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MINUTES OF THE 157TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 13TH 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 Jocelyn Johnson, PS, Social Development (acting)
Dr Aidan Harrigan, PS, FIN
Mr Larry Franklin, PS, EDICTIT
Ms Marisa Harding-Hodge, Compliance Officer
Mr Dwight Horsford, Attorney General (designate) as an observer

EX MIN 18/475

INTRODUCTION OF ATTORNEY GENERAL DESIGNATE FOR
ANGUILLA

HE The Governor introduced Mr Dwight Horsford, Attorney General Designate for Anguilla to members of Executive Council. Mr Horsford will replace Mr John McKendrick QC as Attorney General for Anguilla. Council noted that Mr Horsford was expected to formally assume the post of Attorney General from 1 October 2018. He was in Anguilla on a familiarization visit and remained in Council as an observer.

Action: EXCO MEMBERS

EX MIN 18/476 **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 156th Meeting held on Friday 7 September 2018.

MATTERS ARISING FROM THE MINUTES

EX MIN 18/477 **EX MIN 18/463 UPDATE ON 2020 GENERAL ELECTIONS**

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

Following on from EX MIN 18/463 of 7 September, Council agreed that the Elections Act should be submitted to Executive Council on Thursday 27 September for consideration.

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

EX MIN 18/478 **EX MEM 18/233 APPOINTMENT OF MEMBERS OF INVESTMENT COMMITTEE AND PENSION FUND OF THE ANGUILLA SOCIAL SECURITY BOARD (ASSB)**

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

Council agreed that:

- (i) Mr Kevin Carty be appointed to the Investment Committee of the ASSB, and further that he be appointed as Chairman of the Committee and that both appointments be effective 1 August 2018;
- (ii) Mrs Shantelle Richardson be appointed to the Investment Committee of the ASSB effective 1 August 2018; and
- (iii) Mr Kenrick Richardson be re-appointed as Chairman of the Staff Pension Fund of the ASSB effective 1 July 2018.

Action: PS, FIN; PS, EDICTIT; PAS, FIN; DEP; BD; DIR, ASSB; ACC GEN

EX MIN 18/479 **EX MEM 18/234 NATIONAL SOCIAL PROTECTION POLICY, MONITORING & EVALUATION FRAMEWORK AND THE PLAN OF ACTION**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained. Ms Jocelyn Johnson, PS, Social Development (acting) joined.

Council:

- (i) endorsed the National Social Protection Policy, the Monitoring & Evaluation framework and the Plan of Action; and
- (ii) agreed that officials from the MSD should return to Executive Council in three (3) months to give an update on the progress of matters.

Action: PS, SD (acting); CSD; SDP; MINS OF GOV'T

EX MIN 18/480

EX MEM 18/235 NATIONAL SPORTS INFRASTRUCTURE DEVELOPMENT COMMITTEE

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA, Financial Specialist and PS, SD (acting) remained.

Council:

- (a) agreed that the following persons should constitute the National Sports Infrastructure Development Committee (NSIDC):
 - (1) Mr Andre Collins (Chairman/Accounting Officer/Director of the Department of Sports)
 - (2) Mr Merwyn Foster Rogers (Financial Comptroller)
 - (3) Mrs Hyacinth Bradley (Administrative Officer/Community Services Representative)
 - (4) Mr Calvin Andre Samuel (Environmental Expert)
 - (5) Mr Daryl Richardson (MICUH - Architectural Engineer)
 - (6) Mrs Anne Parles (President of the Anguilla Cricket Association)
 - (7) Ms Yanique Stewart (Legal Expert)
 - (8) Mr Steve Garlick (Finance Expert)
 - (9) Ms Tahirah Banks (Marketing Expert)
 - (10) The Honourable Mr Cardigan Connor (Ex Officio - Special Advisor)
 - (11) Mr Roy Grossman (Ex-Officio - Special Advisor)
 - (12) Mr Ken Banks (Representative of the Anguilla Athletics Association)
- (b) noted that the NSIDC would provide strategic oversight for the development of national sporting facilities;

- (c) noted that the NSIDC would function for three (3) years in the first instance, commencing 1 September 2018; and
- (d) further noted the roles/responsibilities, commitments and expectations of the NSIDC.

