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MINUTES OF THE 79TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON FRIDAY 28TH OCTOBER 2011

- PRESENT: His Excellency the Governor, Mr Alistair Harrison
- The Honourable Hubert Hughes, Chief Minister and Minister of Finance,
Economic Development, Investment, Commerce and Tourism
- The Honourable Deputy Governor, Mr Stanley Reid
- The Honourable Edison Baird, Minister of Social Development and Education
- The Honourable Walcott Richardson, Minister of Labour, Immigration, Lands,
Physical Planning, Human Rights, Environment and Gender Affairs
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities, and Housing
- The Honourable Attorney General, Mr James Wood
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Hon Jerome Roberts, Adviser to the Hon CM
Hon Haydn Hughes, Parliamentary Secretary
Dr Aidan Harrigan, PS, EDICT
Dr Wycliffe Fahie, PAS, FIN
Mr Foster Rogers, PS, MHA/LANDS
Mr Larry Franklin, PS, MICUH
Ms Mary Clare Haskins, Crown Counsel
Ms Gina Brooks, Tourism Planner
Mr Gifford Connor, DLS
Mr Vincent Proctor, PPO
Mr Leslie Hodge, Surveyor/Understudy to DLS
Mr Kennedy Hodge, Representative, Scrub Island Project
Mr Timothy Hodge, Representative, Scrub Island Project
Mr Harry Wiggin, Solicitor, Webster and Dyrud
Mr Eric Prevette, Co-Asset Manager, Cap Juluca

EX MIN 11/718

CONFIRMATION OF THE MINUTES

Council confirmed the Minutes of the 78th Meeting held on Thursday 20th October 2011 and the Minutes of Special Meetings held on Monday 24th October, Wednesday 26th October and Thursday 27th October 2011.

MATTERS ARISING FROM THE MINUTES

EX MIN 11/719 None.

OUTSTANDING ITEM FOR EXCO

1. EX MIN 08/761 IMMIGRATION AND LABOUR POLICY
of 11 December 2008

Action: PS, MHA; AG

EX MIN 11/720 **EX MEM 11/302 BILL FOR VEHICLES AND ROAD TRAFFIC
(AMENDMENT) ACT, 2011**

Council agreed that the technical team and the AG's Chambers who were involved in the drafting of the legislation should explain the details to the Executive Council before Council approves the Bill for gazetting.

Action: PS, FIN; PS, EDICT; AG

EX MIN 11/721 **EX MEM 11/303 ADVERTISING THE POST OF SUPERVISOR OF
ZENAIDA HAVEN**

Council agreed that:-

- (i) the post of Supervisor of Zenaida Haven should be advertised within the Anguilla Public Service (APS) in the first instance;
- (ii) the advertising of the post be made more widely if advertising within the APS does not yield a suitable candidate;
- (iii) the candidate should not attract housing allowance.

Action: PS, HSD; PS, PA; PS, FIN; PS, EDICT; BO

EX MIN 11/722 **EX MEM 11/304 PAYMENT OF RETIRED SUBSTITUTE TEACHERS**

Council agreed to the payment of pension to retired substitute teachers after consideration of the following recommendations put forward by the Ministry of Social Development that:-

- a) the retired substitute teachers bring a wealth of knowledge and experience to the education system that cannot be easily found elsewhere;
- b) these teachers are used to provide invaluable classroom support to new and struggling teachers;
- c) the pension earned by most of these substitute teachers is not substantial and they are paid based on the number of days they work; (only in exceptional cases are these teachers employed for extended periods);

- d) paying substitute teachers both pension and daily pay does no hardship to the Government of Anguilla as the same money will be expended if other persons are hired as substitutes (i.e. payment of pension to retirees and daily pay to substitutes);
- e) Executive Council, cognizant of the benefits outlined above, previously agreed to pay several substitute teachers both pension and daily pay. (EX MIN 09/130)

Council noted that the continued payment of pensions and daily pay which does not exceed EC\$224.00 (which is the daily amount paid to graduate substitute teachers; less qualified teachers would receive less pay). This does not place any additional financial burden on the Government as these costs are usually budgeted for in the Department of Education's annual budget.

