

THIS DOCUMENT IS THE PROPERTY  
OF THE GOVERNMENT OF ANGUILLA

Copy No:

**MINUTES OF THE 156<sup>TH</sup> MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON FRIDAY 7<sup>TH</sup> SEPTEMBER 2018**

- PRESENT: His Excellency the Governor, Mr Timothy Foy, OBE
- The Honourable Victor Banks, Chief Minister and Minister of Finance,  
Economic Development, Commerce, Tourism and Information Technology
- The Honourable Deputy Governor, Mr Perin Bradley
- The Honourable Evans Rogers, Minister of Health and Social Development, Lands  
and Physical Planning
- The Honourable Cora Richardson-Hodge, Minister of Home Affairs and Education
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications,  
Utilities, Housing, Agriculture, Fisheries and Environment
- The Honourable Attorney General (Ag), Mr Ivor Greene
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mr Cardigan Connor, Hon Parliamentary Secretary  
Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA  
Mr Stephen Turnbull, Financial Specialist  
Ms Erica Edwards, Crown Counsel  
Dr Aidan Harrigan, PS, FIN  
Mr Larry Franklin, PS, EDICTIT  
Ms Marisa Harding-Hodge, Compliance Officer  
Mr Marcel Fahie, Chairman, AASPA  
Mr Nick van den Brul, Consultant, CFAS  
Mr Simon Angoy, Consultant, CFAS  
Ms Jocelyn Johnson, PS, Social Development (acting)  
Mrs Kiesha Gumbs-Bibby, PS, HLPP (acting)

EX MIN 18/462

**CONFIRMATION OF THE MINUTES**

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

Council confirmed the Minutes of the 155<sup>th</sup> Meeting held on Thursday 30 August  
2018.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 18/463

**EX MIN 18/455 UPDATE ON 2020 GENERAL ELECTIONS**

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

Following on from EX MIN 18/455 of 30 August, Council agreed that the Elections Act should be submitted to Executive Council on Thursday 13 September for consideration.

Action: SOE; PS, MHA; HON AG (acting); MINS OF GOV'T

EX MIN 18/464

**EX MEM 18/224 CDB FIRST PROGRAMMATIC STABILITY AND RESILIENCE BUILDING (POLICY-BASED LOAN (PBL))**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained. Dr Aidan Harrigan, PS, FIN and Mr Larry Franklin, PS, EDICTIT joined.

Council:

- (i) noted that the GoA borrowed from CDB an amount not exceeding nine million three hundred thousand United States dollars (US\$9,300,000.00) twenty five million one hundred ten thousand Eastern Caribbean dollars (EC\$25,110,000.00) for the PBL;
- (ii) approved the loan agreement to give effect to the loan;
- (iii) approved the draft resolution as attached;
- (iv) agreed that the Honourable Minister of Finance includes the resolution in the Order Paper for the next meeting of the House of Assembly; and
- (v) authorised the Minister of Finance to sign the CDB Loan Agreement on behalf of the GoA, following approval of the loan by House of Assembly.

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

Action: PS, FIN; PS, EDICTIT; PAS, FIN; BD; DEP; CPO; DM; CL, HOA;  
ACC GEN; MINS OF GOV'T

EX MIN 18/465

**EX MEM 18/225 MEMORANDUM OF UNDERSTANDING – RESIDENCY BY INVESTMENT**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA, Financial Specialist, PS, FIN and PS, EDICTIT remained. Ms Marisa Harding-Hodge, Compliance Officer joined.

Council:-

- (i) approved the Memorandum of Understanding that would formalise GoA's relationship with the consortium (Latitude and Arton) that would develop and market the residency programmes;
- (ii) noted that care should be taken to ensure that the retroactive phase of the residency programme is not included in the MoU. This will be run exclusively by the GoA and so the consortium will not benefit from this phase of the programme;
- (iii) requested officials to carefully review the language in the MoU around fees and taxes to remove any potential ambiguity and to return this for Council's final consideration; and
- (iv) further noted that likelihood that this scheme in the future would attract international scrutiny with respect to Anguilla's compliance with our international obligations on transparency, counter terrorism and money laundering.

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

Action: PS, EDICTIT; PS, FIN; HON AG (acting); PAS, FIN; DEP; COM OFF; BD;  
CIR; MINS OF GOV'T

EX MIN 18/466

**EX MEM 18/226 CHILDREN BILLS**

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

Ms Jocelyn Johnson, PS, Social Development (acting)  
Mrs Kiesha Gumbs-Bibby, PS, HLPP (acting)

With reference to EX MIN 18/458 of 30 August, Council:

- (i) approved the Child Protection Bill, the Status of Children Bill and the Maintenance of Children Bill for first readings at the next sitting of the House of Assembly;
- (ii) agreed that a press release should be issued from the Ministry of Social Development to thank the public for their involvement in the consultations on the Child Protection Bill since 2016 to present, and the various organisations that were also involved in the consultations. As a result of their participation and expressed views, certain amendments have been made to the Bill for the Child Protection Act;
- (iii) agreed that all three (3) copies of legislation (Child Protection Bill, the Status of Children Bill and the Maintenance of Children Bill) should be sent to the Bar Association and;
- (iv) agreed that the public be informed that copies of the legislation are available on the GoA website.

