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MINUTES OF THE 125th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 23rd FEBRUARY 2023 AT 9.00 AM

PRESENT: Her Excellency the Governor, Ms Dileeni Daniel-Selvaratnam
The Honourable Premier and Minister for Finance, Economic Development & Investment 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 Sustainability, Innovation and Environment, Mrs Quincia Gumbs-Marie
The Honourable Attorney General, Mr Dwight Horsford
Clerk to Executive Council, Mrs Angela Hughes

IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr Merrick Richardson
Financial Specialist, Mr Stephen Turnbull

EX MIN 23/49

CONFIRMATION OF THE MINUTES

Parliamentary Secretary and Financial Specialist remained.

Council confirmed the Minutes of the 124th Meeting of Executive Council held on Thursday 16th February, 2023.

MATTERS ARISING FROM THE MINUTES

EX MIN 23/51

EX MEMO 23/36 EXTENSION OF CONTRACT FOR THE SPANISH SPEAKING COMMUNITY LIAISON OFFICER

Parliamentary Secretary and Financial Specialist remained.

The Hon Minister for Home Affairs briefed Council. Mrs Jeannette Guzman – Lamontagne was appointed as a Spanish Speaking Community Liaison Officer on March 1, 2021 for a period of two years ending February 28, 2023. Mrs Guzman – Lamontagne has served as a liaison with members of the Spanish speaking community that seek advice on labour, immigration and education matters. She has translated and transcribed various Government press releases and other public relations content for dissemination to the Spanish speaking community. Following discussions among the Minister for Home Affairs, the Premier and other members of the Administration, the decision was taken to offer Mrs Guzman - Lamontagne a 10 month extension of contract to cover the period March 1, 2023 to December 31, 2023. Apart from the duration, the same terms and conditions of the initial contract are to apply to the extension.

Council:

- 1) noted that provision for payment of the officer is included in the 2023 Ministry for Home Affairs budget; and
- 2) approved the 10 month extension of the contract of the Spanish Speaking Community Liaison Officer, for the period March 1, 2023 to December 31, 2023.

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

EX MIN 23/52

EX MEMO 23/37 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE

Parliamentary Secretary and Financial Specialist remained.

Council:

- 1) endorsed the recommendation of the Hon Minister for Home Affairs, for submission of the applications for consideration by H.E. the Governor, as it relates to the grant of the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act, for persons recommended;
- 2) further agreed that the applicant must submit a valid Certificate of Good Standing from the Inland Revenue Department, before the application is submitted to H.E. the Governor for consideration; and
- 3) noted that granting Permanent Residence did not exempt persons from the provisions of the Labour (Relations) Act, nor did it entitle them to Belonger status until they have been residing in Anguilla for 15 years, or become naturalized British Overseas Territories Citizens in Anguilla. These individuals would become eligible to apply for naturalization after one year of permanent residency.

Action: PS, HA; LAB, COM; CIO; HON, AG; HON, MIN HA

EX MIN 23/53

EX MEMO 23/38 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION EAST CENTRAL, BLOCK 89218B PARCELS 344, 345 AND 346 BEING 1.32 ACRES, 0.53 ACRES AND 0.5 ACRES RESPECTIVELY FOR A TOTAL OF 2.35 ACRES

Parliamentary Secretary and Financial Specialist remained.

Council agreed to issue an Aliens Land Holding Licence to hold on a freehold basis, property situate in Registration Section East Central, Block 89218 B, described as Parcels 344, 345 and 346 being 1.32 acres, 0.53 of an acre and 0.50 of an acre respectively, for a total of

2.35 acres of land, located in Shoal Bay, with villas under construction thereon, for tourism purposes, subject to the following:

(a) payment of the following Stamp Duties:

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| (i) under the Stamp Act – 5% of EC\$4,704,350 | EC\$ 235,217.50 |
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| (ii) under the Aliens Land Holding Regulation Act – 5% of EC\$4,704,350 | <u>EC\$ 235,217.50</u> |
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| TOTAL | <u>EC\$470,435.00</u> |
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(b) the property is to be used for tourism purposes;

