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**MINUTES OF THE 184th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 16th MAY 2024 AT 9.00 AM**

- PRESENT: Her Excellency the Governor, Ms. Julia Crouch
- The Honourable Deputy Governor, Mr. Perin Bradley
- The Honourable Minister for Social Development, Cultural Affairs, Youth Affairs, Gender Affairs, Education and Library Services AND Acting Premier and Minister for Finance, Economic Development & Investment and Health, Ms. De-Ann Kentish-Rogers
- The Honourable Minister for Infrastructure, Communications, Utilities, Housing and Tourism, Mr. Haydn Hughes
- The Honourable Minister for Sustainability, Innovation and Environment AND Acting Minister for Home Affairs, Immigration, Labour, Human Rights, Constitutional Affairs, Information and Broadcasting, Lands and Physical Planning, Mrs. Quincia Gumbs-Marie
- Acting Attorney General, Ms. Dawne Richardson
- Clerk to Executive Council, Ms. Dumisa Webster
- IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr. Merrick Richardson
- Financial Advisor, Mr. Evarist Mwesigye
- Head of 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 Home Affairs, Immigration, Labour, Human Rights, Constitutional Affairs, Information and Broadcasting, Lands and Physical Planning, Mr. Kenneth Hodge

The Honourable Attorney General, Mr. Dwight Horsford

EX MIN 24/118

CONFIRMATION OF THE MINUTES

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

Council confirmed the Minutes of the 183rd Meeting of the Executive Council held on Thursday, 9th May 2024.

EX MIN 24/119

EX MEMO 24/83 Approval of Amendments to the Pensions Act

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

Ms. Marisa Hodge, PAS Finance joined the meeting.

The Honourable Premier (Acting) and PAS, Finance briefed Council. The Public Service Pension Fund (PSPF) is the sole pension scheme for Government employees and government agencies, where all contributors receive benefits upon retirement, resignation or death. For contributors appointed before January 1, 2004, the age of retirement is 60 years old and for contributors appointed on or after January 1, 2004, the age of retirement is 65 years old.

Section 7 of The Pensions Act, Revised Statutes of Anguilla, Chapter P20, "Circumstances in which pension may be granted" outlines specific conditions under which a pension, gratuity, or other allowance can be awarded to an officer upon retirement from public service. The section reads:

"7. No pension, gratuity or other allowance shall be granted under this Act to any officer except on his retirement from the public service in one of the following cases-

(a) on or after attaining the normal retirement age or, in special cases with the approval of the Secretary of State, 5 years before the normal retirement age."

The intention of the proposed revision to section 7(a) of the Pensions Act is to address concerns regarding the administration and financial implications of early retirement. Following consultations with the Actuary, the PSPF Board recommends specific amendments to clearly define eligibility and financial

implications for early retirement. As such, the revised Section of the Act expresses that contributors are eligible for early retirement, within 5 years prior to reaching their normal retirement age, with a reduction of 5% per year of early retirement applied to both gratuity and pension payments. There is also a transfer of approval authority for early retirement from “Secretary of State” to “Governor” following consultation with the Premier, which seeks to ensure that such decisions are constitutionally consistent and in line with practice. In drafting the amendments, consideration was also given to the impact of early retirement on the provision of government services and sustainability of the Fund. Certain sections that are no longer applicable were also removed from the Act in the proposed amendments.

Executive Council considered and approved the Pensions (Amendment) Act, 2024.

ACTION: PS, FIN; PAS, FIN; HON. PREM.; HON AG.

EX MIN 24/120

EX MEMO 24/12 2024 Statutory Body Budgets- Anguilla Development Board (ADB)

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

The following persons joined the meeting:

Ms. Marisa Harding-Hodge, PAS, Finance
Ms. Solange L. Lloyd, Director of Finance
Ms. Rukeya Jeffers, Finance Officer
Mrs. Althea Hodge, Manager, ADB
Ms. Heather Richardson, Senior Projects Officer Deputy Manager, ADB
Mrs. Helen Bryan, Accountant, ADB
Dr. Wycliffe Fahie, Director, ADB

The PAS, Finance, Manger for ADB, and Senior Projects Officer Deputy Manager for ADB briefed Council. Ex Min 24/016 notes that the Executive Council deferred the 2024 budget for the Anguilla Development Board (ADB) and requested:

1. a detailed plan of action to be prepared and presented as to how non-performing loan rates and arrears will be addressed; and
2. ADB work with Mr. Evarist Mwesigye, Financial Advisor to the Government of Anguilla (GoA) to assist in the questions posted by Council.

