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**MINUTES OF THE 160<sup>th</sup> MEETING OF THE TWELFTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 9<sup>th</sup> NOVEMBER 2023 AT 9.00 AM**

PRESENT: Her Excellency the Governor, Ms. Julia Crouch

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 Acting Library Services, Ms Dee-Ann Kentish-Rogers

The Honourable Minister for Sustainability, Innovation and Environment, and Acting Minister for Infrastructure, Communications, Utilities, Housing and Tourism, Mrs Quincia Gumbs-Marie

The Honourable Attorney General, Mr Dwight Horsford

Acting Clerk to Executive Council, Ms Jennyville Smith

IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr Merrick Richardson

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 Minister for Infrastructure, Communications, Utilities, Housing and Tourism, Mr Haydn Hughes

EX MIN 23/326 **CONFIRMATION OF THE MINUTES**  
Parliamentary Secretary and Head of the Governor's Office remained.

Council confirmed the Minutes of the 159<sup>th</sup> Meeting of Executive Council held on Thursday 2<sup>nd</sup> November 2023.

### **MATTERS ARISING FROM THE MINUTES**

Council requested that the Attorney-General provide advice on whether the decision to increase the cap on funeral grants provided by the Ministry of Social Development can be made by the Accounting Office/Ministry of Finance or Executive Council.

EX MIN 23/327

### **EX MEMO 23/262 Feasibility assessment for establishing an OECS agriculture production and trading platform**

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

The Honourable Minister for Sustainability, Innovation and the Environment briefed Council. In light of the challenges the agriculture sector has faced since the loss of preferential markets for Windward Island bananas; and the imperative now to address food and nutrition security in the region due to global factors such as climate change, COVID-19 and disruptions to global supply chains, OECS Ministers of agriculture recognise the urgent need for regional level coordination and cooperation to radically transform the sector.

At the 6<sup>th</sup> Council of Ministers: Agriculture held in October 2022, the OECS Food and Agriculture Systems Transformation (FAST) Strategy was introduced and discussed. FAST is the new 10-year OECS regional strategy for agriculture as mandated by Article 20 of the Revised Treaty of Basseterre (RTB). The vision of the FAST is to establish competitive sustainable food and agriculture production, processing and distribution practices that will result in increased consumption of affordable, quality, and nutritious food, increased food self-reliance, and increased social and economic development.



Anguilla is an Associate Member of the OECS. While Anguilla is not a signatory to the protocol on the free movement of goods and people, some of the key pillars of the FAST strategy will be beneficial to Anguilla as part of our efforts to improve food security by increasing food production, access to new technology for agriculture and building local capacity and self-reliance.

Council:

1. Noted the FAST Strategy priorities adopted by the OECS Ministers of Agriculture.
2. Approved the following recommendations subject to the Governor receiving delegated authority from the Secretary of State granting permission in line with the international treaty:
  - i. That a consultant be hired, funded by the FNSC in St. Vincent and the Grenadines, to complete a feasibility assessment of establishing an OECS agriculture production and trading platform, including the viability of a venture which is solely public sector, private sector or a public-private partnership. The assessment will also consider already existing mechanisms, networks, businesses, initiatives and infrastructure at a national and regional level and explore options for supporting and making better use of already existing resources. This will include identifying whether there are regional agriculture value chains which would benefit from such a platform and therefore justify pursuing this solution to boost production and support food and nutrition security in the region.
  - ii. That OECS Member States seek to advance the FAST Strategy and in particular support actions to increase the regional trading of agriculture commodities, in partnership with both the public and private sectors.
  - iii. That a briefing/presentation on the same is prepared for consideration by the OECS Authority.

Action: PS, EDMSIE; HON, MIN EDMSIE

EX MIN 23/328

**EX MEMO 23/263 Approval of Minimum Wage Order**

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

Ex Min 23/204 refers. Council considered and approved in principle the establishment of a National Minimum Wage (NMW) for Anguilla following one (1) month of public consultations on the proposed rate of EC\$16.20 (US\$6.00) per hour and the resubmission of the draft Order effecting the NMW to Executive Council for final consideration.

Council noted and approved the draft Order to give effect to a National Minimum Wage at the rate of EC\$16.20 (US\$6.00) per hour effective January 1, 2024.

Council authorised the issue of the Action Sheet before confirmation of the Minutes.

