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MINUTES OF THE 43rd MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 13th MAY 2021 AT 9.00 AM

- PRESENT:
- Her Excellency the Governor, Ms Dileeni Daniel-Selvaratnam
 - The Honourable Premier and Minister for Finance and Health,
Dr Ellis Webster
 - The Honourable Deputy Governor, Mr Perin Bradley
 - 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 Home Affairs, Immigration, Labour,
Human Rights, Constitutional Affairs, Information and Broadcasting,
Lands and Physical Planning, Mr Kenneth Hodge
 - The Honourable Minister for Infrastructure, Communications,
Utilities, Housing and Tourism, Mr Haydn Hughes
 - The Honourable Minister for Economic Development, Commerce,
Information Technology, Environment and Natural Resources,
Mr Kyle Hodge
 - The Honourable Attorney General, Mr Dwight Horsford
 - Clerk to Executive Council, Mrs Angela Hughes
- IN ATTENDANCE:
- Hon Parliamentary Secretary for Economic Development,
Mrs Quincia Gumbs-Marie
 - Hon Special Ministerial Assistant to the Hon Minister for Social
Development/Education, Mr Merrick Richardson
 - Financial Specialist, Mr Stephen Turnbull

EX MIN 21/163

CONFIRMATION OF THE MINUTES

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council confirmed that the Minutes of the 42nd Meeting of Executive Council held on Thursday 6th May, 2021 would be approved by Round Robin.

MATTERS ARISING FROM THE MINUTES

EX MIN 21/164

COVID-19 & ASTRAZENECA/OXFORD VACCINE UPDATE

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained. The following persons joined the meeting: -

PS, Health, Mr Foster Rogers
 Chief Medical Officer, Dr Aisha Andrewin
 Health Planner, Ms Rochelle Rogers
 Commissioner of Police, Mr David Lynch

Update on the COVID-19 cluster investigation and current situation

As of May 13, Anguilla has recorded a total of 109 confirmed cases with 95 recoveries and 14 active cases from the cluster. In total there are 78 locally detected cases of COVID-19 all associated with the cluster first identified on April 21.

Cluster Cases Overview

The following summary pertains to the 78 cases detected locally:

The cases identified consist of 68 adults and 10 children ranging in age from 7 months to 77 years and 54 are considered recovered at this time. They are 34 females and 44 males. Three males ages 42, 56 and 43 who were hospitalized for varying degrees of respiratory distress have now all been discharged. The majority of cases are in

persons aged 30 - 59 years old - 50 cases (64%); under 30 years - 19 cases (24%) and 60+ years - 9 cases (12%).

Thus far, a total of 17 persons have reported a diagnoses of underlying medical conditions that are risk factors for severe disease and death if infected by COVID-19:

- 11 with hypertension (including two of the hospitalized gentlemen)
- 1 with genetic thromboembolic disease
- 1 with diabetes
- 2 with hypertension and diabetes
- 2 with asthma

The cases within the cluster all share a common exposure which is linked to a place, person and/or setting in time. There is a wide distribution of cases across various villages in Anguilla, with the largest number of cases in South Hill.

Testing and Contact Tracing

Upon identification of the cluster, the Ministry of Health undertook an aggressive contact tracing effort which has led to COVID-19 testing of more than 1460 persons since April 22. The last positive cases were confirmed on May 10. The 3 cases identified were not under quarantine but because of the restrictions on movement, the opportunities for transmission would have been reduced. This is a slight deterioration in the position, but the measures are working. The cluster seems to be largely contained, but caution is needed.

Contact tracing is ongoing and will end when no more additional positives are confirmed from the cluster.

Vaccination Deployment Update

As of May 12, there were 8758 registered persons of which 8183 persons had received their first dose, representing 65% of the target population figure of 12,600 persons. Thus far, 4047 persons have received their second dose. The breakdown by occupation of first doses is as follows:

- 319 Healthcare workers

- 470 Civil, border protection and port staff
- 1566 Hospitality
- 981 Retired
- 4861 Others

Using 2011 census age demographics, the breakdown of individuals who have received the vaccine by age, is as follows:

- 2341 persons age 18 - 34 (59% of target)
- 2447 persons age 35 - 49 (61% of target)
- 2222 persons age 50 - 64 (93% of target)
- 1103 persons age 65+ (98% of target)

Since the last report on May 6, there has been a significant rise in the number of first doses administered, especially in younger age groups, with a 9% increase in the 18 – 34 age group. The launch of the #VAXAXA challenge is anticipated to continue this trend.

There is limited data on the number of public service workers that have been vaccinated, as the data was not collected via sectors and the employer field was optional. Thus far, 739 persons who have received 1 dose listed the Government of Anguilla as an employer; of which 159 persons indicated Teacher/Educator as their occupation.

Vaccine ID Cards

The software development continues and a demo may be available for testing by the end of this week. The software developers are working on incorporating individual QR codes to allow for a simpler user experience. The targeted date for roll out is May 21. In the interim, paper cards continue to be distributed at the vaccination site.