(c) the Applicant is required to enter into an MOA within three [3] months of the issue of the licence;

(d) the Applicant shall, during the period of construction, permit the authorised officers or agents of the Government of Anguilla access to the land to inspect the site and building work;

(e) the development shall be completed within twenty four (24) months. Thereafter, the Applicant shall pay EC\$3,500 following the twenty four (24) month period, increasing by 5% yearly for every year uncompleted for a period of twenty four (24) months thereafter (i.e. a total development period of forty eight (48) months). Following such, forfeiture proceedings will commence if there is no significant justification for the delay; and

(f) the Licensees shall fully comply with the laws of Anguilla in force from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour Relations Act 2018 and Control of Employment Act Regulations, the Social Security Act, the Immigration and Passport Regulations and any statutory modification or re-enactment thereof and any rules or regulations made there under.

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

EX MIN 23/54

EX MEMO 23/39 WAIVER OF DUTY ON TEMPORARY IMPORTS ASSOCIATED WITH A PHOTO SHOOT IN ANGUILLA FOR THE J. CREW GROUP INC.

Parliamentary Secretary and Financial Specialist remained.

The J.Crew Group, Inc has submitted a request for consideration of a waiver of the duty on temporary imports for a photo shoot scheduled in Anguilla from February 26 to March 5, 2023. The company offers an assortment of women's, men's, and children's apparel and accessories, including swimwear, outerwear, lounge-wear, bags, sweaters, denim, dresses, suiting, jewelry and shoes. The brand operates more than 450 retail stores throughout the United States. The company conducts its business through retail, factory, crew cuts, Madewell stores, catalogues and online.

The group of 28 crew and talent will be staying at Aurora Anguilla Resort & Golf Club. The photo shoots will be conducted at various locations throughout the island and will capture images for the Spring & Summer 2023 campaign, that will be featured online as well as in the print catalogue and social media. An added feature of the production will be the inclusion of several residents (men, women and children) who will be hired as models, to be featured in the campaign that will be promoted worldwide. In addition, a number of local car rental agencies, transport providers, production companies, caterers and media companies etc. will be hired to provide support services for the photo shoot.

In relation to other events there is a historical precedent for exemption from applicable duty (1%) on the temporary imports.

To support persons participating in this photo shoot, whilst controlling potential revenue loss associated with such support it is proposed to exempt temporary imports of specified items for a time limited period in accordance with the Financial Administration and Audit Act.

Council:

- 1) noted the granting of the entertainment tax exemption may result in tax loss of approximately USD\$397.74 in relation to the waiver of duty on temporary imports;
- 2) approved the proposed exemption from duty on temporary imports associated with the J Crew Group, Inc. photo shoot based on the following terms:
 - a) Imports to be restricted to the attached schedule of items; and
 - b) The period for clearing imports should be limited until 5th March, 2023. All temporary imports should be exported by 9th March, 2023;
- 3) noted that in accordance with Section 16 of the Financial Administration and Audit Act, remissions must not exceed EC\$1,000 or such greater amount as prescribed by Regulation made by the Governor in Council with the approval of the House of Assembly; and
- 4) instructed the Attorney General's Chambers to prepare the Regulations under Section 16 of the Financial Administration and Audit Act.

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

Action: PS, FIN; PAS, FIN; COC; HON, AG; HON, PREM

EX MIN 23/55

MARITIME INVESTIGATION

Parliamentary Secretary and Financial Specialist remained.

Council noted that in relation to the damage to the subsea telecommunications cable, which occurred on Saturday 18th February, a maritime investigation will be conducted.

Council formally commended all persons that responded in order to maintain business continuity and restore the telecommunications service.

Action: PS, MICUHT; HON, DG; HON, MIN MICUHT
