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**MINUTES OF A SPECIAL MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON MONDAY 30<sup>TH</sup> MAY 2016**

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Victor Banks, Chief Minister and Minister of Finance,  
Economic Development, Commerce, Tourism, Lands & Physical Planning
- The Honourable Acting Deputy Governor, Mr Perin Bradley
- The Honourable Evans Rogers, Minister of Health and Social Development
- The Honourable Cora Richardson-Hodge, Minister of Home Affairs, Immigration,  
Labour, Environment, Human Rights, Gender Affairs, Constitutional Affairs and  
Information and Broadcasting
- The Honourable Attorney General, Mr Rupert Jones
- IN ATTENDANCE: Mr Foster Rogers, PS, EDICTLP  
Ms Marisa Harding-Hodge, Compliance Officer
- ABSENT: The Honourable Curtis Richardson, Minister of Infrastructure, Communications,  
Utilities, Housing, Agriculture and Fisheries and Information Technology
- Mrs Jewelle Fleming, Clerk to Executive Council
- EX MIN 16/323 **EX MEM 16/194 MEMORANDUM OF UNDERSTANDING BETWEEN**  
**TIME EQUITY INVESTMENTS AND GOVERNMENT OF ANGUILLA**
- Mr Foster Rogers, PS, EDICTLP and Ms Marisa Harding-Hodge, Compliance  
Officer joined the Meeting.
- Council approved the amendments/clarifications to the following sections of the  
Corporate Report between Time Equity Investments and Government of Anguilla:-
- Item 9: Duty Free shopping and Fuel Port
- Council:-

- (i) was content that the reference in the existing MOU to a ‘limited’ form of duty free shopping should be put in the new MOU, but this should be drafted in a way that makes clear that it would be dependent on the Government coming forward with legislation in the future;
- (ii) agreed the MOU should not include language allowing either duty-free or reduced-duty sale of fuel to foreign-registered vessels; and
- (iii) asked that officials work-up a policy paper setting out the pros and cons of permitting duty-free or reduced-duty sale of fuel to foreign-registered vessels.

Item 10: Port of Entry

Council:-

- (i) did not agree that GoA should MOU should commit GoA to covering the cost of the operation and administration of the port of entry (staff salaries, utilities, supplies and materials). This would require further discussion with the developer and relevant GoA agencies (principally Immigration and Customs) to understand the size of the facility being constructed, the proposed hours of operations, and the costs that would thereby fall to GoA;
- (ii) noted that the MOU should reflect that GoA should have input into the design of the Port of Entry to ensure it meets needs/regulatory standards;
- (iii) noted that if the developer envisaged that scheduled international services would operate from the port of entry, then the security and safety standards at the port would have to meet IMO standards. Consideration should be given to reflecting this in the MOU; and
- (iv) asked officials to explore with the developer as part of the developers social responsibility commitment, the possibility of the developer funding the two hundred thousand dollar systems update required by the Immigration department in order to ameliorate the burden of having to staff an additional port.

Item 11: Occupancy Tax

Council agreed that references to an ‘Occupancy Tax’ should be removed from the MOU and that standard provisions for the number of units in the rental pool, taxed in the usual way, should instead apply.

Action: PS, EDICTLP; COM OFF; PS, FIN; DLS; CIR

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