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**MINUTES OF THE 188<sup>TH</sup> MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 9<sup>TH</sup> MAY 2019**  
**AT 9:00 AM**

- PRESENT: His Excellency The Governor, Mr Timothy Foy, OBE
- The Honourable Chief Minister and Minister of Finance, Economic Development, Commerce, Tourism and Information Technology, Mr Victor Banks
- The Honourable Deputy Governor, Mr Perin Bradley
- The Honourable Minister of Health and Social Development, Lands and Physical Planning, Mr Evans Rogers
- The Honourable Minister of Home Affairs and Education, Mrs Cora Richardson-Hodge
- The Honourable Minister of Infrastructure, Communications, Utilities, Housing, Agriculture, Fisheries and Environment, Mr Curtis Richardson
- The Honourable Attorney General, Mr Dwight Horsford
- Clerk to Executive Council, Mrs Jewelle Fleming
- IN ATTENDANCE: Senior Crown Counsel (Civil), Mr Ivor Greene (sat in for the Hon AG who was absent briefly on scheduled duty)
- Hon Parliamentary Secretary, Mr Cardigan Connor
- Ministerial Assistant to the Hon Minister, MHA, Mrs Evalie Bradley
- Financial Specialist, Mr Stephen Turnbull
- PS, HLPP, Mr Foster Rogers
- Director, Lands & Surveys (acting), Mrs Kristy Harrigan
- Executive Director, Public Utilities Commission, Mr Kenn Banks
- PS, EDICTIT, Mr Larry Franklin
- Compliance Manager, Ms Marisa Harding-Hodge
- PS, FIN, Dr. Aidan Harrigan
- Comptroller of Customs, Mr Travis Carty
- Customs Adviser, Mr Grenville John
- Inland Revenue Adviser, Mr Mark Waddington

EX MIN 19/217

**CONFIRMATION OF THE MINUTES**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Council confirmed the Minutes of the 187<sup>th</sup> Meeting held on Thursday 2 May 2019.

Hon Parliamentary left the meeting to attend a scheduled formal event.

Council agreed that the matters below be discussed, and that Council be adjourned until 2:00 pm.

EX MIN 19/219

**EX MEM 19/106 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – EDINROC INVESTMENTS ANGUILLA KAMIQUE 1 LLC – REGISTRATION SECTION SOUTH CENTRAL, BLOCK 38611 B, PARCEL 275 CONTAINING 0.78 OF AN ACRE**

Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained. The following persons joined:

PS, HLPP, Mr Foster Rogers  
Director, Lands & Surveys (acting), Mrs Kristy Harrigan

Council agreed to issue an Aliens Land Holding Licence to Edinroc Investments Anguilla Kamique 1 LLC to hold property situated in Registration Section South Central, Block 38611 B, described as Parcel 275 located at Lockrum, Anguilla for tourism purposes with a villa thereon, subject to the following:

- (a) stamp duties payable are as follows:
- |      |   |                              |
|------|---|------------------------------|
| (i)  | under the Stamp Act – 5%<br>of EC\$4,838,760.00                             | EC\$241,938.00               |
| (ii) | under the Aliens Land Holding<br>Regulation Act – 5%<br>of EC\$4,838,760.00 | EC\$241,938.00               |
|      | <b>TOTAL</b>  | <b><u>EC\$483,876.00</u></b> |
- (b) to comply with the Labour Department Act R.S.A. c. L15 and Section 16 (1) and (2) of the Fair Labour Standards Act, R.S.A. c. F15.

Action: PS, HLPP; DLS (acting); LAB COM; PS, FIN

EX MIN 19/220

**EX MEM 19/107 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – ESTHER PATRICIA BRYAN-DIXON – REGISTRATION SECTION: WEST END, BLOCK 17709 B, PARCELS 89 AND 95, AND BLOCK 17809 B PARCELS 60 AND 63 CONTAINING 0.75, 0.38, 0.37 AND 0.25 OF AN ACRE RESPECTIVELY LOCATED AT WEST END**

Ministerial Assistant to the Hon Minister, MHA, Financial Specialist, PS, HLPP and DLS (acting) remained.

