila Maureen Lewis indicated her intention to donate three parcels of land to the Congregation of Jehovah's Witness. The lands concerned are Registration Section South Central, Block 38712 B, Parcels 112, 113 and 114. Ms. Lewis also prepared

transfer of land forms dated May 30, 2022 to effect the transfers of land to the church.

The Stamp Act R.S.A. c. S55, specifically, Section 60(d) of the Schedule – ‘General Exemptions from All Stamp Duties’ provides exemptions for Ecclesiastic Institutions.

Council:

- 1) agreed in accordance with the Stamp Act R.S.A. c. S55, specifically, Section 60(d) of the Schedule – ‘General Exemptions from All Stamp Duties’, that the Congregation of Jehovah’s Witness, Stoney Ground, Anguilla shall be exempt from the payment of Stamp Duty on the transfer of lands situate in Registration Section South Central, Block 38712B described as Parcels 112, 113 and 114 being 0.15 of an acre, on the basis that it is an Ecclesiastic Institution; and
- 2) noted that this results in an exemption of EC\$9,549.83 due to the Government of Anguilla under Section 60(d) of the Stamp Act.

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

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

EX MIN 23/232

EX MEMO 23/187 AN UPDATE ON THE PRELIMINARY KEY FINDINGS OF THE CFATF ASSESSORS ONSITE VISIT TO ANGUILLA

Parliamentary Secretary and Financial Specialist remained. Senior Crown Council, Ms Erica Edwards joined the meeting.

Senior Crown Counsel briefed Council. Assessors were on island during the period 26th June to 7th July 2023. During that time they met with various stakeholders. On 7th July 2023, they presented preliminary findings on the results pertaining to the Immediate Outcomes.

The first draft of the report will be sent to Anguilla in August, with a return date of 4 weeks after. A second draft will be circulated, conferences will be held and the report will be presented to Plenary in May 2024.

Council:

- 1) noted the information provided in the paper, sharing the initial ratings/thoughts of the assessors on their visit;
- 2) noted that in relation to IO1, that there are a lack of statistics on the effectiveness of the regime and there is no case management system. The use of enhanced due diligence also needed to be considered as it is used for everyone;
- 3) noted that in relation to IO3 – 4, that between 2018 - 2022 there were no inspections and this could not be justified as virtual inspections were still possible after Irma or during COVID-19. Noted that the requirement to conduct CDD which is proportionate to the size of the DNFBP is not currently being actioned;
- 4) noted that in relation to IO6 – 8, the rating in session was medium and that LEA's required further training;
- 5) noted that in relation to IO9 – 11, new legislation that impacts operations has been passed and training on the implementation is required;
- 6) noted that in relation to the Action Plan all actions were completed, but not in sufficient time to show full effectiveness, 6 months prior to the review. The lawyers claim is still outstanding and needs to be addressed; and
- 7) noted that the outcome was largely as expected and the major issues identified concerned actions to be taken by the FSC and the Companies Registry.

Action: SCC (Cr); HON, AG

EX MIN 23/233

EX MEMO 23/188 VIDEO LINK FOR COP V. DONALD PRICE

Parliamentary Secretary and Financial Specialist remained.

In the matter of COP v Donald Price scheduled for July 27, 2023 and any other adjourned date, the Crown proposes to call witnesses who are resident overseas.

Council agreed that there are suitable facilities available for the purposes of receiving evidence from witnesses through a live link pursuant to section 27(3)(b) of the Evidence Act.

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

Action: SCC (Cr): HON, AG

EX MIN 23/234

EX MEMO 23/149 PRIORITY TRAINING NEEDS FOR 2023

Parliamentary Secretary and Financial Specialist remained.

The Hon Deputy Governor briefed Council. This matter was considered in Ex Min 23/188. It was determined that a meeting would be held with the Training Policy Committee (TPC) and Government Ministers in order for information to be shared and thereafter to take this matter forward. That meeting has now been held.

Council:

- 1) noted that the TPC process for determining Priority Training areas was discussed with Government so that a detailed overview could be obtained. The identification of these areas took place in 2019 and the funds have been appropriated, but the process was delayed because of COVID-19; and
- 2) agreed the Priority Training areas for 2023.

Action: PS, PA; DDHRM; HON; DG
