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MINUTES OF THE 20TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 1ST OCTOBER 2015

PRESENT: His Excellency the Acting Governor, Mr Stanley Reid

The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Tourism, Lands & Physical Planning

The Honourable Acting Deputy Governor, Mr Larry Franklin

The Honourable Evans Rogers, Minister of Health and Social Development

The Honourable Cora Richardson-Hodge, Minister of Home Affairs, Immigration,
Labour, Environment, Human Rights, Gender Affairs, Constitutional Affairs and
Information and Broadcasting

Mrs Jewelle Fleming, Clerk to Executive Council

IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary
Ms Michelle Daley, Chief Parliamentary Counsel
Mrs Chanelle Petty-Barrett, PS, ELSYC
Mrs Dawn Reid, Education Services Planner
Dr Aidan Harrigan, PS, FIN
Mr Perin Bradley, CIR
Mr Marc Bienvenu, Property Tax Consultant

ABSENT: Her Excellency the Governor, Ms Christina Scott

The Honourable Curtis Richardson, Minister of Infrastructure, Communications,
Utilities, Housing, Agriculture and Fisheries and Information Technology

The Honourable Attorney General, Mr Rupert Jones

EX MIN 15/547 **CONFIRMATION OF THE MINUTES**

Hon Cardigan Connor, Parliamentary Secretary and Ms Michelle Daley, Chief
Parliamentary Counsel joined the Meeting.

Council confirmed the Minutes of the 19th Meeting held on Wednesday 23rd September 2015.

EX MIN 15/548

MATTERS ARISING FROM THE MINUTES

None

EX MIN 15/549

EX MEM 15/320 TVET POLICY 2015

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance. Mrs Chanelle Petty-Barrett, PS, ELSYC and Mrs Dawn Reid, Education Services Planner joined the Meeting.

Council noted the comprehensive presentations on the Anguilla TVET Policy 2015 and Financing of TVET by Mrs Dawn Reid, Education Services Planner and Mrs Chanelle Petty-Barrett, PS, ELSYC respectively.

Council:-

- (i) approved the Anguilla TVET Policy 2015; and
- (ii) committed to implementing revenue measures by 2017 for financing TVET in particular.

PS, ELSYC thanked the Education Services Planner/Chair, TVET Policy Working Group and her team for their hard work and commitment towards the production of the TVET Policy and asked that her appreciation be placed on record.

Council thanked the Education Officials for a very good presentation.

Action: PS, ELSYC; ESP; PS, FIN; PS, EDICTLP; BD; CEO

EX MIN 15/550

PRESENTATION BY IRD/CONSULTANTS ON PROPERTY TAX

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance. Dr Aidan Harrigan, PS, FIN, Mr Perin Bradley, CIR and Mr Marc Bienvenu, Property Tax Consultant joined the Meeting.

Further to EX MIN 15/531 of 23rd September 2015, Council:-

- (i) noted the presentation by Mr Marc Bienvenu, Property Tax Consultant on the Property Tax Reform Project taking into consideration the previous views expressed by Executive Council;
- (ii) noted the viewpoints and other queries regarding the additional information presented and offered further guidance; and

- (iii) agreed to a further update to Executive Council on Thursday 22nd October 2015.

Action: EXCO MEMBERS; PS, FIN; PS, EDICTLP; BD; DM; DEP; CPO

EX MIN 15/551

EX MEM 15/310 RECRUITMENT OF AND TERMS OF CONDITIONS OF EMPLOYMENT FOR PERMANENT SECRETARIES

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance.