Police update on enforcement and policing plan

The Commissioner of Police updated Council on the enforcement operations of the RAPF.

As the Regulations currently allow for some flexibility there is greater opportunity for non-compliance and enforcement is more challenging. Whilst stricter Regulations are easier to enforce, the

flexibility of the Regulations is a proportionate response to the scenario.

Since April 24 there have been 100 land patrols, 338 cars have been stopped, 77 breaches have been recorded and 77 persons will be prosecuted, 8 vessels have been seen on the ocean and 7 vessels have been intercepted.

COVID-19 De-escalation of Measures

The Ministry of Health continue to stress the importance of the gradual relaxation of containment measures to limit the further spread of COVID-19. The Ministry supports the extension of the relevant Regulations with the stated recommendations towards a guided and safe re-opening of sectors. The Ministry supports the implementation of Step 2 of the De-escalation of measures which permits indoor or outdoor mass gatherings at churches, restaurants, and bars and gyms for fully vaccinated persons. The maximum number of persons permitted to gather is 12.

Council:

- 1) thanked the Health team and the Commissioner of Police for their continued hard work;
- 2) noted that as of July 1 persons who are medically exempt from vaccination may require a medical exemption card to evidence this and further consideration will be given as to how best to manage this;
- 3) agreed that Anguilla could proceed to Step 2 in the table of measures and that presently there will be no change in the measures to allow all businesses to open, and this position will be revisited by Council next week. Dependent on the health position and vaccine rates, at that juncture it may be possible to align the opening of other private sector businesses with the full return to work of the Anguilla Public Service. Council noted the economic hardship that persons are experiencing. Some businesses are permitted to open

and others are not, with the essential nature of the services being the distinguishing feature and this can create the perception of unfairness. However, the paramount objective now is to limit movement to prevent spread, increase vaccination numbers, address the cluster, and enable the Health team and RAPF to carry out their responsibilities effectively;

- 4) agreed that the Government shall issue strengthened guidance to all businesses concerning the responsibility to self-govern, in terms of their compliance with the Regulations, particularly as it relates to social distancing, the spacing of persons and the number of persons permitted entry to the premises relative to the square footage. Throughout this recent pause the adherence to COVID-19 protocols has not been as strong as anticipated and there are a lack of heightened measures, such as the placement of hand sanitisers. The response in March 2020 was more robust and the Regulations are the same;
- 5) agreed that further guidance shall be issued to establishments that conduct mass gatherings, such as restaurants and churches, particularly as it relates to the details to be included in the log and the requirement to obtain proof of vaccination as provided in the Regulations; and to hold this information for at least four weeks (i.e. two incubation cycles);
- 6) agreed that clarity had to be provided on the removal of all restrictions on movement by May 25, to align with the opening for visitors; and
- 7) approved the extension of the Public Health (Temporary Restrictions on Movement of People and Public Gatherings) Regulations 2021, for a 1-week period from May 14 to May 20, subject to amendment, to include the related provisions for Step 2 of de-escalation measures.

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

Action: PS, HLTH; PS, FIN; PS, EDCITENR; BD; ACC, GEN;
HON, DG; HON, AG; MINS OF GOV'T

EX MIN 21/165

EX MEM 21/89 BLACKLISTING OF NON-COOPERATIVE JURISDICTIONS FOR TAX PURPOSES – APPLICATION OF SUBSTANTIAL ACTIVITIES REQUIREMENTS TO GENERAL PARTNERSHIPS

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained. The Principal Assistant Secretary, Ms Marisa Harding-Hodge joined the meeting.

Council noted the brief of the Principal Assistant Secretary, Finance regarding the review of Anguilla by the Code of Conduct Group for the EU Blacklisting exercise. The aim is to improve Anguilla's EOIR, non-compliant status and to be removed from the EU blacklist.

The EU criteria for determining non-cooperative jurisdictions for tax purposes includes tax transparency, implementation of Anti - BEPS measures and fair taxation criteria.

It is proposed that the business licensing framework be amended to prohibit the issuance of licences to do business in Anguilla to unregistered/incorporated partnerships. Legislative amendments are required to ensure that there is no opportunity for General Partnerships comprised of Anguillian persons and non-Anguillian persons to do business, which would be classified as relevant activities, and yet not fall within the scope of economic substance legislation. Incorporation as a body corporate is necessary in order to carry out regulated activities.

Council:

- 1) agreed to amend the Trade, Business, Occupations, Professions and Licensing Act as follows:
 - (i) to restrict non-Anguillian persons and Anguillian persons conducting business together from being issued a license in respect of that business unless they are a body corporate;

- (ii) to require persons whether Anguillian or non-Anguillian to form a body corporate in order to be issued a licence to conduct relevant activities, in respect of activities, which are licensed under the Act; and
 - (iii) where necessary, following dialogue with the EU, to make legislative amendments to provide that only individual persons or a body corporate may be licensed under the Act; and
- 2) agreed that public consultation should be undertaken with the relevant industry partners; and
 - 3) instructed the AG's Chambers to draft the legislative amendments for presentation to Council.

