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MINUTES OF THE 154th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 28th SEPTEMBER 2023 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
- Deputy Governor, Mr Perin Bradley
- The Honourable Minister for Home Affairs, Immigration, Labour, Human Rights, Constitutional Affairs, Information and Broadcasting, Lands and Physical Planning and Acting Minister for Sustainability, Innovation and Environment Mr Kenneth Hodge
- 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 Infrastructure, Communications, Utilities, Housing and Tourism, Mr Haydn Hughes
- Acting Honourable Attorney General, Ms. Serena Connor
- Acting Clerk to Executive Council, Ms Jennyville Smith
- IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr Merrick Richardson
- The Head of the Governor's Office, Mr Orlando Ames-Lewis
- ABSENT: The Honourable Minister for Sustainability, Innovation and Environment, Mrs Quincia Gumbs-Marie
- The Honourable Attorney General, Mr Dwight Horsford

EX MIN 23/292

CONFIRMATION OF THE MINUTES

Parliamentary Secretary and The Head of the Governor's Office remained.

Council confirmed the Minutes of the 153rd Meeting of Executive Council held on Thursday 21st September 2023.

MATTERS ARISING FROM THE MINUTES

Noted with respect to EX MIN 23/289 Council reconsidered its previous position and reverted to the previous policy arrangements to offer work permits for up to three (3) years to professionals at the Minister's discretion.

EX MIN 23/293

Ex Memo 23/235 Approval of the Goods and Services (Amendment) Act, No. 2 of 2023, the Goods and Services (Amendment) Regulations, 2023; and the Integrated Customs Tariff (Amendment) Regulations, 2020

Parliamentary Secretary and The Head of the Governor's Office remained.

Acting PS Finance, Ms Marisa Harding-Hodge joined the meeting.

The Hon Minister for Finance and the Acting PS Finance briefed Council. Executive Council throughout this year considered and approved the following amendments:

- a) The Goods and Services Act to remove the application of GST on insurance services and over-the-counter drugs, and to introduce a threshold to the application of GST to public entertainment under the approval of the 2024-2026 MTEFP; and
- b) The Integrated Customs Tariff Regulations which are enabled under the Customs Act for the removal of import customs duties on medical supplies, equipment and medication at different rates. An amendment is now proposed to the conditional exemptions enabled under the First Schedule to the Integrated Customs Tariff Regulations to:
 - i. Amend the provision for providing exemptions to non-profits to improve efficiency in supporting these organizations and administering the exemptions; and
 - ii. Amend the provision concerning exemptions for returning nationals to include a vehicle. The policy objective is to support

and encourage nationals to return to Anguilla to contribute to population growth and Anguilla's economic development. This policy has been partly implemented under the GST Act where returning residents can import a vehicle free of duty. The inclusion in the conditional exemptions expands this provision.

Council:

1. Commended the Ministry and Attorney-General's Chambers for the work done.
2. Noted the financial implications on revenue loss due to the amendments;
3. Approved the Bill for the Goods and Services (Amendment) Act, 2023 and associated regulations to, inter alia,
 - remove the application of GST to insurance services;
 - insert a threshold for the application of GST to public entertainment;
 - remove the application of GST to over-the-counter medication and supplies; and
 - address other ancillary issues.
4. Approved the amendments to the Integrated Customs Tariff Regulations, to remove the tariff on over-the-counter medication, medical supplies and medical equipment and to update the conditional exemptions.
5. Instructs the Ministry to engage in public awareness initiatives to sensitize the public to the amendments.

Action: PS, FIN; PAS, FIN; HON PREM; HON, AG;

EX MIN 23/294

Ex Memo 23/236 Integration of the Anguilla Commercial Registry ("the Registry") within the Anguilla Financial Services Commission ("the AFSC").

Parliamentary Secretary and The Head of the Governor's Office remained.

The following persons joined the meeting:
 Acting PS Finance, Ms Marisa Harding-Hodge
 The Director of the FSC, Ms Tina Bryan; and
 Deputy Director, Ms. Charonay Carty

The Hon Minister for Finance and the Director of the FSC briefed Council. Revised international standards, particularly that of the Financial Action Task Force (FATF) and OECD Global Forum Recommendations on Transparency and Exchange for Information for Tax Purposes, require increased compliance activities. This pertains particularly to enforcement initiatives surrounding the Registry Acts.

