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MINUTES OF THE 96TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 15TH MARCH 2012

- 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, Health, Sports
and Education
- The Honourable Walcott Richardson, Minister of Labour, Immigration, Lands,
Physical Planning, Human Rights, Environment, Gender Affairs and Agriculture
and Fisheries
- 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: Mr Foster Rogers, PS, EDICT
Ms Aurjul Wilson, PS, MHA/LANDS
Dr Wycliffe Fahie, PAS, FIN
Mr Ivor Greene, Senior Crown Counsel (Civil)
Mr Gifford Connor, DLS
Mr Leslie Hodge, Surveyor/Understudy to DLS
Mr Allister Richardson, Staff Development Officer, HMP
Mr Vincent Walker, Prison Consultant
Mrs Chanelle Petty-Barrett, PS, ELSYC
Mr Brad Colmer, Managing Director, Brilla
Dr Aidan Harrigan, PS, FIN
Mr Kenrick Richardson, Comptroller of Customs

EX MIN 12/153

CONFIRMATION OF THE MINUTES

Council agreed to confirm the Minutes at a continuation of Executive Council on Friday 16th March 2012.

OUTSTANDING ITEM FOR EXCO

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

Action: PS, MHA; AG

EX MIN 12/154

EX MEM 12/66 ORGANISING COMMITTEE FOR ANGUILLA SUMMER FESTIVAL 2012

Mrs Chanelle Petty-Barrett, PS, ELSYC joined the Meeting.

Council agreed that the matter should be deferred for further discussion between the Hon CM and the Hon Minister, HSD.

Action: PS, ELSYC; HON, CM; HON MIN, HSD

EX MIN 12/155

EX MEM 12/67 LEGISLATION FOR THE REGULATION OF BURNING OF HUMAN REMAINS IN CREMATORIA

Council agreed to the drafting of Cremation Legislation by the AG's Chambers in collaboration with the Ministry of Social Development.

Action: PS, HSD; AG

EX MIN 12/156

EX MEM 12/68 EDUCATION BILL 2012

PS, ELSYC remained for discussion.

Council agreed that the matter should be deferred for further discussion between the Hon CM and the Hon Minister, HSD.

Action: PS, ELSYC; HON CM; HON MIN, HSD

EX MIN 12/157

EX MEM 12/69 RETAINER OF COUNSEL TO REPRESENT THE GOVERNMENT OF ANGUILLA BEFORE A BOARD OF ASSESSMENT TO DETERMINE THE VALUE OF LAND COMPULSORILY ACQUIRED FROM THE LAKES' FAMILY

Ms Aurjul Wilson, PS, MHA/LANDS, Mr Foster Rogers, PS, EDICT, Mr Ivor Greene, SCC (Civil), Mr Gifford Connor, DLS and Mr Leslie Hodge, Surveyor/ Understudy to DLS joined the Meeting.

Council agreed that the AG's Chambers should determine from Mr Anthony Astaphan what his costs would be to represent the Government of Anguilla before a Board of Assessment to determine the value of land compulsorily acquired from the Lakes' family.

Action: AG; PS, MHA/LANDS; PS, EDICT; PS, FIN; DLS

EX MIN 12/158

EX MEM 12/74 TO CONSIDER THE FINAL REPORT AND RECOMMENDATIONS OF THE REVIEW OF AN ENVIRONMENTAL IMPACT ASSESSMENT (EIA) FOR SHORELINE PROTECTION AND BEACH PROTECTION WORK FOR THE VICEROY RESORT IN ANGUILLA

PS, MHA/LANDS, PS, EDICT, SCC (Civil), DLS and Surveyor/Understudy to DLS remained for discussion.

Council noted the information paper as presented.

Action: PS, MHA/LANDS; DLS

EX MIN 12/159

EX MEM 12/75 FIFTY PERCENT (50%) REDUCTION IN DUTY FOR VEHICLES AND PARTS OVER SIX MONTHS

Dr Wycliffe Fahie, PAS, FIN joined the Meeting.

Further to EX MIN 11/584 of 15 September 2011, Council agreed to reduce the duty on vehicles by 50% subject to passage of the relevant legislation in the House of Assembly. Duty will then be 17.5% on the CIF plus 6% Custom Surcharge. Council noted that the duty on the importation of vehicles in 2001 was 25%.

Council further agreed that:-

- (i) the applicable time period for the reduction will be 11th April to 11th October 2012;
- (ii) the vehicles and parts must be ordered and imported by 11th October 2012 and that the duty must be paid by 11th November 2012.

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

Action: PS, FIN; COC; AG

ORAL MENTION

EX MIN 12/160

EX MIN 12/149 EXPULSION ORDER – KENDELL LESTRADE

Mr Allister Richardson, Staff Development Officer, HMP and Mr Vincent Walker, Prison Consultant joined the Meeting.

Further to EX MIN 12/149 of 8th March 2012, Council noted the additional information relating to the matter. Council agreed, after considering all the necessary information, (family ties, length of time resident in Anguilla and other important factors) that Mr Kendell Lestrade, a Dominican national should be expelled from the island of Anguilla in accordance with section 2 of the Undesirable Persons Act, R.S.A. c U5.

On the advice of Executive Council, His Excellency the Governor signed the Expulsion Order on 15th March 2012.

Action: AG; COP; CIO

EX MIN 12/162

EX MIN 12/118 EX MEM 12/52 APPLICATION FOR DUTY EXEMPTION FOR PAT-BAN

EX MIN 12/118 of 17 February 2012 refers.

PS, MHA/LANDS, PS, EDICT, DLS and Surveyor/Understudy to DLS remained for discussion. Dr Aidan Harrigan, PS, FIN and Mr Kenrick Richardson, Comptroller of Customs joined the Meeting.

Council agreed that duty exemption should be granted to PAT-BAN (c/o Mr Applewaite Lake) on items to facilitate an automotive services centre, subject to the approval of the Lands Development Committee for a change of use. Council supported the request because it falls in line with eligible projects that support purchases by Anguillians who have invested in projects with an overall value over \$1million. Council further agreed to a reduction in the administration charges to 2.5%.

The duty loss to the GoA is estimated at \$182,234.19.

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

Action: PS, FIN; COC; FO; PS, MHA/LANDS

EX MIN 12/163

MEETING OF EXECUTIVE COUNCIL

Council agreed that there should be a continuation of Executive Council on Friday 16th March 2012 at 2 pm.

Action: EXCO MEMBERS

EX MIN 12/164

A BILL FOR ANGUILLA AIR AND SEA PORTS AUTHORITY (AMENDMENT) ACT, 2012 AND SEAPORTS REGULATIONS, 2012

Council approved the following for gazetting:-

- 1) A Bill for Anguilla Air and Sea Ports Authority (Amendment) Act, 2012;
- 2) Seaports Regulations, 2012 (signed by HE The Governor on 15th March 2012).

Action: AG; PS, MICUH
