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MINUTES OF THE 93RD MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 6TH APRIL 2017

PRESENT: His Excellency the Acting Governor, Mr Perin Bradley

The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Tourism and Information Technology

The Honourable Acting Deputy Governor, Dr Bonnie Richardson-Lake

The Honourable Evans Rogers, Minister of Health and Social Development, Lands
and Physical Planning

The Honourable Cora Richardson-Hodge, Minister of Home Affairs and Education

The Honourable Curtis Richardson, Minister of Infrastructure, Communications,
Utilities, Housing, Agriculture, Fisheries and Environment

The Honourable Attorney General, Mr John McKendrick QC

Mrs Jewelle Fleming, Clerk to Executive Council

IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary
Mr Kenneth Hodge, PAS, MHA

ABSENT: Her Excellency the Governor, Ms Christina Scott

EX MIN 17/136 **CONFIRMATION OF THE MINUTES**

Hon Cardigan Connor, Parliamentary Secretary joined the Meeting.

Council confirmed the Minutes of the 92nd Meeting held on Thursday 30th March 2017.

MATTERS ARISING FROM THE MINUTES

EX MIN 17/137 **EX MEM 17/81 APPLICATION FOR DUTY EXEMPTION FOR**
QUINTESSENCE HOTEL

Hon Parliamentary Secretary remained in attendance.

Further to EX MIN 17/130 of 30th March 2017, Council agreed that duty exemption should be granted to Quintessence Hotel (c/o Mr Geoffrey and Kathleen Fieger),

conditional on resolution of the ownership issues of B&F Co. Limited and compliance with Executive Council's decision as outlined in EX MIN 17/32 of 26th January 2017 (attached).

Action: PS, FIN; PAS, FIN; COC; FO; HON AG; DLS; MINS OF GOV'T

EX MIN 17/138

EX MEM 17/86 BUDGET FOR THE CELEBRATION OF THE 50TH ANNIVERSARY OF THE ANGUILLA REVOLUTION AND ANGUILLA DAY 2017

Hon Parliamentary Secretary remained in attendance. Mr Kenneth Hodge, PAS, MHA joined the Meeting.

Further to EX MIN 16/730 of 1st December 2016, Council:-

- (i) approved the revised Budget for the 50th Anniversary of the Anguilla Revolution and Anguilla Day as follows:-

EXPENDITURE	
Official Parade	\$ 53,570.00
Senior Citizen's Luncheon	\$ 24,540.00
Anguilla Day Church Service	\$ 15,000.00
Contribution to UWI Anguilla Day Speaker Series	\$ 12,500.00
Memorial Park	\$ 33,641.00
Recording and Streaming of activities	\$ 25,000.00
Catapulted Conference 2017	\$ 40,000.00
Contribution to Anguilla Day Sports	\$ 10,000.00
Festival of Choirs	\$ 7,000.00
Anguilla Coat of Arms	\$ 8,000.00
Flags and other gift items	\$ 22,200.00
General and Miscellaneous Expenditure	\$ 5,000.00
	\$ 256,451.00

- (ii) asked the PS, FIN to consider options as to the availability of an additional US\$100,000.00 (EC\$270,000.00) towards the Anguilla Day celebrations, and to report to Executive Council on Thursday 13th April 2017; and
- (iii) authorised the Anguilla National Celebrations Committee to continue to work on the programme for the Anguilla Day activities.

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

Action: PS, MHA; PAS, MHA; PS, FIN; PS, EDICTLP; BD; ACC GEN; MINS OF GOV'T

EX MIN 17/139

EX MEM 17/87 OVERTIME PAYMENT FOR IMMIGRATION OFFICERS

Hon Parliamentary Secretary remained in attendance.

Council approved the payment of overtime to Immigration Officers when requests are made for the extension of opening hours at the ports.

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

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

EX MIN 17/140

EX MEM 17/88 APPLICATION FOR DUTY EXEMPTION FOR OFF THE CHAIN CLUB

Hon Parliamentary Secretary remained in attendance.

Council agreed that duty exemption should be granted to Off the Chain Club (c/o Mr Jachin Richardson) on a car, which is to be raffled, in an effort to raise funds to purchase bikes, uniforms and other equipment for the Club.

The estimated duty loss to the GoA is EC\$3,965.10.

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

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

EX MIN 17/141

EX MEM 17/89 PAYMENT OF DEFERRED SALARY – MS A

[Note on publication: names redacted to protect personal health information]

Hon Parliamentary Secretary remained in attendance.

Council agreed that Ms A, who was employed by the Anguilla Public Service and is now working in another statutory body should be paid her deferred salary in the sum of EC\$11,644.22 to assist her with the payment of her mother's accumulated medical bills.

