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MINUTES OF THE 203RD MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON WEDNESDAY 23RD JULY 2014

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Hubert Hughes, Chief Minister and Minister of Finance,
Economic Development, Investment, Commerce and Tourism and Minister
of Labour and Immigration and Minister of Social Development and Health
- The Honourable Deputy Governor, Mr Stanley Reid
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing
- The Honourable Acting Attorney General, Ms Michelle Daley
- Mrs Sonia Brooks, Acting Clerk to Executive Council
- IN ATTENDANCE: Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance
Mr Foster Rogers, PS, EDICT
Ms Jasmin Garraway, Co-ordinator, Tourism Sector Development Project
Ms Anthea Ipinson, Chief Projects Officer
- ABSENT: The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human
Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister
of Education, Library Services, Sports, Youth and Culture
- The Honourable Attorney General, Mr James Wood QC

EX MIN 14/463 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 202nd Meeting held on Thursday 17th July 2014.

MATTERS ARISING FROM THE MINUTES

EX MIN 14/464 **EX MIN 14/460 LEGISLATION**

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance joined the meeting.

Election Amendment Bill

Council noted that public consultation for the Election Amendment Bill will be held on 29 July 2014.

Money Services Bill

Council agreed that the Hon Minister of Infrastructure (while acting as Chief Minister) and the Personal Assistant to the Chief Minister should meet with the Opposition Leader to consider whether there was a need for public consultation in relation to this Bill. The Acting Attorney General should be in attendance to clarify any legal issues.

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

Action: HON MIN MICUH; PA HON CM/FINANCE; AG (Ag.)

EX MIN 14/465

INF 14/06 APPOINTMENT OF NEW DIRECTOR OF THE FINANCIAL SERVICES COMMISSION

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance remained for discussion. Mr Foster Rogers, PS, EDICT joined the meeting.

Council noted the proposed appointment of Mr Gerry Halischuk as Director of the Financial Services Commission, and also his appointment as a member of the Money Laundering Reporting Authority.

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

Action: EXCO MEMBERS

EX MIN 14/467

EX MEM 14/255 APPLICATION FOR DUTY EXEMPTION BY SUNSHINE MARITIME CO LTD

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion.

Council is minded to approve duty free concession for Sunshine Maritime Co Ltd subject to confirmation that there is no insurance coverage.

Council agreed that the administrative charge should remain at 5%.

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

Action: PS, FIN; PAS, FIN; COC; FO

EX MIN 14/468

EX MEM 14/256 FILLING OF POST OF BASIC GRADE OFFICER DUE TO EXPIRATION OF CONTRACT

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion.

Council:

- (i) noted that the contract of one of the Basic Grade Officers had expired;
- (ii) noted that the views of the Permanent Secretaries had been sought and support given to the filling of the position;
- (iii) agreed that the Basic Grade Prison Officer post in the Ministry of Social Development should be filled.

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

Action: PS, HSD; PS, PA; PS, FIN; PS, EDICT, BD

EX MIN 14/469

EX MEM 14/257 APPROVAL TO FILL POSITIONS IN THE MINISTRY OF FEDICT

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion.

Council agreed that the following vacancies at the Ministry of FEDICT should be filled:-

- (a) the post of Director of Economic Planning;
- (b) the post of Economist;
- (c) the post of ACORN Administrative Officer in the Companies Registry due to the resignation of the incumbent.

Council noted that the views of the Permanent Secretaries had been sought and their support given to the filling of the posts. Council further noted that provision had been made in the 2014 Budget for the positions.

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

Action: PS, EDICT; PS, FIN; PS, PA; BD

EX MIN 14/470

EX MEM 14/258 AMENDMENT TO ANGUILLA TOURIST BOARD ACT, R.S.A. C. A80

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion. Ms Jasmin Garraway, Co-ordinator TSDP joined the meeting.

Council noted the draft Anguilla Tourist Board (Amendment) Act, 2012 and agreed that it should be reviewed and finalised for Gazetting at the earliest possible date and consideration in the House of Assembly. Officials should work in consultation with the AG's Chambers to ensure that the current draft meets policy objectives.

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

Action: AG (Ag); PS, EDICT

EX MIN 14/471

EX MEM 14/259 AMENDMENT TO THE BEACH CONTROL ACT

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion.

Council agreed that the matter should be deferred until the Hon Minister of Lands is present.

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

Action: PS, MHA/LANDS; DLS

EX MIN 14/472

EX MEM 14/260 WATER CORPORATION OF ANGUILLA (WCA) – 2014 BUSINESS PLAN (UPDATE) AND COMMERCIAL ARRANGEMENTS

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion.