Action: PS, SD (acting); DIR, SPORTS; HON PARL SEC; PS, HLPP; DIR, ENV; MINS OF GOV'T

EX MIN 18/481

EX MEM 18/236 RESCINDING OF EXECUTIVE COUNCIL MINUTE 18/425 - APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – DOLPHIN DISCOVERY ANGUILLA LIMITED – REGISTRATION SECTION WEST CENTRAL, BLOCK 28309 B, PARCEL 169 (LEASE PART OF) CONTAINING 1.45 ACRES

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

Council agreed that:

- (i) Executive Council Minute No. 18/425 dated 16 August 2018 be rescinded; and
- (ii) Dolphin Discovery Anguilla Limited be granted an Aliens Land Holding Licence to hold property situated in Registration Section West Central, Block 28309 B, described as Parcel 169 (part of) better known as Dolphin Discovery located at Sandy Point, Blowing Point, Anguilla for tourism purposes with a Dolphin Sea Aquarium thereon, subject to the following:
 - (a) Stamp duties payable are as follows:

(i)	Stamp Duty under a lease – 5% of 1,478,510.00	EC\$ 73,925.50
(ii)	under the Aliens Land Holding Regulation Act – 6.25% of EC\$1,478,510.00	EC\$ 92,406.88
	TOTAL	----- EC\$166,332.38 =====
 - (b) to comply with the Labour Department Act R.S.A. c. L15 and Section 16 (1) and (2) of the Fair Labour Standards Act, R.S.A. c. F15;
 - (c) the area to be leased is 1.45 acres of land being Lot 1 as delineated on Survey Plan LS11-18;
 - (d) to pay rent per annum in the amount of US\$22,000.00/EC\$59,140.40 increasing by 2% per annum;
 - (e) a rent free period of one (1) year;

- (f) stamp duty to be paid in two (2) installments, upon which the lease would be registered;
- (g) the terms of the lease is 99 years, commencing 15 October 2018 and that the Government of Anguilla has favourably considered that the Company would have the first rights of refusal if Crown decides to divest of its interest in the property;
- (h) the Ministry of Lands to write to the Company notifying of the approval;
- (i) the licence to use the Sea Floor under the Beach Control Act be prorated for 2018 by Inland Revenue Department to commence from 14 August 2018; and
- (j) the Licensee undertakes to develop the property within thirty-six (36) months of the date of the issue of the Licence, failing which a penalty of US\$3,500.00 shall apply for each calendar month or part thereof that the project remains uncompleted. Following the said period of thirty-six (36) months, the said penalty shall not preclude the Government of Anguilla in any way from exercising its right to commence forfeiture proceedings.

Action: PS, HLPP; DLS; PS, FIN; PS, EDICTIT; CIR

EX MIN 18/482

EX MEM 18/237 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – RAPHAEL NICHOLAS LIDDIE AND ROSEMARY ANNE LIDDIE – REGISTRATION SECTION SOUTH CENTRAL, BLOCK 38511 B, PARCEL 314 CONTAINING 0.50 ACRE

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

Council agreed that an Aliens Land Holding Licence should be issued to Raphael Nicholas Liddie and Rosemary Anne Liddie, to hold, on a freehold basis, 0.50 acre of vacant land situated in Registration Section South Central, Block 38511 B, described as Parcel 314, located at South Hill for residential purposes, subject to the following:

(a)	Stamp duties payable are as follows:	
(i)	under the Stamp Act – 5% of EC\$80,646.00	EC\$ 4,032.30
(ii)	under the Aliens Land Holding Regulation Act – 6.25% of EC\$80,646.00	EC\$ 5,040.38
(iii)	refundable deposit of 10% of EC\$80,646.00	EC\$ 8,064.60
	TOTAL	EC\$17,137.28

- (b) the construction of the dwelling house 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 would be forfeited to the Government of Anguilla. The balance 50% would be forfeited if the construction is not completed within a further six (6) months. Thereafter, forfeiture proceedings for the property would be commenced by the Government of Anguilla for a period of twenty-four (24) months; and
- (c) with the expressed condition that the land is to be used for residential purposes and that the Licencees must not rent their dwelling house without first notifying the Ministry of Lands.

Action: PS, HLPP; DLS; PS, FIN; PS, EDICTIT

ORAL MENTION

EX MIN 18/483

UPDATE ON AMENDMENTS TO INSURANCE ACT

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

PS, EDICTIT updated Council on the progress made on beneficial ownership. He informed Council that the registry had circulated specifications for the database for comment. He further advised that the beneficial ownership legislation would have to be reviewed in light of intended changes to the administrative arrangements. It was agreed that a formal paper be submitted to Ex Co in the next one to two weeks to provide an update on progress. In addition, it was agreed that a further paper be submitted to Ex Co on outstanding financial services legislation for consideration.

Action: PS, EDICTIT; COM OFF; HON AG (acting); DIR, FSC; DEP DIR, FSC;
PS, FIN