Council:-

- (i) noted the proposal that Permanent Secretaries recruited beginning January 2016 should be employed on fixed term contracts of five years with the option to renew for a further five years based on mutual agreement between the Permanent Secretary and the Governor/Deputy Governor and, subject to the achievement of an established standard of performance;
- (ii) approved the payment of a gratuity equivalent to 5% of the basic salary paid during each contractual period, should newly appointed Permanent Secretaries choose to opt out of the APS Pension Scheme. The gratuity would be paid from the Consolidated Fund at the end of each contractual period;
- (iii) agreed to the amendment of the Pensions Act to facilitate the payment of a reduced gratuity upon the determination of a contract as well as upon resignation; and
- (iv) approved the exploration and presentation of a paper to Council addressing the potential for the roll-out of fixed term contracts to newly recruited Department Heads in the future and the potential financial implications.

Action: HON DG; PERM SECS; PAS, FIN; BD; ACC GEN; HON AG

EX MIN 15/552

EX MEM 15/311 PROPOSAL FOR THE DEVELOPMENT OF A CORPORATE GOVERNANCE FRAMEWORK FOR STATUTORY BODIES IN ANGUILLA

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance.

Council approved the development of a Corporate Governance Framework for the Statutory Bodies in Anguilla.

Action: PS, MICUH; PS, FIN; PS, EDICTLP; PAS, FIN

EX MIN 15/553

EX MEM 15/312 MAINTAINING THE COMMODITY SUPPLY CHAIN OF GOODS TO ANGUILLA – EXPLORING FINANCIAL OPTIONS

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance.

Council:-

- (i) endorsed the work of the AASPA to explore with various institutions financing options for the repair and upgrade of the Road Bay Jetty;
- (ii) tasked the MFEDICT and MICUH to provide technical support to the AASPA with respect to exploring and reviewing financing options for the repair and upgrade for the Road Bay Jetty; and
- (iii) agreed that every effort should continue to be made to secure grant funding.

Action: PS, MICUH; PS, FIN; PS, EDICTLP; PAS, FIN; BD; CPO

EX MIN 15/554

EX MEM 15/313 FILLING OF VACANCIES AT MINISTRY OF FINANCE

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance.

Council:-

- (i) noted that the vacant post of Deputy Chief Procurement Officer at the Ministry of Finance was a new one and that the post of Compliance Manager at the Ministry of Finance had become vacant due to promotion;
- (ii) noted that the views of the Permanent Secretaries had been sought in relation to the filling of the posts and a favourable response had been given;
- (iii) noted that provision had been made in the 2015 Budget for the posts; and
- (iv) agreed that the vacant posts of Deputy Chief Procurement Officer and Compliance Manager at the Ministry of Finance should be filled.

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

Action: PS, PA; PS, FIN; PS, EDICTLP; PAS, FIN; BD; CIR; ACC GEN

EX MIN 15/555

EX MEM 15/314 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – ANNE DAVIDSON KELLER AND LLOYD GIFFIN SINCLAIR TO HOLD PROPERTY DESCRIBED AS SITUATE IN REGISTRATION SECTION WEST CENTRAL, BLOCK 28309 B, PARCEL 127, CONTAINING 0.59 OF AN ACRE

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance.

Council agreed that an Aliens Land Holding Licence should be issued to Anne Davidson Keller and Lloyd Giffin Sinclair to hold jointly, property described as Registration Section West Central, Block 28309 B, Parcel 127 containing 0.59 acre located at Cul-de-Sac, with a house thereon for residential purposes, subject to payment of the following:-

(a) Payment of the following stamp duties:-

(i)	under the Stamp Act – 5% of EC\$806,460.00	EC\$ 40,323.00
(ii)	under the Aliens Land Holding Regulation Act – 12.5% of EC\$806,460.00	EC\$100,807.50
	TOTAL	EC\$141,130.50 =====

(b) the expressed condition that the land is to be used for residential purposes and that the Licencees must not rent their dwelling house unless an application is made and written permission is obtained from the Ministry of Finance, Economic Development, Investment, Commerce, Tourism and Lands & Physical Planning (FEDICTLP).

