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**MINUTES OF THE 161<sup>ST</sup> MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 11<sup>TH</sup> OCTOBER 2018**

- PRESENT: His Excellency the Governor, Mr Timothy Foy, OBE
- The Honourable Victor Banks, Chief Minister and Minister of Finance,  
Economic Development, Commerce, Tourism and Information Technology
- The Honourable Deputy Governor, Mr Perin Bradley
- The Honourable Cora Richardson-Hodge, Minister of Home Affairs and Education
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications,  
Utilities, Housing, Agriculture, Fisheries and Environment
- The Honourable Attorney General, Mr Dwight Horsford
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mr Cardigan Connor, Hon Parliamentary Secretary  
Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA  
Mr Stephen Turnbull, Financial Specialist  
Mrs Jo-Anne Hodge, Labour Commissioner  
Mr Larry Franklin, PS, EDICTIT  
Ms Marisa Harding-Hodge, Compliance Manager  
Mr Marcel Fahie, Chairman, AASPA
- ABSENT: The Honourable Evans Rogers, Minister of Health and Social Development, Lands  
and Physical Planning

EX MIN 18/521 **CONFIRMATION OF THE MINUTES**

Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and  
Financial Specialist remained.

Council confirmed the Minutes of the 160<sup>th</sup> Meeting held on Thursday 4 October  
2018.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 18/522 **EX MIN 18/512 UPDATE ON 2020 GENERAL ELECTIONS**

Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and  
Financial Specialist remained.

Following on from EX MIN 18/512 of 4 October, the Hon Attorney General pointed out that the arrangement for island-wide voting could not be accommodated under the current Anguilla Constitution. He further pointed out that an amendment to the relevant sections of the Constitution would have to be made to accommodate the qualification for island-wide voting.

The Hon Minister, MHA stated that the Ministry, MHA and Hon Attorney General's Chambers were working through the legislation and that the revised draft of the Elections Act would be brought to Council on Thursday 18 October for consideration.

Action: SOE; PS, MHA; HON AG; MINS OF GOV'T

EX MIN 18/523

**EX MIN 18/520 UPDATE ON ZIKA VIRUS**

Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Following on from EX MIN 18/520 of 4 October, HE The Governor informed Council that the PS, HLPP, Chief Medical Officer, Public Health England and World Mosquito Programme/Ministry were exploring the feasibility of introducing new technology for the biological control of Zika and other mosquito related diseases.

Action: PS, HLPP; CMO; HON MIN, HSD

EX MIN 18/524

**EX MEM 18/261 PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF ANGUILLA (GOA) AND THE CANADIAN COMMERCIAL CORPORATION (CCC)**

Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained. The following persons joined:

Mr Larry Franklin, PS, EDICTIT  
Ms Marisa Harding-Hodge, Compliance Manager  
Mr Marcel Fahie, Chairman, AASPA

Council approved the signing of the non-binding Memorandum of Understanding between the Government of Anguilla and the Canadian Commercial Corporation.

HE The Governor noted that the financier of the project was not an issue, but pointed out that the specifics of the financing mechanism must make good judgment. He stated that he was happy to support anything that would speed up the process as this was an important venture for the GoA and the people of Anguilla.

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

Action: PS, EDICTIT; PS, FIN; PS, MICUHAFE; AIR MAN; COM MAN; CPO; CEO, AASPA (ag.); MINS OF GOV'T

EX MIN 18/525

**EX MEM 18/262 AGREEMENT FOR MARKETING AND SECURING INVESTMENT AND DEVELOPMENT OF MEGA YACHT/RESORT PROPERTIES IN ANGUILLA**

Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA,

PS, EDICTIT, Chairman, AASPA, Compliance Manager and Financial Specialist remained.

