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MINUTES OF THE 77TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 1ST DECEMBER 2016

PRESENT: Her Excellency the Governor, Ms Christina Scott

The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Tourism, Lands & Physical Planning

The Honourable Deputy Governor, Mr Perin Bradley

The Honourable Evans Rogers, Minister of Health and Social Development

The Honourable Cora Richardson-Hodge, Minister of Home Affairs, Immigration,
Labour, Environment, Human Rights, Gender Affairs, Constitutional Affairs and
Information and Broadcasting

The Honourable Curtis Richardson, Minister of Infrastructure, Communications,
Utilities, Housing, Agriculture and Fisheries and Information Technology

The Honourable Attorney General, Mr John McKendrick QC

Mrs Nicola Webster, Acting Clerk to Executive Council

IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary
Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA

Mr Foster Rogers, PS, EDICTLP
Mr Leslie Hodge, DLS
Mr Karim Hodge, PS, MHA
Mr Kenneth Hodge, PAS, MHA
Mr Bren Romney, DIR, Y & C
Mr Brian Deadman, Financial Adviser to the GoA
Ms Marisa Harding-Hodge, Compliance Officer

ABSENT: None

EX MIN 16/726 **CONFIRMATION OF THE MINUTES**

Hon Cardigan Connor, Parliamentary Secretary and Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA joined the Meeting.

Council confirmed the Minutes of the 76th Meeting held on Thursday 24th November 2016 with the amendment that the Minister of Home Affairs declared an interest and did not participate in the discussions of Cap Juluca. Council also confirmed the Minutes of the Special Meeting held on Thursday 29th November, 2016.

MATTERS ARISING FROM THE MINUTES

EX MIN 16/727

None

EX MIN 16/728

EX MEM 16/468 ESTABLISHMENT OF THE BUSINESS LICENSE REVIEW COMMITTEE

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. Messrs Foster Rogers, PS, EDICTLP, Leslie Hodge, DLS and Brian Deadman, Financial Advisor joined the Meeting.

Council agreed that the paper should be deferred pending further review of both the Terms of Reference, to reflect linkages with other economic reform work programmes and the proposed Composition of the Committee.

Action: PS, EDICTLP; HON AG; DLS; PS, FIN; MINS OF GOV'T

EX MIN 16/729

EX MEM 16/469 LONG-TERM NATIONAL SUSTAINABLE DEVELOPMENT PLAN

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. Messrs Foster Rogers, PS, EDICTLP Leslie Hodge, DLS and Brian Deadman, Financial Advisor remained for discussion.

Council:-

- (i) noted the project terms of reference for the Long-Term National Sustainable Development Plan;
- (ii) approved further exploration of the Scenario Planning approach for the preparation of the National Development Plan;
- (iii) welcomed the commitment of the UK Government to provide financial support for the development of the Long-Term Sustainable Development Plan;
- (iv) noted and endorse in principle the draft Memorandum of Understanding for Project Funding for Long-Term Sustainable Development Plan;
- (v) noted the terms of reference in Appendix A of the draft Memorandum of Understanding; and
- (vi) authorised the signing of the Memorandum of Understanding when it is finalised.

Action: PS, EDICTLP; DLS; HON AG; MINS OF GOV'T

EX MIN 16/730

**EX MEM 16/470 PROGRAMME OF ACTIVITIES AND BUDGET FOR THE
CELEBRATION OF THE 50th ANNIVERSARY OF THE ANGUILLA
REVOLUTION AND ANGUILLA DAY 2017**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. Mr Brian Deadman, Financial Advisor remained for discussion. Messrs Karim Hodge, PS, MHA, Kenneth Hodge, PAS, MHA and Bren Romney, Director, Y&C joined the Meeting.

Council:-

- (i) noted the pending budget for the Programme of Activities for the 50th Anniversary of Anguilla Day as presented below;

Budget (detailed breakdown attached)

Official Parade	\$40,126.00
Anguilla Day Around the Island Boat Race	\$73,100.00
50th Anniversary Commemorative Magazine	\$131,330.00
Senior Citizen's Luncheon	\$22,240.00
Sponsorship of Anguilla Day Quiz	\$4,200.00
Contribution to UWI Anguilla Day Speaker Series	\$25,000.00
Sculpture Symposium	\$48,138.00
Statue Project	\$88,711.00
50th Anniversary Junior and Senior Calypso Show	\$40,000.00
Recording and Streaming of activities	\$25,000.00
Catapulted Conference 2017	\$67,740.00
Contribution to Anguilla Day Sports	\$10,000.00
Festival of Choirs	\$5,000.00
Anguilla Coat of Arms	\$18,750.00
Flags and other gift items	\$57,807.00
General and Miscellaneous Expenditure	<u>\$2,500.00</u>
	<u>\$659,642.00</u>

- (ii) agreed that the committee revisit the contributions to UWI;
- (iii) noted that the amount of EC\$323,000 is currently in the draft Government of Anguilla budget for 2017 as a contribution to these costs and that it would be difficult for the Government of Anguilla's contribution to go beyond this; and

- (iv) agreed that the Anguilla National Celebrations Committee should make every effort to ensure that the remaining EC\$336,642 of the proposed budget should be obtained from contributions and sponsorship from the general public and businesses, as well as from sale of tickets and other items where appropriate.