Following this request, representatives for the Ministry of Finance and Financial Advisor to GoA met with the staff of the ADB and thoroughly examined the 2024 budget presentation and found the information provided to be accurate and devoid of any need for amendments. The most significant challenge affecting the ADB is its underperformance in loan collections, which is at a rate of 40%, compared to the regional industry standard of 15%. This underperformance is due mostly to the impacts of Hurricane Irma and the Covid-19 pandemic, which severely affected the incomes of individuals in the private sector, prompting payment moratoriums. The ADB also faced challenges in raising funds for on-lending purposes and attracting clients who met the criteria for an acceptable risk profile.

The ADB has implemented an action plan to ameliorate these challenges, which includes restructuring loans, stringent portfolio monitoring and legal recourse. Based on the implementation of these strategies, the principal arrears of the ADB have been reduced to 32%. The ADB continues to be persistent in its strategies to further reduce the non-performing loans and improve performance. The organization intends to increase its portfolio size by 10% to boost revenue generation through utilizing funds from the reserves, allocating EC\$1M annually over the next five years to fund loans. Additionally, the ADB is seeking additional matching funds from the GoA and/or permission to borrow from the Caribbean Development Bank in 2024.

Council noted and approved the planned 2024 budget of the Anguilla Development Board.

ACTION: PS, FIN; PAS, FIN; HON PREM.

EX MIN 24/121

EX MEMO 24/84 Revised Analysis of Maximum Sale Price on Gasoline for Delta Petroleum (Axa) Ltd., Sol St. Lucia (Anguilla) Ltd. And Anguilla Gases Ltd.

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

Pursuant to the Distribution and Price of Goods Act, R.S.A. c. D30 Distribution and Price of Goods (Maximum Gasoline Price Order) Regulations, 2022, the Minister responsible for Trade and Industry signed the Order providing the maximum price at which gasoline may be sold. The maximum prices were, EC \$17.79 per imperial gallon for Sol St. Lucia (Anguilla) Ltd. EC\$17.73 per imperial gallon for Delta Petroleum (Anguilla) Ltd., EC \$16.25 per imperial gallon for Anguilla Gases Ltd. (regular) and EC \$16.98 per imperial gallon for Anguilla Gases Ltd. (premium) from 29 April 2024 to present.

Routine analysis of current fuel import data resulted in a re-evaluation of the cost information for Sol St. Lucia (Anguilla) Ltd. Delta Petroleum (Anguilla) Ltd. and Anguilla Gases Ltd. to ensure that the price ceiling imposed proves to be reasonable for both the consumers and fuel providers alike.

Following this re-evaluation of the price ceiling, the ideal selling prices for gasoline are currently EC\$18.15, EC\$17.73, EC\$16.45 and EC\$17.35 for Sol St. Lucia (Anguilla) Ltd., Delta Petroleum (Anguilla) Ltd., Anguilla Gases Ltd (regular) and Anguilla Gases Ltd (premium) respectively.

Council:

- 1) Considered and approved the imposition of maximum price orders on the sale of gasoline, starting 20th May 2024 to:
 - EC18.15 per imperial gallon for Sol St. Lucia (Anguilla) Ltd.
 - EC\$16.45 per imperial gallon for Anguilla Gases Ltd. (regular); and
 - EC\$17.35 per imperial gallon for Anguilla Gases Ltd. (premium)

- 2) Considered and approved the dissemination of the proposed price order to the fuel suppliers and allow them the opportunity to provide further information prior to the Order taking effect.
- 3) Considered and approved the continuation of price order revisions as new information from the fuel suppliers and pertinent data on fuel import costs is obtained.
- 4) Requested that the Attorney General's Chambers prepare the Orders and Notice of Extension of Regulations for the signature of the Minister.

Council approved the issue of the action sheet before confirmation of the minutes.

PS; EDMSIE; HON. PREM; HON AG.

