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MINUTES OF THE 35TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 28TH JANUARY 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 Stanley Reid
- 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 Rupert Jones
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mrs Aunika Webster-Lake, Labour Commissioner
Mr Charles R. Carroll, Chief Executive Officer, Global Green Energy Ltd.
Mr John Hayes, Vice President, Distribution, Global Green Energy Ltd.
Hon Cardigan Connor, Parliamentary Secretary
Mr Anthony La Ronde, Chief Parliamentary Counsel

EX MIN 16/44 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of a Special Meeting held on Wednesday 20th January 2016 and the Minutes of the 34th Meeting held on Thursday 21st January 2016.

MATTERS ARISING FROM THE MINUTES

EX MIN 16/45 None

EX MIN 16/46

EX MEM 16/21 ELECTRICITY (VALIDATION AND AMENDMENT) ACT, 2016 AND THE ELECTRICITY SUPPLY (AMENDMENT) REGULATIONS 2016

Council confirmed the decision taken by round robin in EX MIN 16/43 of 25th January 2016 as attached.

Action: CPC; HON AG; CL, HOA; PS, FIN; PS, MICUHAFIT

EX MIN 16/47

EX MEM 16/22 PAROLE BOARD SUBSTITUTIONS

Council:-

- (i) approved the temporary appointment of Mr Hubert M. Hughes as Chairman to the Parole Board and the temporary appointment of Mr Reynolds Richardson as a Parole Board Member, during the absence of Mr Ronald Scipio, Chairperson of the Parole Board; and
- (ii) agreed that both appointments take effect on 12th February 2016.

Action: PS, HSD; SOP; HON AG

EX MIN 16/48

EX MEM 16/23 REVISED PRIORITY TRAINING AREAS – 2016

Council agreed that the paper should be deferred to enable Ministers and Permanent Secretaries to go through the priority training areas again and to identify those priority areas which they would wish to pursue in 2016. Council additionally agreed that the paper be resubmitted to Executive Council on Thursday 11th February 2016 for consideration.

Action: HON DG; MINS OF GOV'T; PERM SECS; TRNG OFF

EX MIN 16/49

EX MEM 16/24 REQUEST FOR FINANCIAL ASSISTANCE – MS MICHELLE QUEELEY

Council agreed that Ms Michelle Queeley, a Graduate Teacher at the Albena Lake-Hodge Comprehensive School should be awarded the remaining 30% to cover full tuition in the amount of approximately EC\$20,000.00 for the four (4) year duration of her study programme to pursue a Doctorate in Educational Leadership in Higher Education at the UWI Open Campus. Council noted that Ms Queeley had already completed one semester of the programme and had received the highest grade in the region.

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

Action: PS, ELSYC; PS, PA; CEO; PS, FIN; PS, EDICTLP; BD; TRNG OFF;
ACC GEN

EX MIN 16/50

EX MEM 16/25 APPLICATIONS FOR URGENT/ADDITIONAL FINANCIAL ASSISTANCE

Council:-

- (i) noted five applications for Urgent/Additional Financial Assistance for 2016;
- (ii) noted that the applications for Urgent/Additional Financial Assistance were considered by members of the sub-committee of the Training Policy Committee;
- (iii) agreed that the following persons should be granted Urgent/Additional Financial Assistance for 2016:-

Name	Course of Study	Time remaining/status of Studies
1) Dwight Carty	Veterinary Technology	1 semester (should be completed in May, 2016)
2) Daniella Richardson	Medicine	2½ years
3) Eulah Bartlett	Early Childhood	1 semester (to be completed in May 2016)

- (iv) noted that Mr Lewis Hodge had completed his course of study and did not approve his application for Urgent/Additional Financial Assistance.
- (v) deferred the application for Kendeisha Duncan, and agreed that more detailed information on the applicant's outstanding financial situation and her plans to meet the future costs of her studies be brought back to Executive Council for further consideration.

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

Action: HON DG; PS, PA; PS, FIN; PS, EDICTLP; BD; TRNG OFF; ACC GEN

EX MIN 16/51

EX MEM 16/26 APPOINTMENT OF MEMBERS TO THE BOARD OF THE HEALTH AUTHORITY OF ANGUILLA (HAA)

Council noted that:-

- (i) the appointment of the six (6) Members of the Board of the Health Authority of Anguilla (HAA) ended on 31st December 2015;
- (ii) the Hon Minister of Health had selected the following persons to serve on the Board of the HAA effective 1st February 2016:-

- | | | |
|----|-------------------------|--|
| 1) | Mr Kevin Carty | Re-appointment for a period of 1 year |
| 2) | Ms Irose Richardson | New Appointment for a period of 2 years |
| 3) | Mrs Serene Carter-Davis | Re-appointment for a period of 1 year |
| 4) | Mr Malone Richardson | New appointment for a period of 2years |
| 5) | Mr Ricardo Jeremiah | Re-appointment for a period of 1 year |
| 6) | Dr. Brett Hodge | New appointment as Vice Chair for a period of
2 years |
- (iii) Mr Fritz Smith was appointed as Chair of the Board effective 1st August 2015 for a term of three (3) years;
- (iv) the HAA had made provision in their budget to pay the stipends of the Board Members; and
- (v) the above names would be published in the official Gazette following appointment.