Action: PS, EDICTLP; PS, FIN; DLS

EX MIN 15/556

EX MEM 15/315 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION SOUTH EAST, BLOCK 79214 B, PARCEL 202, STRATA LOTS SL B5, CONTAINING 1,756 SQUARE FEET AND G3 CONTAINING 336 SQUARE FEET

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance.

Council agreed that the matter should be considered at the Special Meeting of Executive Council to be held on Friday 2nd October 2015 at 3:00 pm.

Action: EXCO MEMBERS; PS, EDICTLP; DLS

EX MIN 15/560

EX MEM 15/319 ANGUILLA COMMUNITY COLLEGE BOARD OF GOVERNORS

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance.

Further to EX MIN 15/508 of 10th September 2015, Council:-

- (i) agreed that Mrs Twana Duncan should be appointed as a Member of the new Board of Governors for the Anguilla Community College effective 1st September 2015; and
- (ii) noted that Mrs Duncan has expertise in Business and Finance and will replace Mr Carlyle Rogers who was a Member of the previous Board.

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

Action: PS, ELSYC

EX MIN 15/561

EX MEM 15/321 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance.

Council agreed that the following persons should be exempted from the requirement of a work permit in accordance with Section 3 (g) of the Control of Employment Act:-

- 1) Mr Hackeem Alves - National of Guyana, who came to Anguilla in 2007. Mr Alves attended the Valley Primary School and subsequently the Albena Lake-Hodge Comprehensive School. Mr Alves is to be employed at The Anguilla Newspaper as a Junior Reporter.
- 2) Mr Edward Mejia Castillo - National of the Dominican Republic, who has been residing in Anguilla for the past ten (10) years. Mr Castillo attended the Road Primary School and later the Albena Lake-Hodge Comprehensive School. He is employed by Valera Metal Import at North Hill as a Labourer.
- 3) Ms Anette Hibbert - National of Antigua/Barbuda, who is employed as a Captain/Instructor at the Anguilla Youth Sailing Club. The Anguilla Sailing Association is a duly registered non-profit organisation with a primary purpose to provide sailing and life skills to the youth of Anguilla.

Council noted that the above posts were advertised.

Council noted that the Water Authority of Anguilla was working towards restoring water on a full-time basis in Anguilla and that the Board had contracted an outside Company, Caribbean Water Treatment Ltd, (CWT Ltd.) of Antigua to undertake the work.

Council agreed that the following persons, who are employed by CWT Ltd. and who would be seconded to Anguilla for a period of two (2) months to commence work on the new Sea Water Reverse Osmosis Plant at Crocus Bay should be exempted from the requirement of a work permit in accordance with Section 3 (g) of the Control of Employment Act:-

- 1) Mr Marius Nalcolm Peltier - National of Dominica

- 2) Mr Harry Jno Baptiste - National of Antigua/Barbuda
 3) Mr Alex Dale Hazlitt Spencer - National of Antigua/Barbuda

Council further agreed that the criteria to be used for decision making under Section 3 (g) of the Control of Employment Act should be publicised.

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

Action: PS, IMM; LAB COM; CIO

EX MIN 15/562

EX MEM 15/322 APPLICATION FOR THE PERMIT OF PERMANENT RESIDENCE

Parliamentary Secretary and Chief Parliamentary Counsel remained in attendance.

Council agreed that the following person should be granted the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act:-

Mr Imran Mcsood Amjad	-	Guyanese/Dutch National, who has been residing in Anguilla from 2012 – 2014. Mr Amjad resides in The Farrington, Anguilla with his wife. He is the Chairman and CEO of NAGICO Group and has provided proof that he has property on the island. The Police Record shows no criminal offence. A Bank Reference from Scotiabank certified that Mr Amjad has been a Director and Shareholder of various businesses with accounts being satisfactorily maintained at the Institution since February 1991.
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Council noted that the application did not meet the usual requirement, but recognised the investment potential Mr Amjad represented.

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

Action: PS, IMM; LAB COM; CIO
