

THIS DOCUMENT IS THE PROPERTY
OF THE GOVERNMENT OF ANGUILLA

Copy No:

MINUTES OF THE 30TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 17TH DECEMBER 2015

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Evans Rogers, Minister of Health and Social Development and Acting Chief Minister
- The Honourable Deputy Governor, Mr Stanley Reid
- The Honourable Cora Richardson-Hodge, Minister of Home Affairs, Immigration, Labour, Environment, Human Rights, Gender Affairs, Constitutional Affairs and Information and Broadcasting
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications, Utilities, Housing, Agriculture and Fisheries and Information Technology
- The Honourable Attorney General, Mr Rupert Jones
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary
Ms Tina Bryan-Bannister, Head, AML/CFT & Enforcement AFSC
Mrs Nicola Webster, Executive Assistant/Understudy to Clerk, Executive Council
- ABSENT: The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Tourism, Lands & Physical Planning

EX MIN 15/692 **CONFIRMATION OF THE MINUTES**

Hon Cardigan Connor, Parliamentary Secretary joined the Meeting.

Council confirmed the Minutes of the 29th Meeting held on Tuesday 8th December 2015 and Minutes of the Continuation of the 29th Meeting held on Friday 11th December 2015.

MATTERS ARISING FROM THE MINUTES

EX MIN 15/693

EX MIN 15/682 UPDATE ON SOLID WASTE CONTRACTS

Parliamentary Secretary remained in attendance.

Further to EX MIN 15/682 of 8th December 2015, Council noted the update on the Solid Waste Contracts. Council was expecting the Procurement Legislation to be completed and signed off before the Christmas holidays. Given the urgency of this matter, Council suggested that approval could be given by round robin.

Action: PS, HSD; HON AG; PS, FIN; PAS, FIN; CPO

EX MIN 15/694

EX MEM 15/397 GOA MEDICAL INSURANCE COVERAGE 2016

Parliamentary Secretary remained in attendance.

Council agreed that NAGICO Insurance should be retained as medical insurance providers for the GoA for 2016. Council noted an email (dated 15 December 2015) from the PS, FIN which indicated that adequate provision had been made in the 2016 Budget to cover the GoA's Health Insurance. The PS, FIN further indicated that the recommendation to retain NAGICO Insurance as medical insurance providers for the GoA for 2016 via sole source procurement was consistent with the Procurement Act as this was the mechanism used to contract with NAGICO for 2015.

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

Action: PS, FIN; PS, EDICTLP; CPO; PAS, FIN; OTHER PERM SECS; BD;
ACC GEN

EX MIN 15/695

EX MEM 15/398 PAYMENT OF GRATUITY TO PERSONS WHO DO NOT QUALIFY FOR PENSION OR GRATUITY UNDER THE PENSION ACT OR GOA POLICY WITH REFERENCE TO WAGE WORKERS

Parliamentary Secretary remained in attendance.

Further to EX MIN 15/581 of 15th October 2015, Council noted the eighteen (18) persons who had been identified to have worked for more than (10) years in established posts but who were not eligible for a pension or a gratuity. Council further noted that if gratuity was to be awarded to the persons identified, the GoA would be required to expend EC\$290,595.00.

Council agreed that the matter should be deferred for further discussion between Ministers of Government and Finance officials on the financial implications.

Action: HON CM/FIN; HON DG; PERM SECS

EX MIN 15/696

EX MEM 15/399 FILLING OF POSTS IN THE DEPARTMENT OF PROBATION DUE TO EXPIRATION OF CONTRACTS

Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that the posts of Senior Probation Officer at the Department of Probation and Juvenile Care Worker at Zenaida Haven would become vacant due to the expiration of contracts;
- (ii) noted that the views of the Permanent Secretaries had been sought in relation to the filling of the posts and a favourable response given;
- (iii) additionally noted that these posts would not increase personal emoluments or the level of expenditure as they were already established posts; and
- (iv) agreed that the posts of Senior Probation Officer in the Department of Probation and Juvenile Care Worker at Zenaida Haven should be filled.

