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**MINUTES OF THE 41<sup>ST</sup> MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 10<sup>TH</sup> MARCH 2016**

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Victor Banks, Chief Minister and Minister of Finance,  
Economic Development, Commerce, Tourism, Lands & Physical Planning
- The Honourable Deputy Governor, Mr Stanley Reid
- 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
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications,  
Utilities, Housing, Agriculture and Fisheries and Information Technology
- The Honourable Attorney General, Mr Rupert Jones
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary  
Mr Perin Bradley, CIR  
Mr Marc Bienvenu, Property Tax Consultant  
Dr Aidan Harrigan, PS, FIN  
Mr Foster Rogers, PS, EDICTLP  
Mr Larry Franklin, PS, MICUHAFIT  
Mr Leslie Hodge, DLS

EX MIN 16/150      **CONFIRMATION OF THE MINUTES**

Hon Cardigan Connor, Parliamentary Secretary joined the Meeting.

Council confirmed the Minutes of the 40<sup>th</sup> Meeting held on Thursday 3<sup>rd</sup> March 2016.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 16/151 None

EX MIN 16/152 **PRESENTATION ON THE PROPERTY TAX ALGORITHMS**

Parliamentary Secretary remained in attendance. The following persons joined the Meeting:-

Mr Perin Bradley, CIR  
 Mr Marc Bienvenu, Property Tax Consultant  
 Dr Aidan Harrigan, PS, FIN  
 Mr Leslie Hodge, DLS

Council:-

- (i) noted the presentation by Mr Marc Bienvenu, Property Tax Consultant, on the Property Tax algorithms 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;
- (iii) additionally noted the recommendation for a Valuation Review Board to be set up by the end of March 2016; and
- (iv) agreed to a further update to Executive Council on Thursday 17<sup>th</sup> March 2016.

Action: PS, FIN; CIR; PS, EDICTLP; BD; DM; DEP; CPO

EX MIN 16/154 **EX MEM 16/88 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ANGUILLAN DEVELOPMENT CORPORATION LTD – REGISTRATION SECTION WEST CENTRAL, BLOCK 28110 B, PARCEL 65, CONTAINING 0.50 ACRE**

Parliamentary Secretary remained in attendance. DLS remained for discussion. Mr Foster Rogers, PS, EDICTLP joined the Meeting.

Council was minded to approve the application to grant an Aliens Land Holding Licence to Anguillan Development Corporation Ltd., to hold, on a freehold basis, property described as Registration Section West Central, Block 28110 B, Parcel 65, containing 0.50 of an acre of land, located at Merry Wing, for tourism use, with building thereon, subject to all the outstanding fees being paid in relation to Alien Landholding Licences previously granted in relation to other parcels.

Action: PS, EDICTLP; DLS; PS, FIN

EX MIN 16/155

**EX MEM 16/89 CJLIA (AIRPORT) DEVELOPMENT PROJECT COMMITTEE**

Parliamentary Secretary remained in attendance. PS, EDICTLP and DLS remained for discussion. Mr Larry Franklin, PS, MICUHAFIT joined the Meeting.

Council agreed that the matter should be deferred and that Mr Marcel Fahie, Chairperson, AASPA should be invited to attend the Meeting of Executive Council on Thursday 17<sup>th</sup> March 2016 for discussion.

Action: PS, MICUHAFIT; PS, EDICTLP; DLS

EX MIN 16/156

**EX MEM 16/90 VOTING GOVERNMENT SHARES AT SPECIAL SHAREHOLDERS MEETING OF ANGLEC ON 10<sup>TH</sup> MARCH 2016**

Parliamentary Secretary remained in attendance. PS, MICUHAFIT remained for discussion.

Council agreed that the recommendations as outlined below should guide how the Government of Anguilla's shares should be voted at the continuation of the Special Shareholder's Meeting of the Anguilla Electricity Company (ANGLEC) to be held on Thursday 10<sup>th</sup> March 2016.

1. Dr. Wycliffe Fahie, PAS, Ministry of Finance should be nominated to attend the Special Shareholders Meeting of ANGLEC on 10<sup>th</sup> March 2016 and should be authorized to vote the Government of Anguilla's shares in accordance with the Executive Council's directives.
2. If the PAS, Ministry of Finance is unavailable to attend the meeting, a public officer should be authorised by the Honourable Minister with responsibility for Electricity to attend the meeting and vote the GoA shares in accordance with the Executive Council's directives. (Section 68 of the Financial Administration and Audit Act)

***Voting of shares held by Government***

***68. Except as provided in any other Act, the voting rights attached to shares held by the Government of Anguilla in a body corporate may be exercised by the minister responsible for the portfolio under which the body corporate falls, or a person authorised by the minister to exercise the voting rights.***

However, as this is a continuation of the 28<sup>th</sup> January 2016 meeting, the authorization granted to Dr. Wycliffe Fahie should still be valid.

