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MINUTES OF THE 74TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 10TH NOVEMBER 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 Deputy Governor, Mr Perin Bradley
- The Honourable Evans Rogers, Minister of Health and Social Development
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications,
Utilities, Housing, Agriculture and Fisheries and Information Technology
- The Honourable Acting Attorney General, Mr Anthony La Ronde
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mr Darren Forbes-Batey, Chief of Staff, Governor's Office
Mr Brian Deadman, Financial Adviser to the GoA
Mr Marc Bienvenu, Property Tax Consultant
- ABSENT: 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 John McKendrick QC
- EX MIN 16/682 **INTRODUCTION OF NEW CHIEF OF STAFF, GOVERNOR'S OFFICE**
- HE The Governor introduced Mr Darren Forbes-Batey, new Chief of Staff in the Governor's Office to Members of Executive Council. Mr Forbes-Batey will replace Mr Steve McCready, who has completed his posting in Anguilla. He remained in Council as an observer.
- Action: EXCO MEMBERS

EX MIN 16/683

CONFIRMATION OF THE MINUTES

Council confirmed the Minutes of the 73rd Meeting held on Thursday 3rd November 2016.

MATTERS ARISING FROM THE MINUTES

EX MIN 16/685

PRESENTATION BY PROPERTY TAX CONSULTANT ON THE ANGUILLA PROPERTY TAX REFORM PROJECT

Messrs Brian Deadman, Financial Adviser to the GoA and Marc Bienvenu, Property Tax Consultant joined the Meeting.

Further to EX MIN 16/610 of 13th October 2016, Council:-

- (i) noted the power point presentation by the Property Tax Consultant;
- (ii) noted that the amount collected to date in taxes was EC\$3,600,000.00;
- (iii) noted that a Valuation Review Board had been set up comprising the following persons:-
 - 1) Mr Keithly Benjamin
 - 2) Mr Euroy Richardson
 - 3) Mr Cecil Niles
 - 4) Mr John Rogers
 - 5) Mr Cleveland Richards
- (iv) additionally noted that an Interest Waiver Committee had also been established, including the PS, FIN and Accountant General;
- (v) agreed that the PAS, FIN should be appointed to the Interest Waiver Committee and that the Ministry of Finance should finalise the instrument of appointment;
- (vi) mandated the Attorney General's Chambers to amend the IRD Act to increase the ceiling on remitting interest and penalties from EC\$1,000 to EC\$5,000;
- (vii) agreed that the age for seniors for Hardship Exemption should be sixty-five (65); and
- (viii) authorised the Hon Chief Minister to sign the Regulations on the 20% discount, which were signed in Executive Council forthwith.

Council noted that the Property Tax Consultant would be back on island in early December.

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

Action: HON DG; CIR; MINS OF GOV'T; PS, FIN; PS, EDICTLP; PAS, FIN;
ACC GEN

EX MIN 16/686

EX MEM 16/436 THIRTEENTH (13th) ANGUILLA ELECTRICITY COMPANY (ANGLEC) ANNUAL GENERAL MEETING – VOTING DIRECTIVES AND INSTRUCTIONS – DIRECTORS AND AUDITOR

Further to EX MIN 16/668 of 3rd November 2016, Council:-

- (i) instructed the GoA's authorised representative to vote for:-

Mr Claude Smith, Mr Kent Webster and Mr Wilfred Richardson as Directors on the Board of ANGLEC; and

- (ii) BDO Anguilla as the External Auditor for ANGECE.

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

Action: PS, MICUHAFIT; HON AG; MINS OF GOV'T

EX MIN 16/687

EX MEM 16/437 PUBLIC UTILITIES COMMISSION 2017 BUDGET

The Hon Chief Minister/Minister of Finance declared an interest due to familial ties with the Executive Director of the Public Utilities Commission.

Council:-

- (i) approved the Public Utilities Commission's Work Plan for 2017;
- (ii) approved the Public Utilities Commission's Budget of EC\$854,000 for 2017;
- (iii) agreed with the Hon Minister of Finance in accordance with Section 64 (2) of the Financial Administration and Audit Act that the estimates submitted by the PUC should be approved; and
- (iv) agreed, in accordance with Section 64 (5) of the Financial Administration and Audit Act that the Hon Minister with responsibility for the Public Utilities Commission should lay the estimates and the work plan before the House of Assembly.