The Global Forum report from the third round peer review adopted on 14 July 2023 upgraded Anguilla's rating from "*Non-Compliant*" to "*Partially Compliant*". This means that Anguilla's status has improved. Nonetheless, although it is noted that significant strides have been made - Anguilla remains on the EUs blacklist.

Consequently, the Registry must now take on a supervisory role in order to ensure compliance with international standards. However, there is a dearth of human resources with the relevant skillset required. The Government of Anguilla recognizes this need and notes the AFSC's proven capacity to specialize in and execute its varied regulatory and supervisory functions. Further, the AFSC is already positioned, by legislation to work along with and or supervise the Registry in various instances. In light of this, and the need for the Registry to fulfil its current mandate, it is proposed to integrate the Registry in entirety under the direct supervision, management and control of the AFSC.

Council:

- a. Noted the proposed integration of the Registry within the AFSC to support the Registry's fulfilment of its mandate with regard to the required regulatory activities necessary to meet compliance with international standards on tax transparency;
- b. Approved the merger of the Registry into the AFSC effective the 1st January 2024. Instructs that a prioritization discussion be had between Ministers as to the proposed timing of the merger and the need to balance it against competing priorities.
- c. Approved the formation of the recommended "Project Team" for the facilitation of information sharing and to ensure the successful implementation of the integration plan. The Project Team is to include representatives from the Ministry of Finance, the Registry and the AFSC with support from the Attorney General's Chambers and the Department of Public Administration.

- d. Instructs that a prioritization discussion be had between Ministers to ascertain if a transfer effective date of 1 January 2024 can be realized.

Action: PS, FIN; PAS, FIN; HON PREM; HON, AG; DIR, FSC

EX MIN 23/295

Ex Memo 23/237 Public Holidays For 2024

Parliamentary Secretary and The Head of the Governor's Office remained.

Council approved the list of Public Holidays for 2024, as follows:

- | | |
|-------------------------------------------------------|------------------------|
| ▪ New Year's Day | Monday, 1 January |
| ▪ James Ronald Webster Day | Monday, 4 March |
| ▪ Good Friday | Friday, 29 March |
| ▪ Easter Monday | Monday, 1 April |
| ▪ Labour Day | Wednesday, 1 May |
| ▪ Whit Monday | Monday, 20 May |
| ▪ Anguilla Day | Thursday, 30 May |
| ▪ Celebration of the Birthday of His Majesty The King | Monday, 17 June |
| ▪ August Monday | Monday, 5 August |
| ▪ August Thursday | Thursday, 8 August |
| ▪ Constitution Day | Friday, 9 August |
| ▪ National Heroes and Heroines Day | Thursday, 19 December |
| ▪ Christmas Day | Wednesday, 25 December |
| ▪ Boxing Day | Thursday, 26 December |

Council noted that the traditional custom of jollification should be highlighted within one of the existing public holidays, because of its significance in Anguillian history.

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

Action: PS, HA; HON, MIN HA

EX MIN 23/296

Ex Memo 23/238 The Removal and Appointment of a Replacement Commissioner on The Public Utilities Commission (PUC) Board.

Parliamentary Secretary and The Head of the Governor's Office remained.

The Hon Minister for MICUH&T briefed Council. According to section 3(1) of the Public Utilities Commission Act 2014 (the "Act"), "the affairs of the Commission shall be managed by a Board consisting of five (5) commissioners."

Mr. David Christmas was appointed as Deputy Chair and Commissioner and it was proposed that he be removed from the Board to address a conflict of interest and that a replacement be appointed.

Council:

1. noted the following documents:
 - a. the official appointment instruments dated 14th April 2023, appointing Mr. David Christmas as Deputy Chair and Commissioner of the PUC;
 - b. Correspondences from the Chairpersons of the PUC, PS Hodge from MICUH&T and the Executive Director of PUC; and
 - c. Resume of Mr. Rhon Rogers.
2. Approved the removal of Mr. David Christmas as Deputy Chair and Commissioner of the PUC
3. Appoints Mr. Rhon Rogers as Deputy Chair and Commissioner of the PUC

4. Instructs the PUC Chairman, to ensure that all members appointed to the PUC complete the Governance and Accountability certification as well as Public Financial Management training certification as soon as possible from an accrediting institution approved by MICUH&T.
5. Instructs the PUC to inform the MICUH&T three (3) months in advance of the expiry of any member's appointments or resignations from the PUC immediately.

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

Action: PS, MICUHT; HON, MIN MICUHT
