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**MINUTES OF THE 175<sup>th</sup> MEETING OF THE TWELFTH ANGUILLA  
EXECUTIVE COUNCIL HELD ON THURSDAY 29<sup>th</sup> February 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

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 of Sustainability, Innovation and Environment, Mrs Quincia Gumbs-Marie

The Honourable Attorney General, Mr Dwight Horsford

Clerk to Executive Council, Ms Dumisa Webster

IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr Merrick Richardson

Financial Advisor, Mr. Evarist Mwesigye

AGC Office Manager, Ms. Jennyville Smith

**EX MIN 24/052**

**CONFIRMATION OF THE MINUTES**

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

Council confirmed the Minutes of the 174<sup>th</sup> Meeting of Executive Council held on Thursday 22<sup>nd</sup> February 2024.

**EX MIN 24/053**

**EX MEMO 24/033 Integration of the Anguilla Commercial Registry ("the Registry") within the Anguilla Financial Services Commission ("the AFSC").**

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

The following persons joined the meeting:

Mrs. Solange Lloyd-Browne, Director of Finance  
Ms. Tina Bryan, Director, AFSC  
Ms. Charonay Carty, Deputy Director- Supervision, AFSC  
Ms. Charo Richardson, Deputy Director- Supervision, AFSC  
Ms. Jaqueline Sergeant, Head of Finance, AFSC  
Mr. Lanston Connor, Registrar of Companies, The Registry  
Mrs. Mishline Leader, Deputy Registrar, The Registry  
Ms. Thelsen Connor, Registrar, The Registry  
Mrs. Latoya Hobbs-Nurse, Deputy Registrar Compliance, The Registry

The Minister of Finance and Director, AFSC briefed the Council. ExCo Min 23/294 notes Executive Council's approval of the merging of the Registry into the AFSC and the formation of a "Project Team" for the facilitation of information sharing and to ensure the successful implementation of the integration plan effective, 1 January 2024. However, this date proved to be impossible and the newly proposed date is 2<sup>nd</sup> April 2024.

Council:

- 1) Noted and accepted the report of the Committee on the proposed integration of the Commercial Registry within AFSC.
- 2) Noted and approved the combined budget for the AFSC
- 3) Approved the draft Financial Services Commission (Miscellaneous Amendments) Act with amendments to Section 7, in particular:

- (a) that the policy state that persons who elected to leave the AFSC will not receive a state pension at the point of departure but be treated for those purposes as if they have resigned rather than retired
- (b) to clarify that “suitable alternative” is suitable as determined by the Deputy Governor; and
- (c) To clarify that if no suitable alternative is available at the point of election the duty to provide alternative employment within the Public Service ceases.
- (d) The Hon Attorney General to provide the wording for same.

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

Action: PS, FIN; PAS, FIN; HON, MIN FIN; HON, AG

**EX MIN 24/054**

**EX MEMO 24/034 Application for Duty and Tax Exemption for Lyon Fitness Centre Ltd**

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

The Customs Duty Exemption Policy of 1998, guides tax exemptions for specific projects and activities and provides exceptions where exemptions may be approved to incentivize local entrepreneurial development activity.

Council:

- 1) Agreed that duty and tax exemptions should be granted to Lyons Fitness Centre Ltd. for equipment to suit their health and fitness centre.
- 2) Noted the estimated duty and tax loss to the Government is EC\$127,306, the applicant will be required to pay the administrative fee as usual and pay GST; and
- 3) Instructed the Ministry of Finance to prepare a resolution of the House of Assembly pursuant to Section 77(1) of the Customs Act.

- 4) Reiterated the need for the Ministry of Finance to prepare a revised exemption policy that provides clear guidelines on the exemptions for consideration by Executive Council; and
- 5) Instructed the Ministry of Finance to prepare and submit quarterly reports on exemptions issued for the period.

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

**EX MIN 24/056**

**EX MEMO 24/035 Application For Issue Of Licence Under The Aliens Land Holding Regulation Act – Barry John Leddy - Registration Section: East End, Block 99315 B, Parcel 286 Being 0.49 of an Acre**

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

Executive Council Minute 24/025 approved the granting of an Aliens Land Holding Licence to Barry John Leddy to hold on a free basis, property situated in Registration Section: East End, Block 99315 B, described as Parcel 286 being 0.49 of an acre of land located in Sea Feathers with a dwelling house thereon for residential purposes, however, stamp duty was calculated inaccurately. Since the Applicant is acquiring his father’s half (1/2) share of the property, he is required to pay stamp duty based on the market value of the share he is acquiring under the Stamp Act. Therefore, the assessed value of the remaining half (1/2) share for stamp duty is US\$500,000.00/EC\$1,344,100.00.

Council approved the amendment to item (a) of the previously granted Alien Land Holding License for stamp duties payable as follows:

(a) Stamp duties payable as follows:

- |   |                      |
|---|----------------------|
| (i) under Section 14(3) of the<br>Aliens Land Holding Licence Act | EC\$ 200.00          |
| (ii) under the Stamp Act –<br>5% of EC\$1,344,100.00              | <u>EC\$67,205.00</u> |

<b>TOTAL</b>	<b><u>EC\$67,405.00</u></b>
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Council authorized the issue of the action sheet before confirmation of the Minutes.

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

**EX MIN 24/055**

**EX MEMO 24/036 Appeal of Land Development Control Committee (LDCC) Decision by Rhynetta Fleming and Romez Fleming re Refusal of Permission to construct a 4 Unit Apartment Building on Parcel 369 of Block 28010 at the Cove.**

Hon. Parliamentary Secretary, Financial Adviser, Head of the Governor's Office and AGC Office Manager remained. The Premier recused himself.

The following persons joined the meeting:

Mr. Vincent Proctor, Director of Physical Planning

Mrs. Sharon Roberts-Hodge, Land Development Control Committee (LDCC)

Mr. Leslie Hodge, Director of Lands and Surveys

Mr. Clint Lake, Appellant Agent

In considering the appeal, Council considered and noted:

- 1) The Refusal Notice Issued by LDCC dated 5<sup>th</sup> October 2023
- 2) The Appeal Letter from agent Clint Lake dated 5<sup>th</sup> October 2023
- 3) The Memorandum from the Secretary of LDCC to PS, Lands dated February 1, 2024; and
- 4) The Appeals Checklist

H.E. The Governor welcomed Mr. Clint Lake to Executive Council and invited him to address, on behalf of the appellants, the LDCC's reasons for refusing planning permission. Mr. Lake reiterated the sentiments expressed in his appeal letter. Mr. Vincent Proctor and Mrs. Sharon Roberts-Hodge, briefed the Council of their refusal of permission to the appellants to construct a 4-unit apartment building.

The Governor thanked Mr. Lake, the Director of Physical Planning, Director of Lands and Surveys and LDCC Representative for attending. Following their departure Council carefully considered all

the relevant documents and information presented, having heard all the representations, and recognising the Government's policy.

Council upheld the appeal by Rhynetta Fleming and Romez Fleming.

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

Action: PS, HA; DLS; HON, AG; Acting PPO; SGO; HON, MIN HA

**EX MIN 24/056**

**EX MEMO 24/037 Duty of Care to Government of Anguilla Staff and Senior Officials in Light of Security Threats**

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

Council deferred this matter for the next sitting.

Action: HON DG

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