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MINUTES OF THE 151st MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 7th SEPTEMBER 2023 AT 9.00 AM

- PRESENT: Acting Governor, Mr Paul Candler
- The Honourable Minister for Home Affairs, Immigration, Labour, Human Rights, Constitutional Affairs, Information and Broadcasting, Lands and Physical Planning, and Acting Premier, Mr Kenneth Hodge
- 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 Infrastructure, Communications, Utilities, Housing and Tourism, Mr Haydn Hughes
- The Honourable Minister for Sustainability, Innovation and Environment, Mrs Quincia Gumbs-Marie
- The Honourable Acting Attorney General, Ms. Dawne Richardson
- Acting Clerk to Executive Council, Ms Jennyville Smith
- IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr Merrick Richardson
- Financial Specialist, Mr Stephen Turnbull
- The Head of the Governor's Office, Mr Orlando Ames-Lewis
- ABSENT: The Honourable Premier and Minister for Finance, Economic Development & Investment and Health, Dr Ellis Webster
- The Honourable Attorney General, Mr Dwight Horsford

EX MIN 23/274

CONFIRMATION OF THE MINUTES

Parliamentary Secretary, Financial Specialist and The Head of the Governor's Office remained.

Council confirmed the Minutes of the 150th Meeting of Executive Council held on Thursday 31st August, 2023.

MATTERS ARISING FROM THE MINUTES

EX MIN 23/275

EX MEMO 23/221 Amendment to the Financial Administration and Audit Act

Parliamentary Secretary, Financial Specialist and The Head of the Governor's Office remained.

Council deferred this matter for further consideration.

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

EX MIN 23/276

EX MEMO 23/222 2023 STATUTORY BODY BUDGETS – Water Corporation of Anguilla

Parliamentary Secretary, Financial Specialist and The Head of the Governor's Office remained.

Council deferred this matter for further consideration.

Action: PS, FIN; HON, MIN FIN, PS, MICUH; HON, MIN MICUH

EX MIN 23/277

EX MEMO 23/223 Application for Permanent Residence pursuant to Section 2 of the Anguilla Economic Residence Act - Mr. Kanaya Chandumal Babani, Principal Applicant

Parliamentary Secretary, Financial Specialist and The Head of the Governor's Office remained.

The Hon Acting Minister for EDCITENR briefed Council on the application for the grant of permanent residence, which meets the legislative requirements.

Council:

- 1) considered and reviewed the application in respect of a Permit of Permanent Residence in accordance with the provisions of the

Anguilla Economic Residence Act and the Anguilla Economic Residence Regulations;

- 2) agreed to grant the Permit of Permanent Residence to Kanaya Chandumal Babani;
- 3) instructs the Ministry to inform the Review Committee - RBI and the Select Anguilla Agency of the Council's decision; and
- 4) instructs the Ministry that the Applicant shall be notified of the decision taken and shall fulfil any requirements within 60 days, if necessary.

Action: PS, EDCITENR; HON, MIN EDCITENR

EX MIN 23/278

EX MEMO 23/224 Application for issue of licence under the Aliens Land Holding Regulation Act – Ellesmera Incorporated – Registration Section: East End, Block 99415 B, Parcel 361, Containing 0.47 of an acre

Parliamentary Secretary, Financial Specialist and The Head of the Governor's Office remained.

Council agreed to approve the granting of an Aliens Land Holding Licence to Ellesmera Incorporated through its director Edite Freitas Carvalho to hold on a freehold basis, property situated in Registration Section: East End, Block 99315 B, described as Parcel 361 for residential purposes a dwelling house, subject to:

- | | | |
|--|---|------------------------------|
| (a) Payment of the following Stamp Duties: | | |
| (i) | under the Stamp Act – 5%
of EC\$1,139,796.80 | EC\$ 56,989.84 |
| (ii) | under the Aliens Land Holding
Regulation Act – 5%
of EC\$1,139,796.80 | <u>EC\$ 56,989.84</u> |
| | TOTAL | <u>EC\$113,979.68</u> |

- (b) The property must be used for residential purposes.
- (c) The Applicant Company is exempted from the Government's Policy restricting Aliens to purchase no more than half an acre of land on the grounds that the property is alienated and the

additional reasons and grounds of investment in Anguilla through the Permanent Residency program.

- (d) The Licencee must not rent their dwelling house without first notifying the Ministry of Economic Development, Investment, Commerce, Information Technology & Natural Resources.
- (e) The Licensee shall fully comply with the laws of Anguilla in force from time to time, including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour Relations Act 2018, the Control of Employment Act, and 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.

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

EX MIN 23/279

EX MEMO 23/225 Application for issue of licence under the Aliens Land Holding Regulation Act – Michael Dezic – Registration Section: North, Block 58918 B, Parcel 118 Being 0.82 Acre

Parliamentary Secretary, Financial Specialist and The Head of the Governor's Office remained.

Council agreed to approve the granting of an Aliens Land Holding Licence to Michael Dezic to hold on a freehold basis, vacant property situated in Registration Section: North, Block 58918 B, described as Parcel 118 being 0.82 of an acre located at Shoal Bay, Anguilla to construct a dwelling house for tourism purposes, subject to the following:

- (a) Payment of the following Stamp Duties
 - (i) under the Stamp Act – 5%
of EC\$1,342,755.90 EC\$ 67,137.80
 - (ii) under the Aliens Land Holding
Regulation Act – 6.25%
of EC\$1,342,755.90 EC\$ 83,922.24
 - (iii) refundable deposit – 10%
of EC\$1,342,755.90 EC\$134,275.59

TOTAL

EC\$285,335.63

- (b) The property must be used for tourism purposes.
- (c) The express condition in the Licence is that the development shall be completed within forty-eight (48) months, failing which a penalty of US\$3,500.00 shall apply for each calendar month or part thereof that the project remains uncompleted without reasonable justification for the delay in completion. The said penalty shall continue for a period of 12 months. Thereafter, forfeiture proceedings for the property will be commenced by the Government of Anguilla.
- (d) The Applicant Company be exempted from the Government's Policy on restricting Aliens from holding no more than half an acre on the grounds that the property is being sold in its entirety.
- (e) The Licensee shall fully comply with the laws of Anguilla 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 Act 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.

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

EX MIN 23/280

EX MEMO 23/226 Anguilla Population and Housing Census, 2022 (AP&H Census 2022) – Reassignment of Public Servants for Census Completion

Parliamentary Secretary, Financial Specialist and The Head of the Governor's Office remained.

Council deferred this matter for further consideration.

Action: PS, EDMSIE; CHF, STAT; HON, MIN SIE; PERM, SECS;
HON, DG