EX MIN 24/122

EX MEMO 24/85 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- Revati Puranik- Registration Section: East Central, Block 89118 B, Parcel 118 Being 1.00 Acre

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

Council approved the granting of an Aliens Land Holding Licence to Revati Puranik to hold on a freehold basis property situated in Registration Section East Central, Block 89118 B, described as Parcel 118 being 1.00 acre located at Shoal Bay, Anguilla, for residential purpose with a dwelling house thereon, subject to the following:

(a) Payment of the following Stamp Duties:

- (i) under the Stamp Act-
5% of EC\$2,104,860.60 EC\$105,243.03

(ii) under the Aliens Land Holding Regulation Act – 5% of EC\$2,104,860.60 EC\$105,243.03

TOTAL **EC\$210,486.06**

- (b) The property must be used for residential purposes.
- (c) The Licensee must not rent their dwelling house without first notifying the Ministry of Economic Development, Investment, Commerce, Information Technology & Natural Resources in order to rent the said property.
- (d) The Licensee shall fully comply with the laws of Anguilla enforced 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 thereunder.
- (e) Any breach of any of the conditions of the Licence shall result in all the estate and interest of the Licensee in the land being liable for forfeiture to the Crown.

ACTION: PS, HA; DLS; HON MIN HA.

EX MIN 24/123

EX MEMO 24/86 Anguilla Population and Housing (AP&H) Census 2022 Update

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

The PS, EDMSIE and Chief Statistician, Ms. Lori-Rae Alleyne Franklin joined the meeting. The Chief Statistician briefed Council.

The Anguilla Statistics Department (ASD) has been requested to provide updates of the progress of enumeration phase of the

Anguilla Population and Housing Census 2022 and has done so since September 2022. The enumeration began on 4th July 2022. The attrition of enumerators and difficulty recruiting committed persons to carry out the fieldwork have been the main challenge faced in the enumeration process. The enumeration phase ended on 31st January, with a completion of 96.0% of the building points being enumerated.

The next step in the AP&H Census 2022 process was the task of verification and validation of data collected from the 54 Enumeration Districts (ED). Data verification involves checking the accuracy and completeness of data, while data validation involves ensuring that the data meets certain standards or criteria. There were some records that required corrections and a number of EDs posed some challenges that required return to the field. The average time for the verification process is 6-9 months after completion of the data collection process, before basic data is published. Currently, 50 of 54 EDs have been completed. The AP&H Census 2022 verifications were significantly impacted by some governmental wide issues with the internet bandwidth speed which the Department of Information Technology and E-Government Services (DITES) has been making efforts to rectify.

Executive Council:

- 1) Noted that verification and validation are critical in ensuring that the data used to produce analysis is reliable and can provide accurate insights
- 2) Noted the progress of the AP&H Census 2022 and the status of the verification and validation work being undertaken, which forms part of the quality assurance.
- 3) Allowed the ASD time to complete the validation and verification process with a view to having preliminary data ready for release by mid-July 2024.

ACTION: PS, EDMSIE; HON MIN. SIE.

EX MIN 24/124

EX MEMO 24/65 Executive Council Meeting as the Shareholder Committee of the National Commercial Bank of Anguilla (NCBA)

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

Ex Min 24/095 refers to the approval of the reappointment of Regional Directors and the International Director of the NCBA Board of Directors, however, due to an error in request, the matter has returned to Executive Council for approval. Executive Council is asked to reappoint Mr. Geoffrey Scott and Mr. Ian Chinapoo as Regional Directors for a period of 2 years and Mr. Donald Coulter as International Director for a period of 2 years. The appointment of Mr. C Andre Iton as Regional Director is to be deferred until the receipt of the outcome of the Fit for Purpose assessment.

Executive Council:

- 1) Approved the reappointment of Regional Directors for a 2 year term of office:
 1. Mr. Geoffrey Scott
 2. Mr. Ian Chinapoo
- 2) Approved the reappointment of International Director, Mr. Donald Coulter for a 2 year term of office.
- 3) Agreed to consider the appointment of Mr. C. Andre Iton as Regional Director at a next meeting, once the outcome of the Fit for Purpose Assessment is complete.

ACTION: PS, FIN; PAS, FIN; HON PREM.
