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**MINUTES OF THE 188<sup>th</sup> MEETING OF THE TWELFTH ANGUILLA  
EXECUTIVE COUNCIL HELD ON THURSDAY 13<sup>th</sup> JUNE 2024 AT 9.00 AM**

- PRESENT: Her Excellency the Governor, Ms. Julia Crouch
- The Honourable Premier and Minister for Finance, Economic Development & Investment and Health, Dr. Ellis Webster
- The Honourable Deputy Governor, Mr. Perin Bradley
- The Honourable Minister for Social Development, Cultural Affairs, Youth Affairs, Gender Affairs, Education and Library Services, Ms. Dee-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 Hosford
- 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

**EX MIN 24/145**

**CONFIRMATION OF THE MINUTES**

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

Council confirmed the Minutes of the 187<sup>th</sup> Meeting of Executive Council held on Thursday, 6<sup>th</sup> June 2024 with amendment to Ex Min 24/143, and Round Robin Decision made on Friday, 7<sup>th</sup> June 2024.

**EX MIN 24/146**

**EX MEMO 24/102 Application for Duty and Tax Exemption for Krav Maga Academy**

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

The Honourable Premier and Minister for Finance briefed Council. Krav Maga Academy was founded by Mr. Hilroy Alfred, a fitness and self-defense professional. Through various initiatives and engagements with the community, Mr. Alfred has contributed to providing fitness programs, workshops and sessions aimed at developing healthier lifestyles and self-protection.

Mr. Alfred has purchased material and equipment from overseas for Krav Maga Academy.

The Customs Duty Exemptions Policy of 1998 states that:  
“ Government recognizes the need to actively promote economic development and diversification by stimulating the growth of the private sector.

A critical responsibility of Government is to encourage local entrepreneurs to invest substantially in the Anguillian private sector.

Exemptions for items other than those contained in the First and Second Schedules... may be granted as incentives to:

(i) encourage development activity within the local entrepreneurial sector in traditional areas... as well as new areas... ”

As such, Mr. Alfred is requesting that the items purchased be exempted from Import Customs Duty and the Goods and Services tax.

For exemptions, the historical precedence has been for exemptions to be processed based on the discretion of the minister and in areas customarily granted. The Ministry has recognized the need for a revised policy to guide such exemptions and has included the development of such on its 2024 work plan.

Executive Council:

1. Noted that that duty and tax exemptions for this type of business are in line with the Government of Anguilla's priority to promote the health and well-being of the Anguillian population.
2. Approved the application with a duty and tax loss of EC\$2,493.19 (net of administrative fee of 5%) on the recommended list of items which are gym equipment and gym racks.

Action: PS, FIN; PAS, FIN, HON. PREM.

**EX MIN 24/147**

**EX MEMO 24/103 Application to Host Raffle and Exemption from Public Lotteries Tax- Anguilla Red Cross**  
Hon. Parliamentary Secretary, Financial Adviser and Head of Governor's Office remained.

The Honourable Premier and Minister for Finance briefed Council. The Anguilla Red Cross is a non-profit organization whose mission is to provide support and relief to the vulnerable in our communities, voluntarily and with impartiality, through crisis preparedness and response education and training. The objective of the raffle is to address critical financial needs and support various initiatives such as, repayment of outstanding debts and revitalization of the Anguilla Red Cross Youth Chapter. The raffle is tentatively set to take place on 21<sup>st</sup> July 2024. The organization requests approval on the issuance of 1000 tickets at a cost of USD\$25.00 per ticket.

Section 2 of the Public Lotteries Tax Act requires persons desirous of hosting Public Lotteries to seek approval from the Governor in Council to do so. Raffle tickets are defined as lottery tickets and for every lottery ticket sold there is a duty charged at the rate of 10%. Section 8 of the Act provides for exemptions provided that the net proceeds of any public lottery are not intended to be for private gain or profit but are to be devoted wholly to philanthropic,

charitable, religious or educational purposes or to the aid of sports, or partly to one of the above purposes and partly to another cause. In the latter case, duty must be remitted on the proceeds otherwise deployed. Executive Council is asked to consider and advise on the application.