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

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

EX MIN 16/52

EX MEM 16/27 WORK PERMIT APPLICATION REJECTIONS

Mrs Aunika Webster-Lake, Labour Commissioner joined the Meeting.

Council concurred with the recommendation from the Hon Minister of Labour that the following persons should be refused work permits in accordance with Section 4 (1) of the Control of Employment Act:-

- | | | | |
|----|-------------------|---|--|
| 1) | Ms Jiaohong Zhang | - | National of China, who first came to Anguilla in 2011 to work as a Cook for Dragon Garden Restaurant on a work permit. Ms Zhang ceased working with Dragon Garden in September 2015. Courun Supermarket in the Brooks & Sons Complex has submitted a work permit application to employ her as a Cashier. |
| 2) | Mr Yongjian Li | - | National of China, who now resides and owns a Chinese Restaurant in St. Maarten. A work permit application has been submitted by Mr Randolph Gumbs, owner of a restaurant ('Ponderosa') in South Hill, Anguilla to hire Mr Li as a Cook. |

- 3) Mrs Cuimei Li - National of China, who resides in St. Maarten. Mrs Li is co-owner of a Chinese Restaurant in St. Maarten with her husband, Yongjian Li. Mr Randolph Gumbs, owner of a restaurant ('Ponderosa') in South Hill, Anguilla has submitted a work permit application to hire Mrs Li as a Cook.
- 4) Mr Jinjie Wu - National of China, who has never been employed. Courun Supermarket in the Brooks & Sons Complex has submitted an application to employ Mr Wu as a Cashier/Store Attendant.
- 5) Ms Zhou Lixia - National of China. A work permit application has been submitted by Mr Christian Sutton of Christa's Restaurant to hire Ms Lixia as a waitress.
- 6) Mr He Ziquiang - National of China. A work permit application has been submitted by Mr Christian Sutton of Christa's Restaurant to hire Mr Ziquiang as a Kitchen Helper.

Council agreed that the following applications should be deferred for further investigation and resubmitted to Executive Council on Thursday 4th February 2016 for further consideration:-

- 1) AnnaKay Beecher - National of Jamaica
- 2) Mr Jinbai He - National of China

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

Action: PS, IMM; LAB COM; CIO

EX MIN 16/53

EX MEM 16/28 PROPOSED AMENDMENTS TO THE FIREWORKS ACT AND FIREWORKS IN PUBLIC PLACES REGULATIONS

Mr Anthony La Ronde, Chief Parliamentary Counsel joined the Meeting.

Council concurred with the proposal from the Hon Minister, Infrastructure that the document with the proposed amendments should be used as the drafting brief for the Attorney General's Chambers to draft the amendments to the Fireworks Act and Regulations.

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

Action: PS, MICUHAFIT; HON MIN, MICUHAFIT; HON AG

EX MIN 16/54

EX MEM 16/29 VOTING GOVERNMENT SHARES AT SPECIAL SHAREHOLDERS MEETING OF ANGLEC ON 28TH JANUARY 2016

Council authorised the GoA's representative, PAS Finance, Dr Wycliffe Fahie to propose that the Special Meeting scheduled for Thursday 28th January 2016 be adjourned and to vote accordingly.

Action: PS, MICUHAFIT; HON MIN, MICUHAFIT

EX MIN 16/55

EX MEM 16/30 UPDATE TO THE LEGISLATIVE AGENDA

Chief Parliamentary Counsel remained for discussion.

Council expressed content with the legislative agenda indicated below and agreed that these areas be prioritised for completion by June 2016. Council asked Ministers to look at other areas they may wish to accelerate.

Priority Fiscal Measures

A. Electricity (Validation and Amendment) Act 2016 and the Electricity Supply (Amendment) Regulations 2016 - (drafted and hopefully to be passed by the HOA on Thursday 28th January with Regulations to be signed shortly thereafter.

B. Petroleum Licence Bulk Importers and gross revenue tax – (drafting instructions awaited from Ministry of Finance)

C. Property Tax Regulations (drafting instructions awaited – requires completion by March 2016).

D. GST – drafting instructions required (major piece of work if to be in place for 2017)

E. Police Pension (Amendment Bill) – awaiting formula from actuary to finalise – urgently required to reduce pension obligations

Banking Legislation

A. Any further legislation required to effect the resolution e.g. amendment to ECAMC Bill to insert a commencement date.

Other Legislation

A. Tax Information Exchange (International Cooperation) Bill and 3 x Regulations (UK FATCA, Common Reporting Standards and US FATCA-Bill to be passed by HOA by 28th January 2016 with Regulations to be signed off by 1 February 2016