Action: PS, FIN; PS, EDCITENR; HON, PREM;
HON, MIN EDCITENR

EX MIN 21/166

EX MEM 21/90 UPDATED APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION WEST END, BLOCK 17810 B, PARCEL 167 CONTAINING 0.20 ACRES

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council:

- 1) agreed that the Department of Lands and Surveys shall prepare and submit to Council for consideration, the following: a revised Aliens Land Holding Licence (ALHL) Policy, Guidance Notes and Forms for processing ALHL's;
- 2) agreed to rescind Ex Min 21/16; and
- 3) further agreed to issue an Aliens Land Holding Licence to hold on a freehold basis 0.20 acres of land, located at Barnes Bay being Villa no. 5, forming part of Resorts & Residences of Anguilla Home Owners Association Ltd., a Condominium development at Four Seasons Anguilla Ltd., situated in Registration Section West

End, Block 17810 B described as Parcel 167, subject to the following:

a) Stamp Duties payable are as follows:

- | | | |
|------|---|----------------|
| (i) | under the Stamp Act – 5%
of EC2,754,103.38 | EC\$137,705.17 |
| (ii) | under the Aliens Land Holding
Regulation Act – 0%
of EC2,754,103.38 | <u>EXEMPT</u> |

TOTAL	<u>EC\$137,705.17</u>
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b) that Villa 18 being property situate in Registration Section West End, Block 17810 B, described as Parcel 180 presently registered to the applicants must be exchanged with SOF 82 Anguilla Holdings LLC;

c) if the Applicants decide to trade-up for Villa 9, an application fee of US\$200.00/EC\$537.64 shall be payable to the Department of Lands and Surveys; and

d) Regulations to be issued for Exemption.

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

Action: PS, HA; DLS; HON, MIN HA

EX MIN 21/167

EX MEM 21/91 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION EAST END, BLOCK 99415 B, PARCEL 307 CONTAINING 0.50 ACRES OF LAND AND REGISTRATION SECTION WEST END, BLOCK 17609 B, PARCEL 27 CONTAINING 0.50 ACRES OF LAND

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council agreed to issue an Aliens Land Holding Licence to hold on a freehold basis, properties situate in:

- 1) Registration Section East End, Block 99415 B, described as Parcel 307 being 0.50 acres of land in Sea Feathers; and
- 2) Registration Section West End, Block 17609 B, described as Parcel 27 being 0.50 acres of land located in West End respectively, subject to the following:

(a) payment of the following Stamp Duties:

BLOCK 99415B PARCEL 307

(i) under the Stamp Act – 5% of EC\$2,150,560.00	EC\$107,528.00
(ii) under the Aliens Land Holding Regulation Act – 5% EC\$2,150,560.00	EC\$107,528.00
TOTAL	<u>EC\$215,056.00</u>

BLOCK 17609 B PARCEL 27

(i) under the Stamp Act – 5% of EC\$1,021,516.00	EC\$51,075.80
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(ii) under the Aliens Land Holding Regulation Act – 6.25% of EC\$1,021,516.00	EC\$63,844.75
(iii) Refundable Deposit 10% of EC\$1,021,516.00	<u>EC\$102,151.60</u>
TOTAL	<u>EC\$217,072.15</u>
GRAND TOTAL	<u>EC\$432,128.15</u>

- (b) on Block 17609B, Parcel 27 - The construction of the dwelling house is to be completed within thirty (30) months. If said dwelling house is not completed at the end of thirty (30) months, 50% of the refundable deposit will be forfeited to the Government of Anguilla. The balance of 50% will be forfeited if the construction is not completed within a further 6 months. Thereafter, forfeiture proceedings for the property will be commenced by the Government of Anguilla for a period of twenty-four (24) months;
- (c) the Applicant shall be exempted from the Government's Policy restricting Aliens to the purchase of no more than half an acre of land;
- (d) that the Ministry of Lands in separate correspondence shall write to the proprietor of the land situate in Registration Section West End, Block 17609 B, described as Parcel 27, notifying them that their refundable deposit will be forfeited; and
- (e) the Applicant must obtain a Business Licence from the Ministry of Finance in order to rent the said property.

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

Action: PS, HA; DLS; HON, MIN HA

EX MIN 21/168

EX MEM 21/84 PROGRAMME OF ACTIVITIES AND BUDGET FOR THE CELEBRATION OF THE 54TH ANNIVERSARY OF THE ANGUILLA REVOLUTION AND ANGUILLA DAY 2021

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council noted the update of the Hon Minister for EDCITENR wherein he indicated that given the prevailing conditions, a small ceremony with approximately 31 persons will be live streamed for Anguilla Day.

Action: PS, EDCITENR; HON, MIN EDCITENR