Action: PS, HA; LAB, COM; HON, MIN HA; HON; AG

EX MIN 23/329

**EX MEMO 23/264 Application for issue of Licence under the Aliens Land Holding Regulation Act – KRAEMERICA INDUSTRIES LLC– Registration Section West End, Block 17810 B, Parcel 180 being 0.26 of an acre of land**

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

Council agreed to approve the granting of an Aliens Land Holding Licence to, Kraemerica Industries LLC., through its Directors Ryan Thomas Kraemer and Melanie Lynne Kraemer to hold on a freehold basis Villa #18 being 0.26 of an acre of land forming part of Resorts & Residences of Anguilla Home Owners Association Ltd., at Four Seasons Anguilla Ltd., situated in Registration Section West End, Block 17810 B, described as Parcel 180, subject to:

a) Stamp duties payable as follows:

(i) under the Stamp Act – 5% of EC\$14,516,280.00	EC\$725,814.00
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(ii) under the Aliens Land Holding Regulation Act – 3% of EC\$14,516,280.00	<u>EC\$435,488.40</u>
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<b>TOTAL</b>	<b><u>EC\$1,161,302.40</u></b>
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Registration Section	Block	Parcel	Assessed Value (EC\$)	ALHLR Act @ 12.5%	ALHLR Act @ 3%	Value of Concession
West End	17810 B	Parcel 180	\$14,516,280.00	\$1,814,535.00	\$435,488.40	<b>\$1,379,046.60</b>

- b) The Attorney General Chambers prepare and issue regulations under Section 16 of the Finance Administration and Audit Act, R.S.A. c. F27 to remit **Kraemerica Industries LLC.**, from the payment of Stamp Duties under the Aliens Land Holding Licence Regulation Act in the amount of **EC\$1,379,046.60** owed to the Government of Anguilla;
- c) The Licensee shall rent the unit that forms part of Four Seasons Anguilla Resort.
- d) The Licensee shall fully comply with the Memorandum of Understanding dated 17 September 2010 and further agreed in First, Second, Third and Fourth Amendments to the Memorandum of Understanding, signed between the Government of Anguilla and SOF-VIII-Hotel II Anguilla Holdings, LLC and in particular Part IV Sections 4, 6 and 7 and Part V Sections IV (a) (b) (c) (in keeping with Use Restrictions and Accommodation Tax for Luxury Real Estate Products).
- e) The Licensee shall place its unit in the rental programme/pool of the hotel for the first two years upon receiving ownership of the property.
- f) The Licensee may opt to continue the placement of its unit in the rental programme/pool after this initial period.
- g) Subsequent re-sale (by the party that purchased its unit or Condominium from the Developer or its Developer Affiliate, and all subsequent re-sales thereafter) of Back Row Villa Units, Bluff Top Villa Units, and Condominiums – ALHL fee 3%, provided the subsequent buyer agrees to place the unit or Condominium into the hotel room rental pool for a minimum of the two (2) years after the subsequent buyer purchases the unit or Condominium; and in the event that the subsequent buyer elects not to place the unit of Condominium into the hotel room rental pool for a minimum of the first two (2) years after the subsequent buyer purchases the unit or Condominium, the ALHL fee shall be 9%.

- h) 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 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.
- i) Any breach of any of the conditions of this Licence shall result in all the estate and interest of the Licensee in the land being liable for forfeiture to the Crown.

Council authorised the issue of the Action Sheet before confirmation of the Minutes.

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

EX MIN 23/330

**EX MEMO 23/265 Amendment To Aliens Land Holding Regulation Act – South Hill Villas Holding Company LTD – Registration Section West Central, Block 28312 B, Parcels 191, 201, 206, 208, 209, 211, & 212 Being 2.22 Acres.**

The Head of the Governor’s Office remained.

The Hon Minister for Home Affairs briefed Council. Further to Executive Council Minute 21/329 granting of an Aliens Land Holding Licence for South Hill Villas Holding Company Ltd. – Registration Section West Central, Block 28312 B, Parcels 191, 201, 206, 208, 209, 211, & 212 Being 2.22 Acres in Anguilla under certain conditions noted as clauses (a) – (h).

Council agreed:

1. Amend clauses (b) (e) and (h) to read as follows:

(b) That the Applicant Company be granted an exemption from the Government’s policy that restricts aliens to the purchase of no more than half an acre of land, on the grounds that the property will be used for short-term residential and tourism purposes.

(e) That the property will be used for short-term staff rental purposes and tourism rental purposes, all will remain short-term (i.e. not to exceed 180 days per calendar year).

(h) that rental of the units not is limited to the employees of the Anguillan Resort Holding Company Ltd and the Anguillan Residences Holding Company Ltd or the agents of these entities and not to guests.

2. include clause (f) to the said conditions to read:

(f) The Applicant Company must obtain a Business Licence from the Ministry of Economic Development, Investment, Commerce, Information Technology & Natural Resources in order to rent the said property;

Council authorised the issue of the Action Sheet before confirmation of the Minutes.