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

Action: PS, HSD; PS, PA; PS, FIN; PS, EDICTLP; BD; ACC GEN

EX MIN 15/697

EX MEM 15/400 PAYMENT OF DEFERRED SALARY – MS B

[note on publication: name redacted to protect personal health information]

Parliamentary Secretary remained in attendance.

Council agreed that Ms B, who is employed by the Anguilla Public Service should be paid a portion of her deferred salary in the amount of EC\$12,997.45 (US\$4,835.00) to assist her with costs associated with her medical condition.

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

Action: PS, PA; PS, FIN; PS, EDICTLP; ACC GEN; CIO

EX MIN 15/698

EX MEM 15/401 FILLING OF VACANT POSITION – PASSPORT OFFICER

Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that the holder of the position of Passport Officer would be retiring from the Anguilla Public Service on 21st March 2016;
- (ii) noted that the views of the Permanent Secretaries had been sought in relation to the filling of the post and a favourable response given;

- (iii) further noted that the salary was in a Grade G with a budgeted amount of EC\$64,428.00 per annum; and
- (iv) agreed that the post of Passport Officer should be filled in accordance with established procedures.

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

Action: PS, PA; PS, FIN; PS, EDICTLP; BD; ACC GEN

EX MIN 15/699

EX MEM 15/402 2014 REVISED EDITION OF THE STATUTES AND REGULATIONS OF ANGUILLA

Parliamentary Secretary remained in attendance.

Council approved the sale prices and coming into force of the 2014 Revised Edition of the Statutes and Regulations of Anguilla as indicated below:-

- (a) the sale price (to persons other than Government Departments) of US\$1,875 for the 12 Volume printed version of the Revised Edition and CD-ROM which will be available to first-time purchasers ("non-subscribers");
- (b) the sale price (to persons other than Government Departments) of US\$1,200 for the Revised Edition CD-ROM which will be available to first-time purchasers ("non-subscribers");
- (c) the sale price (to persons other than Government Departments) of US\$500 for the 101 booklets of the Revised Edition Update and CD-ROM which will be available to repeat customers ("subscribers");
- (d) the sale price (to persons other than Government Departments) of individual Acts and their Regulations at US\$10, US\$25 and US\$40 depending on the length, and US\$5 for the Constitutional Law Set;
- (e) the sale price to Government Departments of US\$1,312 for the 12 Volume printed version of the Revised Edition and CD-ROM which will be available to non-subscribers;
- (f) the sale price to Government Departments of US\$350 for the 101 booklets of the Revised Edition Update and CD-ROM which will be available to subscribers;
- (g) the sale price to Government Departments of individual Acts and their Regulations at US\$5, US\$12.50 and US\$20 depending on the length, and US\$5 for the Constitutional Law Set;
- (h) the coming into force of the Regulations to give to the effect to the 2014 Revised Laws from 29 December 2015; and
- (i) a previous policy decision that the Revised Laws should be available on the internet in a read-only format (which cannot be downloaded non-copied)

accessible to all the general public on a free to use basis. It will be accessible from the current website – <https://www.anguillalaws.com/> and/or the Government website hopefully shortly after publication or in early January 2016.

Council agreed that the Department of Information Technology and E-Government Services (DITES) should be given a free copy of the CD-ROM and that Government Departments could approach DITES for free downloadable versions of the Revised Laws. Council further agreed that if Government Departments wished to obtain a hard copy of the Laws, the sale prices would be charged as indicated above.

Action: HON AG

EX MIN 15/700

EX MEM 15/403 AMENDMENTS TO EXTERNALLY AND NON-REGULATED SERVICE PROVIDERS REGULATIONS

Parliamentary Secretary remained in attendance. Ms Tina Bryan-Bannister, Head, AML/CFT & Enforcement AFSC joined the Meeting.