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

Action: PS, SD (acting); PS, HLPP (acting); HON AG (acting); CL, HOA;  
MINS OF GOV'T

EX MIN 18/467

**EX MEM 18/227 CFATF EVALUATION AND REQUIRED ACTIONS**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained. Ms Erica Edwards, Crown Counsel joined.

Council:

- (i) thanked the Crown Counsel for her presentation;
- (ii) agreed that a meeting be scheduled next week with all parties involved across GoA to work out what is needed (including new legislation) in order to meet the requirements of all the international conventions on CTAML and transparency issues which Anguilla has signed up to;
- (iii) agreed that the approved required legislation be placed on the legislative agenda with identified timelines; and
- (iv) agreed that an evaluation be made of the required legislation to determine which pieces of legislation would require the retaining of a drafter.

Action: HON AG (acting); CC; PS, FIN; PS, EDICTIT; DIR, FSC; DEP DIR, FSC;  
COM OFF; MINS OF GOV'T

EX MIN 18/468

**EX MEM 18/228 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE**

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

Council agreed to grant the Permit of Permanent Residence to those persons who met the requirements for the Permit.

Council did not approve the application for the Permit of Permanent Residence for one person on the basis that the requirements were not met.

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

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

EX MIN 18/469

**EX MEM 18/229 AMENDMENT TO INTERNATIONAL BUSINESS COMPANIES ACT AND INTERNATIONAL BUSINESS COMPANIES REGULATIONS**

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

Council ratified the decision taken by round robin on 4 September 2018 as follows:

- (i) approval of the adjusted International Business Companies (Amendment) Act 2018; and
- (ii) agreement that the International Business Companies (Amendment) Act/Bill be read in the House of Assembly and the adjustments be made at the committee stage.

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

Action: PS, EDICTIT; PS, FIN; COM OFF; PAS, FIN; DEP; CIR; HON AG (acting); DIR, FSC; DEP DIR, FSC; CL, HOA; ROC; MINS OF GOV'T

EX MIN 18/470

**EX MEM 18/230 ANGUILLA COMMUNITY COLLEGE BOARD OF GOVERNORS**

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

Council:-

- (i) noted that the term of office of the current Board of Governors for the Anguilla Community College (ACC) expired on 31 August 2018;
- (ii) agreed that the following persons should constitute the ACC Board effective 1 September 2018 for a term of three (3) years:
  - Mr Rodney Rey (curriculum development)
  - Mrs Lana Horsford-Harrigan (education planning and management)
  - Mrs Twana Duncan (finance, economics and business)
  - Mr Kenneth Porter (law)
  - Mr Patterson Hunte (business and industry)
  - Mrs Amelia Vanterpool-Kubisch (industry)
  - Mr Rohan Petty (NGO - National Youth Ambassador Corp)
  - Dr Karl Dawson (President – Ex Officio Member)
- (iii) agreed that Mr Rodney Rey continues to serve as Chairperson and that the Board nominates a Deputy Chairperson from among its members to be approved by Council subsequently;
- (iv) noted that Mrs Rhona Richardson-Roydon and Mrs Bernice Critchlow-Earle have served as members of the Board since the inception of the College in 2008 and were unable to continue due to the statutory limit on the number of consecutive terms a member can serve. The Ministry would propose replacements for these two members shortly for Ex Co's consideration; and
- (v) additionally noted that there are no additional financial implications as payment of the Board is already budgeted for in the subvention given to the Anguilla Community College.

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

Action: PS, MHA/ED; CEO; ESP; PS, FIN; PS, EDICTIT; BD; ACC GEN

**ORAL MENTION**

EX MIN 18/471

**DATE FOR THE MEETING OF THE HOUSE OF ASSEMBLY**

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

Council noted that the Hon Chief Minister had informed the Clerk, HoA that it was his intention to schedule a meeting of the House of Assembly for Friday 14 September.

Action: CL, HOA; MINS OF GOV'T

EX MIN 18/472

**PROPOSAL TO EXTEND CONDITIONS FOR REPAYMENT OF DEFERRED SALARY**

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

The Hon CM noted that many civil servants and the staff of statutory authorities were facing financial challenges with the lending institutions and were requesting the GoA to give consideration to extending the conditions for the repayment of the deferred salaries to include other financial cases (besides medical), once the case is made and the necessary documentation provided.

The Hon DG pointed out that there would be budgetary implications if this were to happen. He told the CM that he would share with him the original draft Ex Co memo on this matter.

Action: HON DG; MINS OF GOV'T

\*\*\*\*\*