Action: PS, ELSYC; PS, PA; PS, FIN; PS, EDICT; ACC GEN; BO; CEO

EX MIN 11/723

EX MEM 11/305 CENTRAL BAPTIST CHRISTIAN SCHOOL (CBCS)

Council agreed in EX MIN 08/687 of 13 November 2008 to provide a water line and electricity line to the Central Baptist Christian School construction site.

Council agreed that the agreement with the CBCS should be honoured. Council noted that the most urgent need at this time was the provision of electricity at the site.

Action: PS, MICUH; PS, ELSYC; PS, FIN; PS, EDICT

EX MIN 11/724

EX MEM 11/306 AMENDMENT TO INTEGRATED CUSTOMS TARIFF (AMENDMENT) REGULATIONS, 2011

Dr Wycliffe Fahie, PAS, FIN joined the Meeting.

Council considered the above paper which requested Executive Council to:-

- (i) approve the provision of new instructions to the AG's Chambers to change the word "ordered" in Section 4 of the Regulations to "imported" and any other words or phrases which determine that the critical time is the time ordered rather than the time imported;
- (ii) approve the refunding of all duties paid on goods that are identified in the Regulations as being subject to the reduction in duties which were ordered before 17 October 2011 and imported in the period 17 October 2011 to 31 January 2012.

Council requested PAS, FIN to work out what monies the GoA would have to forgo as a result of the above.

HE the Governor asked Ministers of Government if anyone wished to declare an

interest in the matter. No Minister declared an interest. The Hon Chief Minister said that neither he nor his children had any interest in the measure.

Action: PS, FIN; PAS, FIN; PS, EDICT

EX MIN 11/725

EX MEM 11/307 INFORMATION UPDATE – CLIMATE DEVELOPMENT KNOWLEDGE NETWORK (CDKN) FUNDING OF CHANGES TO ANGUILLA’S ELECTRICITY LEGISLATION TO ALLOW FOR THE INTEGRATION OF RENEWABLE ENERGY

Mr Larry Franklin, PS, MICUH joined the Meeting.

Council noted the formal commitment from Climate Development Knowledge Network (CDKN) to partner with the GoA in an initiative to change the electricity legislation to allow for Renewable Energy Integration.

Action: PS, MICUH; DIR, PU; AG

EX MIN 11/726

EX MEM 11/308 APPOINTMENTS TO POSTS OF DESIGN ENGINEER (ROADS) AND ARCHITECTURAL OFFICER AT THE DEPARTMENT OF INFRASTRUCTURE

PS, MICUH remained for discussion.

Council agreed to the following:-

- (i) the filling of the vacant post of Deputy Chief Engineer, Department of Infrastructure internally;
- (ii) the promotion of Mr Nigel Connor, Roads Engineer to the vacant position of Deputy Chief Engineer;
- (iii) the promotion of Mr Shaynis Connor, Design Engineer (Roads) to the position of Roads Engineer;
- (iv) the filling of the vacant post of Architectural Officer, Department of Infrastructure.

Action: PS, MICUH; PS, PA; PS, FIN; PS, EDICT; BO

EX MIN 11/727

EX MEM 11/309 DISPOSAL AND REPLACEMENT OF THE GOA VEHICLES USED BY MINISTERS AND POLITICAL APPOINTEES

PS, MICUH remained for discussion.

Council agreed that every effort should be made to replace the three (3) vehicles currently used by the Hon Minister, HSD, the Hon Minister, ICUH and the Hon Jerome Roberts, Adviser to the Hon CM with vehicles from within the existing pool.

Action: PS, MICUH

ORAL MENTION

EX MIN 11/728

EX MIN 11/655 EX MEM 11/269 ESTABLISHMENT OF THE DEPARTMENT OF LEGISLATURE

EX MIN 11/655 of 6 October 2011 refers.

Mr Leroy Rogers, Deputy Speaker, HoA joined the Meeting.

Council considered the following paper on 6 October 2011 with the following proposal that:-

“a new department of Government should be established under the House of Assembly to be called the Legislature Department. Additionally, the Clerk of the House of the Assembly should be the Accounting Officer as is the case in other UK Overseas Territories. This change would ensure the independence of the Legislature Branch which is necessary for a developing democracy. It will also allow the smooth and efficient functioning of the House of Assembly”.

Council agreed in principle to the proposal to bring the administration of the Anguilla HoA in line with other OT jurisdictions, subject to an examination of the BVI and Montserrat models.

Action: PS, FIN; HON CM; PS, PA