Council approved the proposed amendments to the Externally and Non-Regulated Service Providers Regulations, 2013 which seek to do the following:-

- 1) attach as Schedules the forms and fees (previously published and gazetted) that are currently being used;
- 2) shift the payment of the annual fees from the registration anniversary date to January of each calendar year; and
- 3) establish a lower fee for registration on or after 1 July in any year.

Action: HON AG

EX MIN 15/701

EX MEM 15/404 AMENDMENTS TO TRUST COMPANIES AND OFFSHORE BANKING (FEES) REGULATIONS

Parliamentary Secretary remained in attendance. Ms Tina Bryan-Bannister, Head, AML/CFT & Enforcement AFSC remained for discussion.

Council agreed that the paper should be deferred, and asked that more detailed information on the captive Banks's operations and activities should be submitted to Executive Council for consideration.

Action: HON AG

EX MIN 15/702

EX MEM 15/405 PAYMENT OF DEFERRED SALARY – MS E

[note on publication: name redacted to protect personal health information]

Parliamentary Secretary remained in attendance.

Council agreed that Ms E, employed the Anguilla Public Service should be paid her deferred salary of EC\$43,875.04 to assist her with some of the medical costs associated with her son's medical condition.

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

Action: PS, PA; PS, FIN; PS, EDICTLP; ACC GEN; CEO

ORAL MENTION

EX MIN 15/704

LEGISLATION TO SUPPORT FISCAL MEASURES IN THE BUDGET – INTRODUCTION OF BILLS AND SIGNING OF REGULATIONS

Parliamentary Secretary remained in attendance.

The Hon Attorney General went through the 12 pieces of legislation, Bills and Regulations, required to be enacted or signed in order to effect the fiscal measures required to support the estimates of Revenue as set out in the Budget Address of 9 December 2015.

The following Bills were approved for introduction and all three readings at the House of Assembly at its meetings on 29-30 December 2015:-

- 1) Interim Stabilisation Levy (Amendment) Act 2015 (Bill);
- 2) Property Tax Act 2015 (Bill);
- 3) Control of Employment (Amendment) Act 2015 (Bill); and
- 4) Vehicles and Road Traffic (Amendment) Act 2015 (Bill)

The following Regulations were agreed for signature and signed on 17 December 2015 by HE The Governor:-

- 1) Cruising Permit (Amendment) Regulations, 2015;

The following Regulations were deferred for signature by the end of 2015:-

- 1) Registered Land Rules (Amendment) Regulations, 2015;
- 2) Levy Rates (Amendment) Regulations 2015; and
- 3) Tourism Levy Rates (Amendment) Regulations 2015

Further drafting instructions were required from the Ministry of Finance to the AG's Chambers in order to effect the further fiscal measures:-

- 1) Increase in ANGLEC Licence;
- 2) Implementation of ANGLEC Gross Revenue Tax;
- 3) Implementation of Petroleum Licence (bulk importers);
- 4) Implementation of Petroleum Gross Revenue Tax

Signing of other Regulations

Following on from EX MIN 15/699 and EX MIN 15/700, HE Governor signed the following Regulations:-

- 1) Externally and Non-Regulated Service Providers (Amendment) Regulations, 2015; and
- 2) Revised Statutes and Regulations coming into force Regulations, 2015.

Action: HON AG; PS, FIN

EX MIN 15/705

MEETING OF EXECUTIVE COUNCIL

Parliamentary Secretary remained in attendance.

Council was minded to convene a Meeting of Executive Council on Wednesday 23rd December 2015 (time and date to be confirmed subsequently).

Action: EXCO MEMBERS

EX MIN 15/706

OVERSEAS TRAVEL

Parliamentary Secretary remained in attendance.

Council was informed of the following dates of travel:-

- | | | |
|-------------------------|---|--|
| 1) Hon Attorney General | - | 19 December 2015 – 2 January 2016 -
Leave |
| 2) Hon Deputy Governor | - | 22 December 2015 – 4 January 2016 -
Leave |

Council noted that Mr Perin Bradley (Deputy Governor Designate) would act as Deputy Governor from 22 – 31 December 2015.

Action: EXCO MEMBERS