Council agreed the following:

- (a) that the revised business plan should be submitted by July 31, 2014 and the revised business plan should also contain a cost benefit analysis of the Crocus Bay Water Plant, and the projected/estimated revenue and expenditure from the implementation of the Crocus Bay Water Plant.
- (b) that the WCA should adhere to EX MIN 14/401 with respect to submission of the revised business plan.
- (c) that the annual audited statements and reports should be submitted by October 30, 2014. The WCA should also submit a report from their Auditors to indicate the current status of the audit and expected completion of the audit.
- (d) that the Permanent Secretary of Finance should select and commission a three-person team to liaise with the management of the Water Corporation of Anguilla and undertake a peer review of the bids and the bid process for the Crocus Bay Water Plant before the GoA commits to approving the project. The Minister will provide the necessary directive under section 56 of the Water Corporation of Anguilla Act.

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

Action: PS, MICUH; PS, FIN; CEO, WCA

EX MIN 14/473

EX MEM 14/261 APPLICATION FOR DUTY EXEMPTION ANANYA

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion.

HE The Governor indicated her friendship with Mr Suresh Bhalla and turned over the matter to the Deputy Governor to chair.

Council agreed that duty exemption should be granted to Ananya (c/o Mr. Ian Connor on behalf of Mr Suresh Bhalla the liaison for Ananya) on the attached list of materials that will be used solely for the Ananya Villa Project.

The estimated duty loss to the GoA is \$277,197.67.

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

Action: PS, FIN; PAS, FIN; COC; FO

EX MIN 14/474

EX MEM 14/262 EXEMPTION FROM WORK PERMIT REQUIREMENTS

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion.

Council noted that as part of the celebration of 40 years of carnival in Anguilla that Mr. James Richardson of Blowing Point has invited four (4) Latin bands from the Dominican Republic to conduct performances on the island during the period July 29th to August 5th, 2014.

Council agreed that members of La Nueva, El Mayor, La Materialista and Amara, four musical bands from the Dominican Republic (list of names attached) should be exempted from the requirement of a work permit in accordance with Section 3 (g) of the Control of Employment Act.

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

Action: PS, IMM; LAB COM; CIO

EX MIN 14/475

EX MEM 14/263 WORK PERMIT REFUSAL – AVIS NICOLA BLACKWOOD – RESCINDED

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion.

Council agreed that the decision taken by Executive Council in EX MIN 14/166 of 13 March 2014 to refuse the work permit for Avis Nicola Blackwood, a national of Jamaica, to be employed as a Floor Clerk at the Best Buy Supermarket should be rescinded.

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

Action: PS, IMM; LAB COM; CIO

ORAL MENTION

EX MIN 14/476

UPDATE ON CAPITAL PROJECTS

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion. Ms Anthea Ipinson, Chief Projects Officer joined the meeting.

Council considered a list of capital projects for which funding had not yet been identified. Given that a full discussion on capital projects would not be possible for a couple of weeks, Council agreed that spend could proceed on the following projects, and only up to the amounts indicated below. Any spend on other capital projects on the list should be delayed until a more detailed prioritisation discussion.

Land acquisitions (largely for Adrian T Hazell development):	EC\$95,879
Furniture and equipment (largely for schools)	EC\$150,000
Tourism sector development	EC40,000
Tax Reform	(next contractual payment only)
Canine kennel	EC\$36,770
Valley Food Court	EC\$67,000
Immigration passport scanners	EC\$40,200
Red Cross wheelchair project	EC\$13,400
FATCA software	EC\$600,000
IT equipment for schools	EC\$100,000

Notwithstanding this prioritisation, Council reaffirmed that where new contracts would need to be entered into for this procurement, that this be done in full accordance with procurement rules.

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

Action: PS, EDICT; PS, FIN; CPO; BD; PS, MICUH

EX MIN 14/477

MEETING OF THE HOUSE OF ASSEMBLY

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance remained for discussion.

Council expressed their intention to arrange for a House of Assembly Meeting in the week beginning 18th August when all the Ministers would be back in the office.

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

Action: CLERK HOA; MINS OF GOV'T

EX MIN 14/478

OVERSEAS TRAVEL

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance remained for discussion.

Council was informed of the following dates of travel:-

- (1) Hon Chief Minister - 24 -27 July, St Vincent, 79th Meeting of the Monetary Council and 59th Meeting of the OECS
- 27-29 Barbados- Official Business
29 July to 7 August – First Commemorative World War Event and other official business, UK
- (2) Hon Minister of Infrastructure - 9- 15 August Bahamas – Telecommunications

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

Action: EXCO MEMBERS

EX MIN 14/479

MEETING OF EXECUTIVE COUNCIL

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance and Mr Foster Rogers, PS, EDICT remained for discussion.

Council agreed that the next regular Meeting of Executive Council will be held on Wednesday 6 August.

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

Action: EXCO MEMBERS

EX MIN 14/480

VANDALISM

Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance remained for discussion.

The Hon Minister of Infrastructure expressed his concerns about people vandalising others people's property and stealing the metal. He suggested that the way to curb this would be to stop the export of scrap metal.

HE the Governor advised that she would speak to the Commissioner of Police concerning the situation.

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

Action: HE