Executive Council approved:

- 1) The hosting of a raffle by Ms. Pamela Riley on behalf of the Anguilla Red Cross and waiver of the associated cost up to a revenue loss of US\$2,500.00 or EC\$6,720.50 where such associated proceeds are to be contributed to covering the critical financial needs and support various initiatives of the organization; and
- 2) The drafting of Regulations to allow for remission in excess of EC\$1,000.

Action: PS, FIN; PAS FIN; HON. PREM.

**EX MIN 24/148**

**EX MEMO 24/104 Bill for Anguilla Economic Residence (Amendment) Act 2024 and Related Regulations**

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

The Honourable Premier and Minister for Finance, Health, Economic Development, Investment and Commerce briefed Council. Ex Min 24/074, with regard to the Residence by Investment Programme notes "Executive Council:

- 1) Approved the proposed list of approved real estate;
- 2) Agreed to amend the Anguilla Economic Residence Act to allow applications from persons who have completed purchase of property (after 31 May 2019) and are registered owners and to remove obsolete provisions.
- 3) Directed the Attorney General's Chambers to prepare the necessary legislation and instruments after receiving instructions from the Ministry.

Therefore it is requested that Executive Council approve the draft Bill for Anguilla Economic Residence (Amendment) Act 2024 and Draft Anguilla Economic Residence (Approved Real

Estate) Regulations 2024. The Draft Bill for Anguilla Economic Residence (Amendment) Act 2024 allows applications from persons who have already completed purchase of their priorities after 31 May 2019 (ie. Persons who have already gone beyond the stage of a binding sale and purchase agreement) and are registered owners of the property. It also proposes the amended definition of dependent to include children between the age of 18 and 26 years who are in a gap year. The previous definition required such persons to be enrolled in tertiary education in order to be considered dependents. The Draft Anguilla Economic Residence (Approved Real Estate) Regulations 2024 provides for the categories of approved real estate for the purpose of residence by investment, as previously approved by Executive Council.

Additionally, it is also requested that Executive Council approve the Draft Anguilla Economic Residence (Amendment) Regulations 2024. These Regulations propose to amend the need for due diligence on minors. During the consultation process in relation to the legislative amendments, the Select Anguilla Agency brought the issue with regard to due diligence on minors to the attention of the Ministry. Seemingly, only limited due diligence can be done in relation to minors and the same information is being captured in the due diligence being conducted on the main applicants. Therefore, deeming the \$2500 due diligence on minors fee unwarranted. The new proposed fees are similar to the applicable fees in other Caribbean jurisdictions with CBI programmes.

Executive Council approved:

- 1) Draft Bill for Anguilla Economic Residence (Amendment) Act 2024;
- 2) Draft Anguilla Economic Residence (Approved Real Estate) Regulations 2024; and
- 3) Draft Anguilla Economic Residence (Amendment) Regulations 2024.

Action: PS, EDSIE; HON. PREM.

EX MIN 24/151

**EX MEMO 24/107 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- 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. By Executive Council Minute 24/112, Executive Council approved the granting of an Aliens Land Holding Licence to the applicant to hold on a freehold basis, property situated in Registration Section: West Central, Block 28010 B, Parcel 235 located in the Cove for residential purposes. The Applicant has now requested a waiver on the 10% refundable deposit.

Executive Council approved the granting of an Aliens Land Holding Licence to the applicant to hold on a freehold basis, property situated in Registration Section: West Central, Block 28010 B, Parcel 235 located in the Cove for residential purposes, subject to the following:

**OPTION A**

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	EC\$11,760.88
(iii)	refundable deposit – 10% of EC\$188,174.00	<u>EC\$18,817.40</u>
	<b>TOTAL</b>	<b><u>EC\$39,986.98</u></b>

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 Licencee 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.

e) 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.

