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**MINUTES OF THE 207th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 21ST NOVEMBER 2024 AT 9.00 AM**

- PRESENT: Acting Governor, Mr. Perin Bradley
- Acting Premier and Minister for Finance, Economic Development & Investment, and Health AND Minister for Infrastructure, Communications, Utilities, Housing, and Tourism, Mr. Haydn Hughes
- Acting Deputy Governor, Dr. Bonnie Richardson-Lake
- The Honourable Minister for Sustainability, Innovation, and the Environment AND Acting Minister for Social Development, Cultural Affairs, Youth Affairs, Gender Affairs, Education, and Library Services AND Acting Minister for Home Affairs, Immigration, Labour, Human Rights, Constitutional Affairs, Information and Broadcasting, Lands and Physical Planning, Mrs. Quincia Gumbs-Marie
- The Honourable Attorney General, Mr. Kurt De Freitas KC
- Clerk to Executive Council, Ms. Dumisa Webster
- ABSENT: Her Excellency the Governor, Ms. Julia Crouch
- Honourable Premier and Minister for Finance, Economic Development & Investment and Health, Dr. Ellis Webster
- 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
- IN ATTENDANCE: The Honorable Parliamentary Secretary, Mr. Merrick Richardson
- Head of Governor's Office, Mr. Orlando Ames-Lewis

Financial Adviser, Mr. Evarist Mwesigye

EX MIN 24/318

CONFIRMATION OF THE MINUTES

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

Council confirmed the Minutes of the Special Meeting of the Executive Council held on Wednesday, 13th November 2024 with amendment to Ex Min 24/306.

MATTERS ARISING OUT OF THE MINUTES

None.

EX MIN 24/320

EX MEMO 24/230 Approval of Cost of Living Measures 2024

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

The Acting Premier and Minister for Finance and Health briefed Council. As of October 2024, it is expected that the current trend in increases in fuel, electricity and shipping costs will continue. This trend significantly impacts the Anguilla Electricity Company's ("ANGLEC") electricity production costs, which are passed on to their customers through increased household bills. In order to support households with rising cost of living prices, particularly relating to fuel, it is proposed that an electricity grant be provided to all eligible households in the form of a credit to domestic electricity accounts with ANGLEC.

Executive Council:

1. Considered the foregoing proposal and approved a grant under the Electricity Payments Programme (EPP) of EC\$500 as a measure to help households deal with rising prices particularly relating to fuel on following terms:
 - a) Payment to be limited to domestic accounts with consumption over 40 units;
 - b) Payment to be automatic to domestic accounts with consumption under 2500 units;

- c) Domestic accounts with consumption over 2500 units will be subject to further verification to confirm residential/non-commercial status;
- d) The EC\$500 to be paid on or before 31st December 2024.

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

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

EX MIN 24/321

EX MEMO 24/215 Refusal to Grant Work Permits

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

The Acting Minister of Home Affairs and Labour briefed Council. Ex Min 24/300 notes the deferral of this matter. In keeping with section 165 (3) of the Labour (Relations) Act 2018, the Acting Minister of Home Affairs and Labour seeks to consult with the Executive Council before refusing to grant work permits. When considering a work permit application by an employer, the Ministry shall take into account several factors as listed in Section 171 (1) of the Labour Relations Act.

Council noted the reasons for refusal of the following work permits:

In relation to 2 persons the employer has not demonstrated a genuine need to engage the services of the prospective employee.

Council:

- 1) Noted section 164 of the Labour (Relations) Act 2018 containing the principles governing work permits;
- 2) Noted that in keeping with section 165 (3) of the Labour (Relations) Act 2018, the Acting Minister of Home Affairs and Labour consulted with Executive Council before refusing to grant work permits; and

- 3) Considered and endorsed the proposal by the Acting Minister of Home Affairs that 2 persons be refused work permits on the basis of the foregoing information.

Action: PS, HA; LAB, COMM; CIO; HON MIN HA.

EX MIN 24/322

EX MEMO 24/231 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- Registration Section South East, Block 79214 B, Parcel 202 SL B6 Containing 899 sq. ft.

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

The Acting Minister of Home Affairs and Lands briefed Council on the contents of the application.

Council approved the granting of an Aliens Land Holding Licence to the applicant to hold, on a freehold basis, land situated in Registration Section South East, Block 79214 B, described as Parcel 202 Strata Lot SL B6 consisting 899 sq. ft. with a condominium thereon located in Sandy Hill for tourism purposes, subject to:

(a) Payment of the following Stamp Duties:

(i) under the Stamp Act – 5% of EC\$537,640.00	EC\$26,882.00
(ii) under the Aliens Land Holding Regulation Act – 5% of EC\$537,640.00	<u>EC\$26,882.00</u>
TOTAL	<u>EC\$53,764.00</u>

(b) Regulations to be issued by the Attorney General Chambers.

(c) Sandy Hill Beach Resort Club Development should be the exclusive renting agent for the villa.

(d) The Licensees should be required to enter into an agreement with Sandy Hill Beach Resort Club Development for the management and use of the villa for at least forty-four (44) weeks in each calendar year.

- (e) The licensees shall have the right to reside in the villa 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 villa for a period longer than eight (8) weeks, then they should be required to pay the accommodation tax.

- (f) The Licensee shall fully comply with the laws of Anguilla in forced from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour Relations Act 2018 and Control of Employment, 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 authorised issue of the action sheet before confirmation of the minutes.