Council agreed to issue an Aliens Land Holding Licence to Esther Patricia Bryan-Dixon to hold, on a freehold basis, Registration Section West End, Block

17709 B, Parcels 89 & 95, Block 17809 B Parcels 60 & 63 consisting 0.75, 0.38, 0.37 & 0.25 of an acre of vacant land respectively located at West End and Registration Section South Central, Block 38612 B, Parcel 131 being 0.60 of an acre, subject to:

- (i) rescinding of EX MIN 18/146 of 15 March 2018;
- (ii) confirmation from the Hon Attorney General that one licence can be issued to hold multiple parcels of land; and
- (iii) the payment of the following fees:
  - (a) in accordance with the Will of James Emmanuel Bryan
    - (i) under Section 14(3) of the Aliens Land Holding Licence Act EC\$200.00
    - (ii) stamp duty on transfer on four (4) parcels  
EC\$20.00 per parcel EC\$ 80.00
    - TOTAL** **EC\$280.00**
  - (b) in accordance with the Will of Athanase Gaston Scholastique Gagan
    - (i) under Section 14(3) of the Aliens Land Holding Licence Act EC\$200.00
    - (ii) stamp duty on transfer on one (1) parcel EC\$ 20.00
    - TOTAL** **EC\$220.00**
    - GRAND TOTAL** **EC\$500.00**

Action: PS, HLPP; HON AG; DLS (acting); PS, FIN

EX MIN 19/221

**EX MEM 19/108 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – RICHARD RHODES REUPKE – REGISTRATION SECTION WEST END, BLOCK 17810 B, PARCEL 201 SL H301 CONTAINING 2,299 SQ. FT.**

Ministerial Assistant to the Hon Minister, MHA, Financial Specialist, PS, HLPP and DLS (acting) remained.

Council agreed to issue an Aliens Land Holding Licence to Richard Rhodes Reupke to hold on a freehold basis a luxury condominium unit of approximately 2,299 sq. ft. forming part of Resorts & Residences of Anguilla Home Owners Association Ltd. a condominium development at Four Seasons Anguilla Ltd., described as Registration Section West End, Block 17810 B, Parcel 201 SL H301, subject to the following:

- (a) payment of the following stamp duties:

(i)	under the Stamp Act – 5% of EC\$5,648,152.56	EC\$282, 407.63
(ii)	under the Aliens Land Holding Regulation Act – 0% of EC\$5,648,152.56	<u>EC\$0.00</u>
	<b>TOTAL</b>	<b><u>EC\$282, 407.63</u></b>

(b) Regulations to be issued for exemption.

Action: PS, HLPP; DLS (acting); HON AG; PS, FIN

EX MIN 19/222

**EX MEM 19/109 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – B&F CO. LIMITED – REGISTRATION SECTION WEST END, BLOCK 18011 B, PARCEL 310 CONTAINING 0.65 OF AN ACRE**

Ministerial Assistant to the Hon Minister, MHA, Financial Specialist, PS, HLPP and DLS (acting) remained.

Council agreed to issue an Aliens Land Holding Licence to B&F Co. Limited to hold property situated in Registration Section West End, Block 18011 B, described as Parcel 310 containing 0.65 of an acre, located in Long Bay, Anguilla for tourism purposes, subject to the following:

- (a) stamp duties payable are as follows:
- |      |   |                             |
|------|---|-----------------------------|
| (i)  | under the Stamp Act – 5%<br>of EC\$940,870.00                             | EC\$47,043.50               |
| (ii) | under the Aliens Land Holding<br>Regulation Act – 5%<br>of EC\$940,870.00 | <u>EC\$47,043.50</u>        |
|      | <b>TOTAL</b>  | <b><u>EC\$94,087.00</u></b> |
- (b) Parcels 140, 150 and 310 should be amalgamated;
- (c) that the development shall not be used for the housing of staff; and
- (d) to comply with the Labour Department Act R.S.A. c. L15 and Section 16 (1) and (2) of the Fair Labour Standards Act, R.S.A c. F15.

Action: PS, HLPP; DLS (acting); LAB COM; PS, FIN

EX MIN 19/223

**EX MEM 19/110 REFORM REGULATIONS FOR LICENCE AND LEVY FEES, PUBLIC UTILITIES COMMISSION (PUC) INTO ONE REGULATION CALLED THE TELECOMMUNICATIONS LEVY AND LICENCE FEES REGULATIONS, 2019**

Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Executive Director, Public Utilities Commission, Mr Kenn Banks joined.

Council agreed to:

- (i) decentralize the collection of fees by putting this process directly under the purview of the PUC and the Ministry which would work together so that going forward there would no longer be the need for a legislative intervention and use of Executive Council's time; and
- (ii) merge the process captured under the Licence Fee Regulations and the Assessment of Industry Levy (Telecommunications) (Amendment) Regulations into one Regulation called the Telecommunications Levy and Licence Fees Regulations, 2019.

Council thanked the Executive Director, PUC for his input.

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

Action: PS, MICUHAFE; EX DIR, PUC; HON AG; MINS OF GOV'T

EX MIN 19/224

**EX MEM 19/111 AMENDMENTS TO THE PUBLIC UTILITIES ACT 2019 AND TELECOMMUNICATIONS SPECTRUM FEE (AMENDMENT) REGULATIONS, 2019**

Ministerial Assistant to the Hon Minister, MHA, Financial Specialist and Executive Director, Public Utilities Commission remained.