Council, subject to tidying up of appropriate wording to be inserted in the Agreement between the Government of Anguilla and Edgewater Resources, LLC to ensure that the GoA's liabilities are minimised:

- (a) accepted the Anguilla Mega-yacht Feasibility Study Report that was done by Edgewater Resources and confirms its willingness to move ahead with all the sites identified in the study;
- (b) approved the proposed Agreement with Edgewater Resources, LLC for marketing, identifying and securing investment for the development and operation of several mixed-use Superyacht Marina/Hotel/Commercial/Residential Development Projects in Anguilla;
- (c) noted the importance of the Government of Anguilla considering and adopting zoning options and measures for some/all of the sites identified in the mega-yacht Feasibility Study Report; and
- (d) agreed to the establishment of a Technical Working Group to be the primary interface with Edgewater Resources, LLC. The members should comprise:
  - (i) Ministry of Finance Economic Development, Investment, Commerce, Tourism and Information Technology
  - (ii) Ministry with responsibility for Lands and Planning
  - (iii) Ministry of Infrastructure
  - (iv) Anguilla Air and Sea Ports Authority
  - (v) Anguilla Tourist Board
  - (vi) Social Security

Action: PS, EDICTIT; PS, HLPP; PS, FIN; DLS; PPO; CEO, AASPA (acting);  
COM MAN; DIR, ASSB; PS, MICUHAFE; MINS OF GOV'T

EX MIN 18/526

**EX MEM 18/264 BILL FOR THE LABOUR (RELATIONS) ACT 2018**

Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained. Mrs Jo-Anne Hodge, Labour Commissioner joined.

Council:

- (i) reviewed the Bill for the Labour (Relations) Act 2018 and requested the Hon Attorney General, Labour Commissioner and MHA to finalise the legislation;
- (ii) agreed to a final public consultation, and publication on the GoA's website;
- (iii) agreed that a further Ex Co meeting be scheduled for consideration and approval of the revised Bill so that it could be presented to the House of Assembly by Tuesday 30 October; and
- (iv) agreed that once the Bill is passed the Fair Labour Standards Act and the Control of Employment Act would be repealed. Additionally, the dispute

settlement sections of the Labour Department Act would be repealed with effect from 31<sup>st</sup> August 2019.

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

Action: PS, MHA; LAB COM; HON AG; CL, HOA; MINS OF GOV'T

Ministerial Assistant to the Hon Minister, MHA left the meeting.

EX MIN 18/527

**EX MEM 18/265 FORMAL AGREEMENT – RESIDENCY BY INVESTMENT**

Parliamentary Secretary, Financial Specialist, PS, EDICTIT and Compliance Manager remained.

Council, subject to comments from the Hon AG, and tidying up the Agreement between the Government of Anguilla and the Anguilla Agency Consortium to ensure proper auditing, and that the GoA has control over the transfer of share ownership:

- (i) approved the formal Agreement between the Government of Anguilla and the Anguilla Agency Consortium that will develop and market the residency programmes; and
- (ii) authorised the signing of the Formal Agreement.

Action: PS, EDICTIT; HON AG; PS, FIN; PAS, FIN; DEP; COM MAN; MINS OF GOV'T

EX MIN 18/528

**EX MEM 18/266 FUNDS TO TRAVEL TO USVI FOR CENTRAL ELECTORAL OFFICE**

Parliamentary Secretary and Financial Specialist remained.

Council noted that the Supervisor of Elections for the United States Virgin Islands has extended an invitation to the Central Electoral Office in Anguilla to attend and observe their general elections to be held on 6 November 2018, and that a team of two persons from the Central Electoral Office is being recommended to attend. Council further noted that the Central Electoral Office does not have a budget.

HE The Governor undertook to have this matter resolved and to report back to Executive Council next week on its progress.

Action: HE; SOE; PS, MHA; HON MIN, MHA

**ORAL MENTION**

EX MIN 18/529

**EU BLACKLISTING**

Parliamentary Secretary, Financial Specialist and Compliance Manager remained.

Council noted that Anguilla is required to deliver on the commitments made to the Code of Conduct Group by the 31 December 2018, in order to avoid being listed by

the EU as non-cooperative for tax purposes. Council urged the officials to ensure that the requirements are met.

Action: PS, EDICTIT; PS, FIN; PAS, FIN; COM MAN; DEP; BD; CIR; MINS OF  
GOV'T

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