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

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

**EX MIN 24/152**

**EX MEMO 24/108 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- Registration Section: East Central, Block 89118 B, Parcel 266 being 1.00 Acre**

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

The Honourable Minister for Home Affairs and Lands briefed Council. Executive Council approved the granting of an Aliens Land Holding Licence to allow the transfer of twenty-five percent of the shares (25%) of applicant company to an individual to hold on a freehold basis, vacant property situated in Registration Section: East Central, Block 89118 B, described as Parcel 266, being 1.00 acre located at Shoal Bay, Anguilla for tourism purposes, to construct a condominium development, subject to the following:

(a) Payment of the following Stamp Duties

- |       |  |               |
|-------|--|---------------|
| (i)   | under the Stamp Act – 5%<br>of EC\$336,025.00                                | EC\$16,801.25 |
| (ii)  | under the Aliens Land Holding<br>Regulation Act – 6.25%<br>of EC\$336,025.00 | EC\$21,001.56 |
| (iii) | refundable deposit – 10%<br>of EC\$336,025.00                                | <u>Waiver</u> |

**TOTAL**

**EC\$37,802.81**

(b) The property must be used for tourism purposes.

(c) The Applicant Company be exempted from Government's Policy on restricting Aliens to holding no more than half an acre on the grounds that the intent purchaser is developing a tourism product that would yield financial revenue for the Government through sales and rentals.

(d) The express condition in the Licence that the development shall be completed within forty-eight (48) months, failing which a penalty of US\$3,500.00 shall apply for each calendar month or part thereof that the project remains uncompleted without reasonable justification for the delay in completion. The said penalty shall continue for a period of 12 months. Thereafter, forfeiture proceedings for the property will be commenced by the Government of Anguilla.

(e) 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.



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

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

### **ORAL MENTIONS**

**EX MIN 24/153      Update on Plenary Caribbean Financial Action Task Force (“CFATF”) Meeting**

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

Senior Crown Counsel, Ms. Erica Edwards joined the meeting.

The Honourable Attorney General and Senior Crown Counsel briefed Council. Anguilla defended its current position at the Plenary CFATF Meeting in Trinidad from 1<sup>st</sup> to 8<sup>th</sup> June 2024. A revised version of Anguilla’s Mutual Evaluation Report was approved. Anguilla maintained its moderate effectiveness rating across all outcomes. Anguilla maintained its moderate rating for technical compliance and was upgraded in some areas.

Executive Council:

- 1) Noted the Update on the Plenary Caribbean Financial Action Task Force Meeting and that Senior Crown Counsel is to provide a comprehensive report on the Plenary Meeting to Executive Council at a next sitting.

Action: EXCO MEMBERS; EXCO CLERK.

**EX MIN 24/154      Anguilla’s Visa Requirements as it Relates to Guyanese Citizens**

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

The Honourable Minister for Infrastructure, Communications, Utilities, Housing and Tourism noted that as of November 9 2022, holders of a Guyanese passport are no longer required to have a visitor’s visa to travel to the United Kingdom. The Minister inquired on the process of having Guyanese passport holders removed from the list of persons requiring visas to visit Anguilla.

Executive Council noted that further research is to be conducted into the process of having countries removed from the list of countries requiring visas to visit Anguilla, especially in the context of having this list reflect the United Kingdom's list of countries.

Action: PS; HA; CIO; HON. MIN. HA.

**EX MIN 24/155**

**Brief Update on Work of the Anguilla Drug Advisory Council**

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

The Honourable Minister for Social Development inquired on an update on the work of the Anguilla Drug Advisory Council. HE the Governor provided a brief update and notified Council that the Drug Advisory Council is set to submit a report to HE the Governor by the end of July 2024.

HE the Governor commended the Honourable Minister and Permanent Secretary for Social Development for their work toward developments relating to the Drug Advisory Council.

Executive Council noted that a report by the Drug Advisory Council is to be submitted to HE the Governor by the end of July 2024.

Action: EXCO MEMBERS; EXCO CLERK.

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