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

Action: PS, MICUHAFIT; EX DIR, PUC; HON CM; PS, FIN; CL, HOA; HON MIN, MICUHAFIT

EX MIN 16/689

EX MEM 16/439 APPLICATION FOR DUTY EXEMPTION FOR GADGET CITY

Council agreed that duty exemption should be granted to Gadget City (c/o Mr & Mrs Elias and Candis Mkoba, Proprietors) on the attached list of items to facilitate the establishment of a recreational facility for children, aged twelve (12) years and younger.

Council additionally agreed that:-

- (i) a clear written policy on companies and organisations eligible to receive duty exemption should be submitted to Executive for consideration as soon as possible, and then subsequently made publically available; and
- (ii) officials should develop a much clearer and detailed method of presenting information to Council on duty exemption matters so that all the key information required by Council to take an informed decision were comprehensively set out.

The estimated duty loss to the GoA is EC\$98,616.62.

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

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

EX MIN 16/690

EX MEM 16/440 PAYMENT OF DEFERRED SALARY – PC A

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

Council agreed that PC A, who is employed as a Constable in the Royal Anguilla Police Force should be paid his deferred salary in the sum of EC\$16,452.08 to assist him with costs associated with his medical condition.

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

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

EX MIN 16/691

EX MEM 16/441 PAYMENT OF DEFERRED SALARY – PC B

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

Council agreed that PC B, who is employed as a Constable in the Royal Anguilla Police Force should be paid her deferred salary in the sum of EC\$17,849.10 to assist her with costs associated with her medical condition.

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

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

EX MIN 16/692

EX MEM 16/442 PAYMENT OF DEFERRED SALARY – MS C

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

Council agreed that Ms. C, who is employed in the Department of Probation should be paid her deferred salary in the sum of EC\$13,805.07 to assist her with costs associated with her mother's medical condition and subsequent death.

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

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

EX MIN 16/693

EX MEM 16/443 RETENTION OF THE HM PRISON TUTOR

Further to EX MIN 16/679 of 3rd November 2016, Council agreed that the HM Prison Tutor should be retained until the post was formally 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 16/694

EX MEM 16/444 PENSIONS (LOAN IMPLEMENTATION) REGULATIONS, 2016

Council:

- (i) supported the recommendation that the Bill for Pensions (Amendment) Act, 2016 and the draft Pensions (Loan Implementation) Regulations, 2016 should be published in the Official Gazette and subsequently presented to the House of Assembly;
- (ii) requested that prior to the legislation being considered by the House of Assembly, that the Ministry of Finance confirm that the actuary of the Public Service Pension Fund is satisfied that the arrangements and safeguards set out in the draft regulations are consistent with his advice; and
- (iii) asked that the Attorney General's Chambers review the draft Act and Regulations to correct any typographic errors inadvertently included.

Action: PS, FIN; HON AG; PS, PA; ADMINISTRATOR, PSPF; PAS, FIN; ACC GEN; CL, HOA

EX MIN 16/695

EX MEM 16/445 INTERIM MEASURES TO SUPPORT DRAG RACING

Further to the parameters set out in EX MIN 15/50 and the conclusions reached in EX MEM 15/63, Council authorised the Attorney General's Chambers to prepare the draft legislation required to amend the Vehicle and Road Traffic Act to allow for the use of the Jeremiah Gumbs Highway for the testing of cars for drag racing during particular times.

Action: PS, ELSYC; HON AG; DIR, Y&C; PS, FIN; PS, EDICTLP

ORAL MENTION

EX MIN 16/696

OVERSEAS TRAVEL

Council was informed of the following dates of travel:-

- | | | | |
|----|--------------------------|---|--|
| 1) | Hon Chief Minister | - | Sunday 13 th – Saturday 19 th November 2016, Cayman Islands – Health Meeting & Panama – Social Security Board Meetings |
| 2) | Hon Minister Social Dev. | - | Sunday 13 th – Tuesday 15 th November 2016, Cayman Islands – Health Meeting |
| 3) | Hon Minister, MICUHAFIT | - | Sunday 13 th – Sunday 20 th November 2016, Aruba – Green Energy Conference |

Action: EXCO MEMBERS
