

CONFIDENTIAL

THIS DOCUMENT IS THE PROPERTY
OF THE GOVERNMENT OF ANGUILLA

Copy No:

MINUTES OF THE 178TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 16TH JANUARY 2014

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Hubert Hughes, Chief Minister and Minister of Finance,
Economic Development, Investment, Commerce and Tourism and Minister
of Labour and Immigration and Minister of Social Development and Health
- The Honourable Deputy Governor, Mr Stanley Reid
- The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human
Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister
of Sports and Education, Library Services, Sports, Youth and Culture
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing
- The Honourable Attorney General, Mr James Wood QC
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mr Bancroft Battick, Acting PS, MICUH
Mr Samuel Webster, Adviser to Hon Minister, MICUH
Mr Crefton Niles, Director, Public Utilities
Mr Leslie Hodge, Director, Lands & Surveys
Dr Bonnie Richardson-Lake, PS, HSD

EX MIN 14/22 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 176th Meeting held on Thursday 2nd January 2014 and the Minutes of the 177th Meeting held on Thursday 9th January 2014.

MATTERS ARISING FROM THE MINUTES

EX MIN 14/23 **EX MIN 14/03 LETTER TO THE HON CHIEF MINISTER FROM**
COMPANY MANAGERS OF ANGUILLA

With reference to EX MIN 14/03 of Thursday 2nd January 2014, HE the Governor

stated that she had seen a letter from Mr Keith Bell, Director, FSC addressed to the Hon Chief Minister on the matter. The CM said that he had not seen a copy of the letter. HE undertook to forward a copy to him.

The CM indicated that he would arrange a meeting with stakeholders subsequently.

Action: HE; MINS OF GOV'T; AG

EX MIN 14/24

EX MIN 14/14 GENERAL DISCUSSION ON FILLING OF POSTS AT HM PRISON

Further to EX MIN 14/14 of 9th January 2014, Council agreed that:-

- 1) a record of injuries sustained by Prison Staff for the period 2012-2013 should be made available at the Special Meeting of Executive Council (to be scheduled); and
- 2) a visit be made to HM Prison by Ministers prior to the ExCo Meeting.

Action: PS, HSD; SOP; MINS OF GOV'T

EX MIN 14/25

UPDATE ON PROGRESS OF REVIEW OF THE ANGUILLA ROADS ACT

Mr Bancroft Battick, Acting PS, MICUH and Mr Samuel Webster, Adviser to the Hon Minister, MICUH joined the Meeting.

The Acting PS, MICUH informed Council that he had liaised with the AG's Chambers who had advised that it was more appropriate to make an amendment to the Anguilla Roads Act rather than reviewing the Act. He indicated that the drafting instructions were completed and accepted by the AG's Chambers. PS, MICUH further indicated that the Ministry was on target with the timetable and that once the AG's Chambers had advised the Ministry that the draft was complete, the matter would be brought back to Executive Council for further consideration.

Action: PS, MICUH; CHIEF ENG; AG

EX MIN 14/26

UPDATE ON PROGRESS WITH CONSULTANCY ON STRUCTURAL INTEGRITY OF ROAD BAY JETTY

Acting PS, MICUH and Adviser to the Hon Minister, MICUH remained for discussion.

The PS, MICUH said that there was nothing substantive to report except that the UK Ministry of Defense were currently considering a tasking to provide technical expertise to undertake the structural survey. He hoped to receive their reply before long.

Action: PS, MICUH; CHIEF ENG

EX MIN 14/27

UPDATE ON CARTER REY BOULEVARD AND VALUE FOR MONEY STUDY FOR THE MANGO GARDEN ROAD

Acting PS, MICUH and Adviser to the Hon Minister, MICUH remained for discussion.

After further consideration of the matter, Council agreed that:-

- 1) capital funding for roads work for 2014 should be earmarked towards the Carter Rey Boulevard;
- 2) the value for money study for the Mango Garden Road should be conducted in 2014 – consideration be given as to how the value for money study should be conducted relative to other existing schemes and how the work would be factored in the 2014 budget; and
- 3) officials should bring a paper to Executive Council setting out revised options, costings and any other financial implications for consideration.

Action: PS, MICUH; CHIEF ENG; PS, FIN; PS, EDICT; BD; CPO

EX MIN 14/28

INF 14/01 INFORMATIONAL PAPER #2 UPDATE ON STATUS OF BROADCASTING LEGISLATION

Acting PS, MICUH and Adviser to the Hon Minister, MICUH remained for discussion. Mr Crefton Niles, Director, Public Utilities joined the Meeting.

Council noted that the AG's Chambers had completed the review of the draft and were content that no significant issues existed with the drafting instructions at this stage. The Director, PU indicated that he was hopeful that drafting instructions would be finalized by the AG's Chambers on or before the 15th February 2014 to be sent to the Consultant.

Action: PS, MICUH; DIR, PU; AG

EX MIN 14/29

EX MEM 14/04 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – TO ACQUIRE PROPERTY AS BENEFICIARY – ALIX DIANNE CRISPE (REGISTRATION SECTION NORTH CENTRAL; BLOCK 48613 B; PARCEL 201; CONTAINING 1.50 ACRES)

Mr Leslie Hodge, DLS joined the Meeting.

In EX MIN 14/17 of 9th January 2014, Council deferred the matter for clarification of stamp duty fees.

