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**MINUTES OF THE 187th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 6th JUNE 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, 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 for Sustainability, Innovation and Environment, Mrs. Quincia Gumbs-Marie AND Acting Premier and Minister for Finance, Economic Development & Investment and Health
- Acting Attorney General, Ms. Serena Connor
- 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 Attorney General, Mr. Dwight Horsford

EX MIN 24/139

CONFIRMATION OF THE MINUTES

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

Council confirmed the Minutes of the Round Robin Decision made on Wednesday, 29th May 2024 with amendment to Ex Min 24/138 and confirmed the Minutes of the 186th Meeting of Executive Council held on Friday, 31st May 2024.

EX MIN 24/140

EX MEMO 24/99 Amendment to the Public Lotteries Tax Act

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

The following persons joined the meeting:

Ms. Marisa Harding-Hodge, Permanent Secretary (PS), Finance

Ms. Solange L. Lloyd, Director of Finance

Ms. Rukeya Jeffers, Finance Officer

The Honourable Premier and Minister for Finance (Acting), PS, Finance and the Director of Finance, briefed Council. Ex Min 23/166 notes that there is an excess of applications for approval to host raffles and to exempt tax on said raffles being channeled through the Ministry of Finance for Executive Council approval. To ease this administrative burden, Ex Min 23/166 approved the amendment to the Public Lotteries Act to exclude raffles and bingo cards from the scope of the Act and instructed the Attorney General's (AG) Chambers to prepare and advise on any legal implications of the same. The AG Chambers emphasized the continued importance of regulating raffles and bingo cards and as a solution, recommended implementing an EC\$35,000 threshold, where the Minister of Finance through the Permanent Secretary, Finance would oversee all requests falling under this limit, therefore removing the need for Executive Council approval.

The Ministry of Finance provided a draft policy for the approval of public lotteries and waivers of applicable duty, which outlines the policy's purpose, statement, process of application, evaluation, and approval, the criteria for duty waiver, monitoring and compliance measures, record keeping and reporting and review and amendment process. The draft policy notes that an annual report summarizing the activities

and approvals will be prepared by the Finance Unit and submitted to Executive Council. It is therefore requested that Executive Council approve the amendment to the Public Lotteries Tax Act to implement an EC\$35,000 threshold in which the Ministry of Finance through the Permanent Secretary, manages and supervises all requests failing under the threshold.

Executive Council:

1) Noted the Draft Policy for the Approval of Public Lotteries and Waivers of Applicable Duty and that the Ministry of Finance will submit an annual report summarizing the activities and approvals granted.

2) Considered and approved the Public Lotteries Tax (Amendment) Act, 2024 for tabling at the next session of the House of Assembly.

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

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

EX MIN 24/141

EX MEMO 24/100 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- Chandra Kay Miller- Registration Section West End, Block 17910 B, Parcel 277 Strata Lot SL C/2B being 901 Sq. Ft.

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

The Honourable Minister for Home Affairs and Lands briefed Council. In accordance with Memorandum of Understanding dated 4th December, 2015 ('MOU') Part III Clause 2(a), the Aliens Land Holding Licence Fee is 2% on all initial sales as the Applicant/buyer has agreed to place the unit in the hotel room rental pool for a minimum of the first two (2) years after the Applicant/buyer purchases the unit. The declared value of the Furniture, Fixtures & Equipment (FF&E) is approximately 12.69% of the overall purchase price. Government's Policy based on industry norm is that FF&E should not exceed 10% of the purchase price. However as explained by the applicant's agent, the deduction of the purchase price was to incentivize the buyer to purchase speedily and the actual value of FF&E is consistent with the previous applications for

this type of unit. Therefore, the assessed value of the property for Stamp Duty excludes FE&E.

Executive Council approved the granting of an Aliens Land Holding Licence to, Chandra Kay Miller to hold on a freehold basis a luxury condominium unit of approximately 901 sq. ft. forming part of Parkstone Incorporated, a Condominium development at Tranquility Beach Anguilla. The property is situated in Registration Section: West End, Block 17910 B, described as Parcel 277 SL C/2B, is used for tourism/residential purposes subject to the following:

a) Stamp duties payable are as follows:

(i)	under the Stamp Act- 5% of EC\$1,502,803.26	EC\$75,140.16
(ii)	under the Aliens Land Holding Regulation Act – 2% of EC\$1,502,803.26	<u>EC\$ 30, 056.07</u>
TOTAL		<u>EC\$105,196.23</u>

b) That on grant of the Aliens Land Holding Licence to Chandra Kay Miller, the Government of Anguilla values the concession in the amount of EC\$157,794.34 as described in the table below:

Registration Section	Block	Parcel	Assessed Value (EC\$)	ALHLR Act @ 12.5%	ALHLR Act @ 2%	Loss to GOA
West End	17910 B	277 SL C/2B	1,502,803.26	\$187,850.41	\$30,056.02	\$157,794.34

c) That the Attorney General Chambers prepare and issue regulations under Section 16 of the Financial Administration and Audit Act RSA c F27 to remit Chandra Kay Miller, from the payment of Stamp Duties under the Aliens Land Holding

Licence Regulations Act in the amount of EC\$157,794.34 owed to the Government of Anguilla.

- d) The Licensee shall rent the unit that forms part of Signature Suites Condominium Association Inc.
- e) The Licensee shall fully comply with the Memorandum of Understanding dated 4th December 2015 signed between the Government of Anguilla and PARKSTONE INCORPORATED and in particular Part III, Government Transfer Taxes and Annual Levies.
- f) The Licensee shall place its unit in the rental programme/pool of the hotel for the first two (2) years on receiving ownership of the property.

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

EX MIN 24/142

Revision of the 2024 Executive Council Action Log

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

Executive Council:

- 1) Noted the 2024 Executive Council Action Log
- 2) Revised the Executive Council Action Log to reflect that Ex. Min. 24/ 016, 24/035 and 24/080 have been completed. Ex Min. 24/054, 24/054, 24/063, and 24/129 are in progress of being completed.

Action: EXCO MEMBERS; EXCO CLERK

ORAL MENTIONS

EX MIN 24/143

Notice of Upcoming Presentation by DITES to Executive Council

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

The Honourable Minister for Sustainability, Innovation and Environment and Acting Premier briefed Council. The Minister conducted a meeting with DITES where the registry of .ai, domains

and the independence of the Chief Statistician were discussed. The Minister notified Council that a presentation by DITES to Executive Council is set to take place in the near future.

Action: EXCO MEMBERS; CLK, EXCO
