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**MINUTES OF THE 183rd MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 9th MAY 2024 AT 9.30 AM**

- PRESENT: Her Excellency the Governor, Ms. Julia Crouch
- The Honourable Deputy Governor (Acting), Mr. Karim Hodge
- The Honourable Minister for Social Development, Cultural Affairs, Youth Affairs, Gender Affairs, Education and Library Services AND Acting Premier and Minister for Finance, Economic Development & Investment and Health, Ms. De-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, Ms. Dumisa Webster
- IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr. Merrick Richardson
- Financial Advisor, Mr. Evarist Mwesigye
- Head of Governor's Office, Mr. Orlando Ames-Lewis
- ABSENT: The Honourable Premier and Minister for Finance, Economic Development & Investment and Health, Dr. Ellis Webster
- The Honourable Deputy Governor, Mr. Perin Bradley

EX MIN 24/110

CONFIRMATION OF THE MINUTES

Hon. Parliamentary Secretary, Financial Adviser and Head of Governor's Office remained.

Council confirmed the Minutes of the 182nd Meeting of the Executive Council held on Thursday, 2nd May 2024.

EX MIN 24/111

EX MEMO 24/76 Waiver of Duty and Tax on Imports Associated with the Anguilla Summer Festival

Hon. Parliamentary Secretary, Financial Adviser and Head of Governor's Office remained.

The Anguilla Summer Festival (ASF) is an annual cultural event, which includes, boat racing, feting, pageants, parades, and shows. Costs of participation in pageantry, parades and shows is defrayed by sponsorships including sponsorships and grants by Government of Anguilla. Persons participating in ASF events usually have to import items associated with their participation, such as, costumes and equipment. A historical precedence exists where duty and tax exemptions on imports of such items have been granted. The Department of Youth and Culture has been consulted on the persons and types of items anticipated to be imported. To support persons participating in the ASF, it is proposed that exemption be granted under Conditional Exemptions under the Integrated Customs Tariff (Amendment) (No. 2) Regulations, 2022.

Council:

- 1) considered and approved the Duty Free Concession for the Anguilla Summer Festival for Pageant Contestants, Troupes, Bands and Fringe Events in accordance with the Conditional Exemptions subject to the following:
 - i. Persons must fall within the proposed classes of persons and items to be imported tax free will be restricted as follows:
 - a) Pageant Contestants: Male and Female Formal Wear, Costumes, Accessories and Shoes
 - b) Persons in organized Troupes- Costumes and Accessories

c) Bands- Temporary Imports of Trailers and Sound Systems

d) Fringe Events- Promotional Items

- ii. Persons must bear a letter of support from the Department of Youth and Culture confirming their participation in the event and confirming that the items are associated with such participation.
- iii. The period for clearing imports should be limited until August 31st 2024.

2) Council noted that exemptions are requested and granted on a case by case basis and that more participant requests are expected.

ACTION: PS, FINANCE, PAS, FINANCE, HON. PREM.

EX MIN 24/112

EX MEMO 24/77 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- Ralph Edward Johnson Jr.- Registration Section West Central, Block 28010 B, Parcel 235 Containing 0.50 of an Acre

Hon. Parliamentary Secretary, Financial Adviser and Head of Governor's Office remained.

The Honourable Minister for Home Affairs and Lands briefed Council. The Honourable Attorney General recommended that the Ministry consider the forfeiture of Alien Land Holding Licenses when an applicant is in breach of the same.

Council:

1) Approved the granting of an Aliens Land Holding Licence to Ralph Edward Johnson Jr. to hold on a freehold basis vacant property situated in Registration Section West Central, Block 28010 B, described as Parcel 235 being 0.50 of an acre located at the Cove, Anguilla for residential purposes, subject to the following:

(a) Payment of the following Stamp Duties

(i)	under the Stamp Act – 5% of EC\$188,174.00	EC\$9,408.70
(ii)	under the Aliens Land Holding Regulation Act – 6.25% of EC\$188,174.00	<u>EC\$11,760.88</u>
(iii)	refundable deposit- 10% of EC\$188,174.00	<u>EC18, 817.40</u>
	TOTAL	<u>EC\$39,986.98</u>

- (b) The property must be used for residential purposes.
- (c) The construction of the dwelling house is 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 will be forfeited to the Government of Anguilla. The balance 50% will be forfeited if the construction is not completed within a further 6 months. Thereafter, forfeiture proceedings for the property will be commenced by the Government of Anguilla for a period of twenty-four (24) months.
- (d) The Licensee must not rent their dwelling house without first notifying the Economic Development, Investment, Commerce, Information Technology & Natural Resources in order to rent the said property.
- (e) The Licensee shall fully comply with the laws of Anguilla from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Control of Employment Act, 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.