B. Higher Education Licensing (Amendment) Bill – to be passed by HOA by 28th January 2016

C. Legal Professions Bill – first reading on 28th January 2016 – to be passed in February 2016

D. Labour Code – with Ministry and consultation being undergone before amendments to be finalised

E. Procurement Bill and Regulations – being drafted – to be finalised by March 2016

F. Anguilla Police Amendment Bill – amendments being drafted – to be finalised by March 2016

G. Prison Bill and Regulations – to be finalised

H. Healthcare Professions Bill - to be finalised

I. Magistrates Code of Procedure Amendment Act – to be finalised

J. Justice Protection Act – for public consultation

Action: HON AG; CPC; MINS OF GOV'T; PERM SECS; CIR

EX MIN 16/56

EX MEM 16/31 FILLING OF VACANT POSITION OF ANNOUNCER AT RADIO ANGUILLA

Council:-

- (i) noted that there was a need to fill the vacant position of Announcer at Radio Anguilla due to the transfer of Ms. Shanelle Hodge-Charles, Radio Announcer to the Ministry of Education as a Teacher;
- (ii) noted that the views of the Permanent Secretaries had been sought in relation to the filling of the post and a favourable response given;
- (iii) additionally noted that budgetary provisions had already been made for the post; and
- (iv) agreed that the vacant post of Radio Announcer at Radio Anguilla should be filled.

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

Action: PS, IB; DIB; PS, PA; PS, FIN; PS, EDICTLP; BD; ACC GEN

EX MIN 16/57

**EX MEM 16/32 AMENDMENT TO PENSIONS ACT, REVISED
STATUTES OF ANGUILLA, CHAPTER P20, SCHEDULE 2 (SECTION
27 (8)) – INVESTMENT OF THE PUBLIC SERVICE PENSION FUND**

Council agreed that the paper should be deferred and that the Ministry of Finance should submit detailed and clear drafting instructions to Executive Council for consideration along with the actuarial advice received by the Public Service Pensions Board.

Action: PS, FIN; PS, PA; PS, EDICTLP; ADMINISTRATOR, PSPF; ACC GEN

ORAL MENTION

EX MIN 16/58

**AMENDMENT TO EX MIN 15/559 EX MEM 15/318 PAYMENT OF
DEFERRED SALARY – MS X**

[note on publication: name redacted to protect personal health information]

Council agreed that EX MIN 15/559 of 1st October 2015 should be amended as follows:-

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance.

Council agreed that Ms. X, who is employed by the Anguilla Public Service should be paid her deferred salary of EC\$16,271.58 to assist her with costs associated with her parents' home care.

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

Action: PS, PA; PS, FIN; PS, EDICTLP; ACC GEN; HON DG

EX MIN 16/59

**PRESENTATION BY OFFICIALS FROM GLOBAL GREEN ENERGY
LTD.**

The following persons joined the Meeting:-

Hon Cardigan Connor, Parliamentary Secretary
Mr Charles R. Carroll, Chief Executive Officer, Global Green Energy Ltd.
Mr John Hayes, Vice President, Distribution, Global Green Energy Ltd.

The CEO and Vice President, Distribution of GGE Ltd. spoke of their continued interest in this project and of the fact that they had been granted conditional planning permission, a Memorandum of Understanding between the GoA and GGII of Anguilla Ltd., and a Services Agreement between the GoA and GGIIA for the Waste to Energy Project.

The CEO and Vice President briefed Council on the operations and activities of GGE Ltd. The CEO indicated that the company's main function was converting (not incinerating) waste into energy. He stated that GGE Ltd. would only use waste generated on Anguilla. The CEO further stated that by using pyrolysis (a thermal decomposition of complex organic matter in the absence of oxygen) which

causes everything to take place without oxygen, much more could be done than with other technology.

The Officials pointed out that they have been using the technology for over a decade and have reliable establishments in Korea, Philippines, Japan, Australia, Indonesia and Malaysia. The Officials indicated that relevant detailed information and contact details in Japan would be forwarded to Government Ministers for perusal and discussion.

Council thanked the gentlemen for their informative presentation.

Action: PS, MICUHAFIT; PS, HSD; HON MIN, MICUHAFIT; HON MIN, HSD

EX MIN 16/60

OVERSEAS TRAVEL

Parliamentary Secretary remained in attendance

The Hon Chief Minister/Finance informed Council that he would be off island on Monday 1st February 2016 to attend the swearing in ceremony of the new Governor of the ECCB in St. Kitts and for meetings with the IMF and the ECCB.

Action: EXCO MEMBERS

EX MIN 16/61

PRESENTATION TO EXECUTIVE COUNCIL BY OXITECH

Parliamentary Secretary remained in attendance.

The Hon Minister of Health informed Council that there would be a presentation to Executive Council on Thursday 25th February 2016 by Oxitech relating to the Aedes Aegypti and the Zika virus.

Action: EXCO MEMBERS; PS, HSD