Council agreed to:

- (i) amend the present Telecommunications spectrum fee regulations by deleting schedule 4 and substitute with the revised version as outlined in Appendix A of EX MEM 19/111; and
- (ii) amend section 24 of the Public Utilities Commission Act, R.S.A.c P175 to enable the Commission to allow operators to pay the fees payable to the Commission over a period of two financial years as outlined in Appendix B of EX MEM 19/111.

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

Council thanked the Executive Director, PUC for his input.

Action: PS, MICUHAFE; EX DIR, PUC; HON AG; MINS OF GOV'T

EX MIN 19/225

**EX MEM 19/112 REVOCATION OF WORK PERMITS**

Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Council:

- (i) ratified the revocation of two (2) work permits;

- (ii) was satisfied that the conditions of the work permit had been knowingly breached; and
- (iii) asked that all establishments be advised of the importance of adhering to the conditions of the work permit.

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

Action: PS, MHA/IMM; LAB COM; CIO; HON MIN, MHA/IMM

EX MIN 19/226

**EX MEM 19/113 APPLICATION FOR DUTY EXEMPTION**

Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Council agreed that duty exemption should be granted on a list of items for the outfitting of a house in Shoal Bay for monthly rental, targeting visitors who are desirous of seeking more affordable accommodations.

The assessed duty loss to the GoA is EC\$16,950.39.

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

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

EX MIN 19/227

**CORPORATE REPORT – DDRM ANGUILLA LIMITED**

Ministerial Assistant to the Hon Minister, MHA, Financial Specialist and PS, HLPP remained. The following persons joined:

PS, EDICTIT, Mr Larry Franklin  
Compliance Manager, Ms Marisa Harding-Hodge

Following on from EX MIN 19/214 of 2 May, Council agreed the recommendations set out in the Corporate Report for DDRM Anguilla Limited as attached.

Action: PS, HLPP; PS, EDICTIT; HON AG; COM MAN; TIO; DLS; PS, FIN;  
PS, MICUHAFE; MINS OF GOV'T

EX MIN 19/228

**CORPORATE REPORT – ZEMI/FOUNTAIN BEACH RESIDENCES**

Ministerial Assistant to the Hon Minister, MHA, Financial Specialist, PS, HLPP, PS, EDICTIT and Compliance Manager remained.

Further to EX MIN 19/215 of 2 May, Council deferred the paper to the next meeting of Executive Council to be held on Thursday 16 May.

Action: PS, HLPP; PS, EDICTIT; HON AG; COM MAN; TIO; DLS; PS, FIN;  
MINS OF GOV'T

Following the resumption of the meeting of Executive Council at 2:00 pm, the remaining matters below were discussed.

EX MIN 19/230

**EX MEM 19/105 IMPLEMENTATION OF GOODS COMPONENT OF GST**

Hon Parliamentary Secretary, Financial Specialist and PS, FIN remained. The following persons joined:

Comptroller of Customs, Mr Travis Carty  
 Customs Adviser, Mr Grenville John  
 Inland Revenue Adviser, Mr Mark Waddington

Council:

- (i) noted a comprehensive presentation with regard to the implementation of Goods Component of Goods and Sales Tax (GST) by the Customs Advisor, Mr Grenville John;
- (ii) agreed to defer approval to allow the consideration of any changes arising out of public consultations with relevant stakeholders;
- (iii) authorised the submission of the draft legislation to the Attorney General's Chambers for review in concert with the PS Finance, the Comptroller of Customs and the Customs Adviser;
- (iv) agreed to the release of the draft legislation for public consultation; and
- (v) noted that due to the need to ensure adequate public consultations, it is unlikely that the target date of 1 June 1 2019 for implementation of IGT will be met. Further noted that 1 July 2019 would be a more realistic date.

Council thanked the officials for a good presentation.

Action: PS, FIN; PS, EDICTIT; HON AG; PAS, FIN; BD; DEP; CIR; COC;  
 MINS OF GOV'T

EX MIN 19/232

**RENTAL AND PURCHASE OF BASS VEHICLES**

Hon Parliamentary Secretary remained.

Council:

- (i) noted the correspondences from Bass Car Rental and the PS, MICUHAFE on this matter;
- (ii) reaffirmed its decision taken in EX MIN 19/205 of 25 April that the Hon Chief Minister should write to the Secretary of State seeking approval to enter into a lease-to-own arrangement for the purchase of Government of Anguilla vehicles; and

- (iii) agreed that in the interim, the accounting officers should endeavour to resolve the issue of outstanding rental payments.

Action: PS, MICUHAFE; CHIEF ENG; DCE; PS, FIN; PS, EDICTIT; CL, HOA;  
PAS, FIN; BD; CPO; MINS OF GOV'T

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