2) Instructed the Ministry of Home Affairs to emphasize the terms of the licence approval as listed above, specifically (c), to the applicant.

3) Noted the Honourable Attorney General's recommendation to the Ministry of Home Affairs and Lands to consider the forfeiture of Alien Land Holding Licenses when an applicant is in breach of the same.

Council authorized issue of the action sheet before confirmation of the minutes.

ACTION: PS, HA; DLS; HON, MIN HA.

EX MIN 24/113

EX MEMO 24/78 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- PLS 1 Inc.- Registration Section North, Block 59018 B, Parcel 46 Containing 0.47 of an Acre

Hon. Parliamentary Secretary, Financial Adviser and Head of Governor's Office remained.

The Honourable Minister for Home Affairs and Land briefed Council.

Council approved the granting of an Aliens Land Holding Licence to PLS 1 Inc., to hold property situated in- Registration Section North, Block 59018 B, described as Parcel 46 located in Shoal Bay for private residential purposes with a dwelling house thereon, subject to:

(a) Payment of the following Stamp Duties

(i)	under the Stamp Act – 5% of EC\$6,843,572.52	EC\$342,178.63
(ii)	under the Aliens Land Holding Regulation Act – 5% of EC\$6,843,572.52	<u>EC\$342,178.63</u>
	TOTAL	<u>EC\$684,357.26</u>

- (b) The property must be used for residential purposes.

- (c) The Licensee must not rent their dwelling house without first notifying the Ministry of Economic Development, Investment, Commerce, Information Technology & Natural Resources in order to rent the said property.

- (d) The Licensee shall fully comply with the laws of Anguilla enforced from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour Relations Act 2018 and Work Permit 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.

- (e) Any breach of any of the conditions of the Licence shall result in all the estate and interest of the Licensee in the land being liable for forfeiture to the Crown.

Council authorized issue of the action sheet before confirmation of the minutes.

ACTION: PS, HA; DLS; HON, MIN HA.

EX MIN 24/114

EX MEMO 24/79 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- RJR Carimar Ltd.- Registration Section West End, Block 18011 B, Parcel 45 SL 5C Being 564 sq. ft.

Hon. Parliamentary Secretary, Financial Adviser and Head of Governor's Office remained.

The Honourable Minister for Home Affairs and Lands briefed Council.

Council approved the granting of an Aliens Land Holding License to Louis Rene Joseph Robichaud to hold a condominium unit on property described as Registration Section: West End, Block 18011 B, Parcel 54 SL 5C, containing 564 sq. ft. located at Meads Bay, Anguilla for tourism purposes subject to the following:

Payment of the following Stamp Duties

(i)	under the Stamp Act – 5% of EC\$1,995,988.50	EC\$99,799.43
(ii)	under the Aliens Land Holding Regulation Act – 5% of EC\$1,995,988.50	<u>EC\$99,799.43</u>
	TOTAL	<u>EC\$199,598.86</u>

- (a) Carimar Beach Club Limited should be the exclusive renting agent for the unit.
- (b) The Licensee is required to enter into an agreement with Carimar Beach Club Limited for the management and use for the unit for at least forty-four (44) in each calendar year.
- (c) The Licensee shall have the right to reside in the unit for a maximum of eight (8) weeks in each calendar year without being liable for the payment of accommodation tax. However, if the applicants wish to live in their unit for a period longer than eight (8) weeks, then they should be required to pay the accommodation tax.
- (d) Licensee shall fully comply with the laws of Anguilla enforced from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour Relations Act 2018 and Work Permit 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.

- (e) Any breach of any of the conditions of this Licence shall result in all estate and interest of the Licensee in the land being liable for forfeiture to the Crown.

Council authorized issue of the action sheet before confirmation of the minutes.

ACTION: PS, HA; DLS; HON, MIN HA.

EX MIN 24/115

EX MEMO 24/80 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- Michael Alan Paskin and Danielle De Maio- Registration Section West End, Block 17910 B, Parcel 277 Strata Lot SL B/3A being 2,322 Sq. Ft.