3. Notwithstanding the goals of the other shareholders, the Government should support and vote for the alternate resolution to item 2 with respect to the removal of three out of the six directors on the agenda for removal. Specifically the Government should vote to remove only:-
  - (i) ***Bernard Smith,***
  - (ii) ***Colonel Harrigan; and***

(iii) *Victor Nickeo*

4. Agreed with the proposal that in view of the need to maintain a degree of continuity on the ANGLEC Board, if needs be, the Government should vote against the removal of:-

- (i) *Artnell Richardson*
- (ii) *James Richardson; and*
- (iii) *Desmond Richardson*

Section 4.7.1 of the ANGLEC By-laws indicates that:-

***REMOVAL: Subject to section 70 (72) of the Act, the Shareholders of the Company may by ordinary resolution passed at a special meeting of the shareholders, remove any director from office and a vacancy created by the removal of a director may be filled at a meeting of the shareholders at which the director is removed.***

5. The following persons have been nominated for Directors at the Special Meeting:-

- (i) Shinnette “Simone” Connor - South Hill, Anguilla
- (ii) Gareth Hodge – Sandy Hill, Anguilla
- (iii) Patterson Hunte – Captain’s Ridge, Anguilla
- (iv) Wilfred Richardson – North Side, Anguilla
- (v) Linette Sasso – The Farrington, Anguilla
- (vi) Ann Edwards – Sandy Ground, Anguilla

6. Instructed its authorised representative to vote for the appointment of the following three (3) nominees to serve on the ANGLEC Board of Directors:-

- (i) Shinnette “Simone” Connor - South Hill, Anguilla
- (ii) Gareth Hodge – Sandy Hill, Anguilla
- (iii) Linette Sasso – The Farrington, Anguilla

7. ANGLEC’s shareholders, at the Company’s last Annual General Meeting held on 29<sup>th</sup> October 2015, did not approve the Directors’ recommendation that the current external auditors, PriceWaterhouseCoopers, St. Maarten, be reappointed to audit the accounts for the Financial Year ended December 31, 2015. Item 3 of the agenda for the Special Meeting deals with the removal of the present auditors and the appointment of new auditors.

8. However, an alternate resolution has been submitted by a shareholder for consideration at the special meeting.

The Government should instruct its authorised representative to vote for the alternate resolution.

9. The shareholders would have expended resources over the last few months in order to convene the special shareholders meeting.

The Government should support and vote for any resolution for that cost to be borne by ANGLEC.

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

Action: PS, MICUHAFIT; PAS, FIN; PS, FIN

EX MIN 16/157

**EX MEM 16/91 FILLING THE POSITION OF SENIOR CLERICAL OFFICER – VEHICLE INSPECTION CENTRE AT THE DEPARTMENT OF INFRASTRUCTURE (DOI)**

Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that the substantive post holder would formally retire from the Anguilla Public Service effective 10<sup>th</sup> March 2016;
- (ii) noted that the position was temporarily filled on day to day terms since 20<sup>th</sup> February 2014 as the substantive post holder was unable to work due to medical reasons and subsequently was unable to continue in her present occupation as advised by a medical practitioner in 2015;
- (iii) noted that the views of the Permanent Secretaries had been sought in relation to the filling of the post and a favourable response given;
- (iv) additionally noted that budgetary provisions had already been made for the position; and
- (v) agreed that the position of Senior Clerical Officer in the Vehicle Inspection Centre in the Department of Infrastructure should be filled.

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

Action: PS, MICUHAFIT; PS, PA; PS, FIN; PS, EDICTLP; BD; ACC GEN

**ORAL MENTION**

EX MIN 16/159

**MEETINGS OF EXECUTIVE COUNCIL**

Parliamentary Secretary remained in attendance.

Council agreed that there should be Special Meetings of Executive Council as follows:-

- 1) Friday 11<sup>th</sup> March 2016 at 8:00 am;
- 2) Tuesday 15<sup>th</sup> March 2016 at 10:00 am; and

- 3) Monday 21<sup>st</sup> March 2016 at 2:00 pm to finalise legislation in advance of Meetings of the House of Assembly on 22<sup>nd</sup> and 23<sup>rd</sup> March 2016.

Action: EXCO MEMBERS

EX MIN 16/160

**MEETING OF HOUSE OF ASSEMBLY**

Parliamentary Secretary remained in attendance.

Ministers expressed the intention to have Meetings of the House of Assembly on Tuesday 22<sup>nd</sup> March and Wednesday 23<sup>rd</sup> March 2016 at 10:00 am for both sessions, subject to communication with the Speaker.

Action: CLERK, HOA

EX MIN 16/161

**OVERSEAS TRAVEL**

Parliamentary Secretary remained in attendance.

The Hon Minister of Infrastructure informed Council that he would be off island from the 15 – 19 March 2016 to attend a Cyber Crime Conference in St. Lucia.

Action: EXCO MEMBERS

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