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

EX MIN 23/331

**EX MEMO 23/266 Amendment To Aliens Land Holding Regulation Act – Paradise Cove Resort Holding Company Ltd. – Registration Section West Central, Block 28010 B, Parcels 46, 75 & 244 Being 5.24 Acres.**

The Head of the Governor's Office remained.

The Hon Minister for Home Affairs briefed Council. Further to Executive Council Minute 21/328 granting of an Aliens Land Holding Licence for **Paradise Cove Resort Holding Company Ltd.** – Registration Section West Central, Block 28010 B, Parcels 46, 75 & 244 Being 5.24 Acres in Anguilla for short-term residential purposes under certain conditions noted as clauses (a) – (l).

Council agreed:

1. To amend clauses (b) (e) and (h) to read as follows:

(f) That the Applicant Company be granted an exemption from Government's policy that restricts aliens to the purchase of no more than half an acre of land, on the grounds that the property will be used for short-term residential and tourism purposes.

(g) That the property be used for tourism and short-term residential purposes; and

(k) That the properties be rented to any persons, and not be restricted to only employees of Anguillan Resort Holding Company Ltd and Anguillan Residences Holding Company Ltd or the agents of these entities;

2. include clause (f) to the said conditions to read:

(m) The Applicant Company must obtain a Business Licence from the Ministry of Economic Development, Investment, Commerce, Information Technology & Natural Resources in order to rent the said property;

(n) That the properties be used as training properties for Aurora University;

Council authorised the issue of the Action Sheet before confirmation of the Minutes.

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

EX MIN 23/332

**EX MEMO 23/267 Application For Issue Of Licence Under The Aliens Land Holding Regulation Act – Axa Luxury Properties Ltd – Registration Section: East End, Block 99418 B, Parcel 98 Containing 0.50 of an Acre**

The Head of the Governor’s Office remained.

Council agreed to approve the granting of an Aliens Land Holding Licence to AXA Luxury Properties Ltd., to hold on a freehold basis, vacant property situated in Registration Section: East End, Block 99418 B, described as Parcel 98 being 0.50 of an acre located at Navigation Hill, Island Harbour, Anguilla for residential purposes, subject to the following:

(a) Payment of Stamp Duties

(i)	under the Stamp Act – 5% of EC\$282,261.00	EC\$14,113.05
(ii)	under the Aliens Land Holding Regulation Act – 6.25% of EC\$282,261.00	EC\$17,641.31
(iii)	refundable deposit of EC\$282,261.00– 10%	<u>EC\$28,226.10</u>
	<b>TOTAL</b>	<b><u>EC\$59,980.46</u></b>



- (b) The property must be used for residential purposes.
- (c) The Licensee must not rent their dwelling house without first notifying the Economic Development, Investment, Commerce, Information Technology & Natural Resources in order to rent the said property.
- (d) The Applicant Company be exempted from Government's Policy on restricting Aliens from holding no more than half an acre on the grounds that the property is adjacent to the property they own and that they plan to build a cottage and gardens on said property.
- (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.

Council authorised the issue of the Action Sheet before confirmation of the Minutes.

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

EX MIN 23/333

**EX MEMO 23/268 Anguilla Population and Housing (AP&H) Census 2022 Update**

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

The Minister for SIE briefed Council. PS, EDMSIE, Mrs Chanelle Petty-Barrett and Chief Statistician, Mrs Lori-Rae Alleyne-Franklin joined the meeting.

The Anguilla Statistics Department has been requested to provide a monthly update on the progress of the Anguilla Population and Housing Census 2022 enumeration phase.

The table below outlines the status as at 03 November 2023:

	No. of EDs	Completed	Near Complete	In Progress	Needs Enumerators
<b>November 03, 2023</b>	54	30	15	9	0
<b>October 05, 2023</b>	54	24	10	17	3
<b>September 12, 2023</b>	54	16	16	16	6
<b>July 4, 2023</b>	54	11	15	13	15
<b>June 14, 2023</b>	54	10	15	19	10

*Definitions:*

*Completed - all stages completed except validation.*

*Near complete – between 1-20 building points - households and the individuals therein to be completed.*

The enumeration phase is approximately 79.6% complete, as at November 03, 2023 at 4:38pm.

Council:

- 1) noted the status of the Anguilla Population and Housing Census 2022 and congratulated the team on the progress made.
- 2) agreed that all Ministers will continue to proactively sensitize and encourage the public to become engaged in the Census process; and
- 3) instructs the ASD to prepare and provide its next update for the 7<sup>th</sup> December, 2023.

Action: PS EDMSIE; CHF, ST; HON, MIN MSIE

EX MIN 23/334

**ORAL MENTION – OVERSEAS TRAVEL**

H.E The Governor informed Council that she would be off island from Friday 10<sup>th</sup> November to 22<sup>nd</sup> November 2023 on official business.

Action: CLK, EXCO

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