Hon. Parliamentary Secretary, Financial Adviser and Head of Governor's Office remained.

The Minister for Home Affairs and Land briefed Council.

Council approved the granting of an Aliens Land Holding Licence to, Michael Alan Paskin and Danielle De Maio to hold on a freehold basis a luxury condominium unit of approximately 2,322 sq. ft. forming part of Parkstone Incorporated, a Condominium development at Tranquility Beach Anguilla. The property situated in Registration Section: West End, Block 17910 B, described as Parcel 277 SL B/3A, subject to the following:

(a) Stamp Duties payable are as follows:

(i)	under the Stamp Act – 5% of EC\$4,326,657.90	EC\$216,332.90
(ii)	under the Aliens Land Holding Regulation Act – 2% of EC\$4,326,657.90	<u>EC\$86,533.16</u>
	TOTAL	<u>EC\$302,866.06</u>

(b) That on grant of the Aliens Land Holding Licence to Micahel Alan Paskin and Danielle De Maio, the Government of Anguilla values the concession in the amount of EC\$454,299.08 as described in the table below:

Registration Section	Block	Parcel	Assessed Value (EC\$)	ALHLR Act @ 12.5%	ALHLR Act @ 2%	Value of Concession
West End	17910 B	277 SL B/3A	\$4,326,657.90	\$540,832.24	\$86,533.16	\$454,299.08

(c) That the Attorney General Chambers prepare and issue regulations under Section 16 of the Financial Administration and Audit Act RSA c F27 to remit Michale Alan Paskin and Danielle De Maio, from the payment of Stamp Duties under the Aliens Land Holding Licence Regulations Act in the amount if EC\$454,299.08 owed to the Government of Anguilla.

(d) The Licensee shall rent the unit that forms part of signature Suites Condominium Association Inc.

(e) The Licensee shall fully comply with the Memorandum of Understanding dated 4th December 2015 signed between the Government of Anguilla and PARKSTONE INCORPORATED and in particular part III, Government Transfer Taxes and Annual Levies.

(f) The Licensee shall place its unit in the rental programme/pool of the hotel for the first two (2) years on receiving ownership of the property.

(g) Licensee shall fully comply with the laws of Anguilla enforced from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour Relations Act 2018 and the Control of Employment Act Regulations, Work Permit Regulations, the Social Security Act, the Immigration and Passport Regulations and any statutory modification or re-enactment thereof and any rules or regulations made thereunder.

(h) Any breach of any of the conditions of this Licence shall result in all the state and interest of the Licensee in the land being liable for forfeiture to the Crown.

Council authorized issue of the action sheet before confirmation of the minutes.

ACTION: PS, HA; DLS; HON, MIN HA.

EX MIN 24/116

EX MEMO 24/81 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- 7763336 Canada Inc.- Registration Section West End, Block 17810 B, Parcel 27 Containing 1.74 Acres

Hon. Parliamentary Secretary, Financial Adviser and Head of Governor's Office remained.

The Honourable Minister for Home Affairs and Lands briefed Council.

Council approved the granting of an Aliens Land Holding Licence to 7763336 Canada Inc. to hold property situated in Registration Section West End Block 17810 B, described as Parcel 27 located at Barnes Bay, West End, Anguilla for tourism purposes with a Villa, Spa, Pools and Tennis Court thereon, subject to the following:

(a) Payment of the following Stamp Duties

(i)	under the Stamp Act-	
	5% of EC\$14,395,311.80	EC\$719,765.55

(ii) under the Aliens Land Holding Regulation Act – 5% of EC\$14,395,311.00 EC\$719,765.55

TOTAL **EC\$1,439,531.10**

(b) The Applicant Company must obtain a Business Licence from the Ministry of Economic Development in order to rent the said property;

(c) The Licensee 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 Work Permit 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.

(d) Any breach of any of the conditions of the Licence shall result in all estate and interest of the Licence in the land being liable for forfeiture to the Crown.

Council authorized issue of the action sheet before confirmation of the minutes.

ACTION: PS, HA; DLS; HON, MIN HA.

EX MIN 24/117

EX MEMO 24/82 Legislative Drafting Agenda 2024

Hon. Parliamentary Secretary, Financial Adviser and Head of Governor's Office remained.

The Honourable Attorney General briefed Council.

Council noted the Legislative Drafting Calendar for May 01 to December 31st 2024.

ACTION: EXCO MEMBERS