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

Action: PS, MHA; PAS, MHA; PS, FIN; PS, EDICTLP; BD; ACC, GEN; MINS OF GOV'T

EX MIN 16/731

EX MEM 16/454 PUBLIC UTILITIES COMMISSION'S 2015 ANNUAL REPORT

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council:-

- (i) noted the Public Utilities Commission's 2015 Annual Report; and
- (ii) authorised the Minister with responsibility for Communications to table the Public Utilities Commission's 2015 Annual Report at the next sitting of the Anguilla House of Assembly.

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

Action: PS, MICUHAFIT; CL, HOA; MINS OF GOV'T

EX MIN 16/733

EX MEM 16/473 LIABILITY OF GOA TO PAY DAMAGES

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council:-

- (i) supported the agreement that the Ministry of Finance will hold the budget for contingent liabilities arising from any claims against the Government of Anguilla awarded after 1 January 2017 and such payments would not be made out of the Attorney General's Chambers budget from the same date; and
- (ii) agreed that the payments for 2016 should be made out of the Attorney General's Chambers' budget.

Action: HON, AG; PS, FIN; PS, EDICTLP; PAS, FIN; BD; DEP; CPO; DM; ACC GEN; MINS OF GOV'T

EX MIN 16/734

EX MEM 16/474 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – JANICE CARROLL KASABIAN AND ARMEN KEVORK KASABIAN – REGISTRATION SECTION: WEST END; BLOCK: 17810 B; PARCEL 201 SL K202

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council agreed that an Aliens Land Holding Licence should be issued to to Janice Carroll Kasabian and Armen Kevork Kasabian to hold on a freehold basis a luxury condominium unit of approximately 662 sq. ft. forming part of Resorts & Residences of Anguilla Home Owners Association Ltd. a Condominium development at Viceroy, Anguilla described as Registration Section West End, Block 17810 B, Parcel 201 SL K202, subject to the following:-

(a) payment of the following fees:-	
(i) under the Stamp Act – 5% of EC\$1,613,726.46	EC\$80,686.32
(ii) under the Aliens Land Holding Regulation Act – 12.5% of EC\$1,613,726.46	Exempted
TOTAL	EC\$80,686.32

(b) Regulations to be issued for Exemption.

Action: PS, EDICTLP; DLS; PS, FIN

EX MIN 16/735

EX MEM 16/475 FILLING THE POST OF VECTOR CONTROL OFFICER

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council:-

- (i) noted a that one of the three Vector Control Officers will proceed on unpaid study leave beginning January 2017;
- (ii) noted the work that is being carried out by the Vector Control Unit;
- (iii) further noted that the views of the Permanent Secretaries had been sought in relation to the filling of the post and a favourable response given;
- (iv) additionally noted that budgetary provisions had already been made for the post; and
- (v) agreed that the post of Vector Control Officer in the Department of Health Protection should be filled.

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

Action: PS, HSD; PS, FIN; PS, PA; PS, EDICTLP; BD; CPO; ACC GEN;

EX MIN 16/736

EX MEM 16/476 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council:-

- (i) noted the withdrawal of the application of **Ms. Patricia Husakova; and**
- (ii) agreed that the following persons should be exempted from the requirement of a work permit in accordance with Section 3 (g) of the Control of Employment Act:-

1. **Mr. Andrea Aimable** – Mr. Aimable is a national of Antigua. He is a tennis court repair specialist and is being brought in temporarily by the Anguilla Tennis Academy to resurface the tennis courts, Founder, President and CEO of ATA, Mr. Mitchell Lake, is requesting an exemption for Mr. Aimable. Following the resurfacing of the courts Mr. Aimable will return to Antigua.

2. **Mr. Terran Prince** - Mr. Prince is a national of Antigua. He is a Tennis court repair specialist and is being brought in temporarily by the Anguilla Tennis Academy to resurface the tennis courts, Founder, President and CEO of ATA, Mr. Mitchell Lake, is requesting an exemption or Mr. Prince. Following the resurfacing of the courts Mr. Prince will return to Antigua.