Council reconsidered the matter and agreed that an Aliens Land Holding Licence should be issued to Alix Dianne Crispe to hold on a freehold basis, vacant land described as Registration Section North Central, Block 48613 B, Parcel 201, containing 1.50 acres, subject to the payment of the following fees:-

(i)	under the Stamp Act	EC\$ 20.00
(ii)	under the Aliens Land Holding Regulations Act	EC\$200.00
	TOTAL	EC\$220.00

Action: PS, MHA/LANDS; PS, FIN; PS, EDICT; DLS

EX MIN 14/30

EX MEM 14/07 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – 919 HOLDINGS LIMITED - (REGISTRATION SECTION: WEST END; BLOCK: 17809 B; PARCEL 202, CONTAINING 0.33 ACRE)

DLS remained for discussion.

Council agreed to issue an Aliens Land Holding Licence to 919 Holdings Limited to hold 0.33 acre of land, on a freehold basis with an incomplete dwelling house thereon situate at Registration Section West End, Block 17809B, Parcels 202 containing 0.33 acre, located at West End to complete said house for residential purposes, subject to the payment of the following fees:-

(i)	under the Stamp Act – 5% of EC\$336,025.00	EC\$16,801.25
(ii)	under the Aliens Land Holding Regulations Act – waived	EC\$ -0-
(iii)	refundable deposit - waived	EC\$ -0-
	TOTAL	EC\$16,801.25

Council agreed that the Aliens Land Holding Policy should be reviewed.

Action: PS, MHA/LANDS; PS, FIN; PS, EDICT; DLS

EX MIN 14/31

EX MEM 14/08 FILLING THE VACANT POST OF CHIEF MEDICAL OFFICER

Dr Bonnie Richardson-Lake, PS, HSD joined the Meeting.

Council agreed that the post of Chief Medical Officer in the Ministry of Health should be filled. Council noted that the views of all the Permanent Secretaries had been sought and that provision for the filling of the post had been included in the 2014 budget estimates.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, HSD; PS, PA; PS, FIN; PS, EDICT; BD

EX MIN 14/32

EX MEM 14/09 ISLAND HARBOUR FISHERIES VESSEL TRACKING AND DISTRESS WARNING CENTRE

Adviser to the Hon Minister, MICUH remained for discussion.

Council agreed to provide electricity to facilitate the operation of a Fisheries Vessel Tracking and Distress Warning Centre from the premises of Mr Aubrey Smith at Island Harbour as follows:-

- (i) the Ministry of Finance should pay for the connection fee and electricity for a period of 3 months to determine the nature of the expense; and
- (ii) after 3 months the situation should be reviewed with a view to the Ministry of Fisheries assuming responsibility for the costs on an on-going basis.

Action: PS, MICUH; PS, FIN; PS, EDICT; ACC GEN

EX MIN 14/33

EX MEM 14/10 TRANSFER OF ROLAND JASON HODGE TO THE ANGUILLA AIR AND SEA PORTS AUTHORITY

Acting PS, MICUH remained for discussion.

Council agreed that Mr Roland Jason Hodge should be transferred by the appropriate Regulation under the Pensions Act to the Anguilla Air and Sea Ports Authority effective 16th January 2014.

Action: PS, MICUH; PS, PA; PS, FIN; PS, EDICT; BD; ACC GEN

EX MIN 14/34

EX MEM 14/11 FILLING THE POSITION OF CHIEF FIRE OFFICER

Council noted that the current Chief Fire Officer is due to reach retirement age during June 2014. Council further noted that the views of the Permanent Secretaries had been sought. Council therefore agreed that the post of Chief Fire Officer should be filled.

Action: PS, MICUH; PS, PA; PS, FIN; PS, EDICT; BD; ACC GEN

EX MIN 14/35

EX MEM 14/12 ELECTORAL REFORMS – DRAFTING INSTRUCTIONS RE NOMINATION AND REGISTRATION FORMS AND THE USE OF ELECTORAL INK

Council:-

- (i) approved the drafting instructions as set out in Appendix I of EX MEM 14/12 to facilitate the amendment/enactment of electoral laws to update the nomination and registration forms and to provide for the use of electoral ink during the voting process; and

- (ii) requested the Attorney General's Chambers to draft the relevant legislation for Executive Council's consideration with a view to such being enacted in advance of the next general elections.

Council noted concerns pertaining to persons who were not qualified to be registered being removed from the Register of Voters, even if they had been on the Register for a number of years and, of persons who may have moved from district to district.

The Hon DG undertook to address these concerns.

Action: SUP/ELECTIONS; DG; AG

EX MIN 14/36

EX MEM 14/13 PERMISSION TO FILL THE VACANT POST OF DIRECTOR OF LANDS AND SURVEYS

Council agreed that the post of Director in the Lands and Surveys Department should be filled with immediate effect.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, MHA/LANDS; DLS; PS, PA; PS, FIN; PS, EDICT; BD; ACC GEN

ORAL MENTION

EX MIN 14/37

SIGNING OF LEGISLATION

HE the Governor, following approval from Executive Council, signed the following pieces of legislation for publication in the Gazette:-

- 1) Customs (Declaration Form) (Amendment) Regulations, 2014;
- 2) Integrated Customs Tariff (Amendment) Regulations, 2014; and
- 3) Transfer of Public Officers to the Anguilla Air and Seaports Authority (No. 2) Regulations, 2014

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: AG; COC

EX MIN 14/38

APPLICATION FOR REDUCED IMPORT DUTY ON VEHICLE

Council noted a letter dated 6th January 2014 from Amer Zia, a medical student at Saint James School of Medicine requesting reduced import duty on a vehicle. Council noted the Executive Council's decision that customs duties on imported vehicles should be reduced up to and including 1st January 2014.

Council, taking into consideration the difficulty experienced by the applicant in getting the vehicle shipped to Anguilla by the above date agreed that the customs duties on the vehicle should be paid on the original reduced import duty.

Council further agreed that the Ministry of Finance should prepare the usual paper for consideration in the House of Assembly.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, FIN; PAS, FIN; COC; FO