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

EX MIN 24/324

EX MEMO 24/233 Granting Work Permit Exemptions by Order to Great Grandchildren of Anguillians

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

The Acting Minister of Home Affairs and Lands briefed Council. Following the 2019 Constitutional Amendment Order, Section 80 of the Constitution of Anguilla was amended, changing the list of persons who were qualified to obtain Anguillian Status and who are determined as Anguillian. Section 80 (2) (e) (i) provides that a person is Anguillian if they have been granted Anguillian Status by the Commission on the basis that the person is a great-grandchild of a person born in Anguilla and who is regarded as being an Anguillian by virtue of this Constitution or is regarded as belonging to Anguilla by virtue of any previous Constitution, where the grandchild has resided in Anguilla for a continuous period of at least five (5) years. The previous Attorney General of Anguilla, Mr. Dwight Horsford opined that by virtue of this provision proven great-grandchildren of Anguillians should be permitted to reside in Anguilla without requiring

an amendment to the Immigration and Passport Act. These persons were subsequently permitted to reside on island.

However, no amendment has been made to the Labour Relations Act 2018 which would allow for these residents to work in the island. Due to these persons encountering difficulty finding employers willing to submit work permits on their behalf, the Ministry has discerned that it is necessary to exempt these persons from the requirement to obtain a work permit by virtue of Section 169 of the Labour Relations Act. This exemption will allow for persons to obtain a residence stamp permitting employment from the Immigration Department.

Executive Council:

1. Instructed the Honourable Attorney General to opine on the proposed exemption by the Ministry of Home Affairs and Labour; and
2. Approved in principle, by virtue of section 169 (j) of the Labour Relations Act, the exemption by order of verified great-grandchildren of Anguillians from the work permit requirement, subject to the advice from the Attorney General of Anguilla as instructed in Point 1. above.

Action: LAB COMM; PS, HA; HON MIN, HA; HON AG.

EX MIN 24/325

EX MEMO 24/235 Settlement of Claims by Farmers for Loss of Income and Improvements

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

The Honourable Minister for Sustainability, Innovation and the Environment briefed Council. In 2023, several small holding tenants (farmers) were displaced from Block 58814B, Parcel 63 after the lands were redesignated for the development of a national project. It was noted that in line with the Government of Anguilla's commitment to food security, provisions were made to relocate the farmers, however concerns remain about the impact on their agricultural productivity and revenue. These small holding tenants submitted claims to the Government of Anguilla for compensation to cover negative impacts of displacement.

The Department of Natural Resources, upon request, conducted an appraisal of the small holdings. It was noted that the Ministry of Sustainability, Innovation and the Environment is content to settle the compensation claims, however, the Department of Natural Resources does not have 2024 appropriation to cover the claims. As such, it is proposed that the Accountant General, in accordance with the Financial Administration and Audit Act, settle the claims.

Executive Council:

1. Approved the payment amount to the displaced small holding tenants in the amount of EC\$29,900; and
2. Instructed the Accountant General to settle claims from the appropriate Claims against Government budget line out of the Consolidated Fund, which is the remit of the Accountant General.

Action: ACCOUNTANT GEN; PS, FIN; PS, SIE; HON MIN SIE.

EX MIN 24/326

EX MEMO 24/236 Acquisition of Land to Support Farming and Fish Processing

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

The Honourable Minister for Sustainability, Innovation and the Environment briefed Council on the proposed land acquisition. It was noted that the Department of Natural Resources has received ongoing complaints from community members of disturbances caused by animals allowed to roam freely in the Blowing Point area. The owners of the animals have cited insufficient personal land for grazing as to the reason why they allow their animals to roam freely in search of food. In line with the Government of Anguilla's Agriculture Land Tenure Policy (2021) and commitment to food security, it is proposed that lands be acquired for grazing and livestock farming.

Additionally, lands in the Island Harbour area were identified as suitable for the establishment of a facility for fish processing, in an aim to increase economic value and ensure food security. As such, acquisition of these lands is also proposed.

Executive Council:

1. Approved the acquisition of lands in the Island Harbour Area for a fish processing plant, under the following terms, as proposed in the memorandum presented to Council:
 - i. Exchange of Block 4881B Parcel 93 with Owner of the same; and
 - ii. Payment of US\$70,000.
2. Instructed the Director of Lands and Surveys to appraise the value of land in Blowing Point Block 38410 Parcel 114 with a mind to acquire;
3. Instructed the Ministry of Sustainability, Innovation and the Environment to consult the Ministry of Finance on the financial implications of the proposed acquisition listed in Point 2. above;
4. Approved the acquisition of Block 38410 Parcel 114 subject to the appraisal of the land by the Director of Lands and Surveys and consultation from the Ministry of Finance as noted in Point 3. above; and
5. Instructed that the foregoing activities be prioritised as high for the Department of Lands and Surveys.

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

EX MIN 24/327

Delays in Passenger Processing at the Blowing Point Ferry Terminal and Preparations for the High Tourism Season

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

It was noted that significant delays in the processing of passengers at the Blowing Point Ferry Terminal persist. Several reasons for the delays, including staffing shortages, were discussed with proposals to address these issues in the near future. It was noted that one way to lessen passenger delays is to ensure sufficient staffing on days with a high number of passenger arrivals. This passenger arrival information can be requested from the major hotels and guest

accommodations in Anguilla. It was noted that the relevant Minister will write to the relevant departments to instruct the employment of the aforementioned solution.

Action: EXCO CLERK; EXCO MEMBERS.