3. **Aljenis Polanco** - Mr. Polanco is a native of Santo Domingo. He came to Anguilla in 200 and attended Orealia Kelly Primary school from September 2000 to July 2004. He then went on to ALHCS from 2004 to 2008. Mr. Polanco, since leaving school has been an employee of Anguilla Trading Company Ltd. The company is seeking a work permit exemption for Mr. Polanco.

4. **Mr. Ranou Surandra** - Mr. Surandra is a native of Guyana. He first came to Anguilla in January 1998 and was admitted to the Valley Primary School. He then

attended ALHCS from September 2000 to July 2004. Mr. Surandra has been offered a job at Morlen's Veterinary Clinic as animal cleaner and walker. The following documents were submitted in support of his application.

5. **Shemiah Quincy Jones** - Mr. Jones is a native of St. Vincent. He attended the Vivien Vanterpool Primary School from September 2005 and then the ALHCS from 2011 to 2016. Cuisinart Golf Resort and Spa has made a request to hire Mr. Jones as a Bellman.
6. **Shonelle Findlay** - Ms. Findlay is a national of St. Vincent. She attended the Morris Vanterpool Primary School from January 2001 and then ALHCS from September 2009 to July 2013. Ashley & Sons has the intention to hire Ms. Findlay and is requesting an exemption.
- Other
7. **Pastor Selina LeBlanc** - **Pastor Selina LeBlanc** comes to Anguilla religiously every weekend to preach at United Pentecostal Church in Blowing Point and also to have Sunday school. She drives around Anguilla collecting children for Sunday school. She visits the Geriatric homes while in Anguilla as well. Pastor LeBlanc has had to change two passports due to them being stamped out with her regular weekend visits. She does not receive a salary from the church as they cannot afford to pay her. All expenses are borne by her. Pastor LeBlanc is seeking an exemption from the work permit requirement and also seeking an exemption from having to pay the fees at Immigration (XCD600.00 per annum) considering that the services being offered are all aimed at the betterment of the youth and the Anguillian society as a whole and given that she is self-funded.

Action: PS, MHA; LAB, COM; CIO

EX MIN 16/737

EX MEM 16/477 REVITALISING THE REAL ESTATE AND CONSTRUCTION INDUSTRIES

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. Messrs Foster Rogers, PS, EDICTLP and Leslie Hodge, DLS, Brian Deadman, Financial Advisor and Ms Marisa Harding-Hodge, Compliance Officer joined the Meeting.

Council:-

- (i) noted the Proposal to implement a formalized program for offering a reduction of the applicable stamp duty and ALHL fee to purchases of residential properties and also a reduction of customs duties on construction related imports;
- (ii) approved the proposed incentives as follows effective 1 January, 2017:-
 - I. Lower the Stamp Duty for Belongers of Anguilla only as per the Stamp Act on transfers of land/property from 5% to 2.5% for a period of three (3) years.
 - II. Lower the ALHL Stamp Duty on Villas/Homes to 5% from 12.5% on currently constructed buildings for a period of twenty four months.
 - III. Lower the ALHL Stamp Duty to 6.25% from 12.5% on land purchases with a requirement for construction to be completed within 30 months. Licencees who have not completed construction at the end of 30 months will forfeit 50% of their refundable deposit. The balance 50% will be forfeited if the construction is not completed within a further six (6) months. Thereafter forfeiture proceedings for the property will be commenced by the Government of Anguilla for a period of twenty four months.
 - IV. Instruct the Department of Lands & Surveys to liaise with the Attorney General's Chambers to develop a procedure for all current ALHL holders that are in default of the terms prescribed in their license and proceed with appropriate actions thereafter including forfeiture and/or other financial penalties.
 - V. Non-Belongers who purchase property under Policy Measure A (Recommendations II & III above) to be granted an eleven (11) months visitor's stamp (payable) at the time of payment of the ALHL fees, to be renewed for the same term on an annual basis.
- (iii) agreed that the other customs incentives as outlined in the "White Paper – Revitalising The Real Estate Market" be deferred for further consideration.

Action: HON AG; PS, FIN; PS, EDICTLP; CIR; CM; DIR L&S

ORAL MENTION

EX MIN 16/739

PREFETE TO VISIT ANGUILLA

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

H E The Governor informed Council of the upcoming visit by the Prefete of St Martin is scheduled for Monday 12th December, 2016 and that further details would be given subsequently.

Action: EXCO MEMBERS

EX MIN 16/741

OVERSEAS TRAVEL

Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

The Hon Chief Minister and Minister of Finance informed Council that he would be on leave from the 6th to 9th December, 2016.

Action: EXCO MEMBERS