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

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

EX MIN 17/142

EX MEM 17/90 IMPLEMENTATION OF INITIATIVE TO SHARE BENEFICIAL OWNERSHIP INFORMATION WITH THE UK GOVERNMENT

Hon Parliamentary Secretary remained in attendance.

Council:-

(i) approved the following press release:-

“In April 2016, Anguilla, the UK Crown Dependencies and other UK Overseas Territories made arrangements with the UK Government, committing to the reciprocal provision of beneficial ownership information, within an enhanced manner based on requests from law enforcement and tax authorities. Within the UK-

Anguilla Exchange of Notes, the UK and Anguilla mutually acknowledged the importance of the provision of beneficial ownership information for the prevention and detection of corruption, money laundering, terrorism financing, financing of the proliferation of weapons of mass destruction and other serious and organised crime. Beneficial owner” means any natural person(s) who ultimately owns or controls a corporate or legal entity through direct or indirect ownership of more than 25% of the shares or voting rights or ownership interest in that entity, or through control via other means. The Exchange of Notes also recognises the importance of expediting timely and secure access to such information.

While the commitments outlined in the Exchange of Notes took effect upon the signature; the effective arrangements as delineated in the Technical Protocols, will come into effect no later than 30 June 2017. This includes necessary legislative regulatory changes and the establishment of a centralised platform or similarly effective system. In the Exchange of Notes and Technical Protocols – the Government of the Anguilla committed to establishing and maintaining an electronic platform or similarly effective arrangement, that will allow it to immediately access adequate, accurate and current beneficial ownership information on corporate and legal entities incorporated in the Anguilla. This will not be a public register or publically accessible database. Acting only on the furtherance of their functions, United Kingdom law enforcement authorities will be able to request provision of this information within 24 hours of submission of a request and in urgent cases within an hour. The electronic platform will only be accessible to Anguillan law enforcement and tax authorities (Anguillan Competent Authorities).

This effort reaffirms Anguilla’s commitment to maintaining the right balance between privacy and transparency whilst enhancing the reputation of the jurisdiction as being at the forefront of access to and availability of beneficial ownership information.

It is intended for the information to be accessible via an electronic portal similar to those being proposed in the BVI and Cayman Islands. The Ministry of Finance, Economic Development, Investment, Commerce, Tourism, is currently in the process of designing and developing an electronic system to allow the timely access to and sharing of current beneficial ownership information. This process will be undertaken in consultation with the financial services industry – to ensure that Beneficial Ownership information held by Trust and Company Service Providers (TCSPs) is accessible to Anguillian Competent Authorities.

The Government of Anguilla intends to amend the Companies Act and other AML/CFT legislation to provide for an electronic platform to be established to maintain Beneficial Ownership information which will be accessible by the Anguillian Competent Authority but otherwise remains private.

The Ministry of Finance, Economic Development, Commerce, Investment and Tourism is inviting the general public and in particular, stakeholders of the Financial Services Industry to submit comments on this initiative, in particular with regards to suggestions for an electronic solution or system design. The deadline for comments is close of business on Friday, 21 April, 2017. All comments should be emailed to Compliance Manager, in the Ministry of Finance at marisa.harding-hodge@gov.ai; and

(ii) agreed that the UK should be informed of the continuing need for assistance in respect to the funding of the upgrade to the ACORN system and legislative drafting/amendments, in order to deliver on the commitments as delineated in the UK-Anguilla EoN for the Beneficial Ownership initiative;

(iii) further agreed that the UK should be informed that delay to receipt of funding will delay the implementation of the arrangements for the BO initiative, and GoA's inability to meet its June commitment.

Action: HE; COM OFF; HON AG; CIR; REG/COM; PS, FIN; PS, EDICTLP; PAS, FIN; BD; ACC GEN

EX MIN 17/143

EX MEM 17/91 CONSIDERATION OF MONIES OWED TO THE HEALTH AUTHORITY OF ANGUILLA

Hon Parliamentary Secretary remained in attendance.

Council noted the draft paper, and the Hon Minister, HSD intention to bring a full paper to Executive Council on Thursday 13th April 2017 for consideration.

Action: PS, HSD; HON MIN, HSD

EX MIN 17/144

EX MEM 17/92 EXTENSION TO CONDITIONS FOR REPAYMENT OF DEFERRED SALARY – MS A

[Note on publication: names redacted to protect personal information]

Hon Parliamentary Secretary remained in attendance.

Further to EX MIN 17/135 of 30th March 2017, Council:-

- (i) approved the extension of EX MIN 12/915 (of 28th December 2012), EX MIN 14/375 (of 19th June 2014) and EX MIN 15/416 (of 16th July 2015) to include situations presented on a case by case basis by public officers, who were experiencing financial difficulties; and
- (ii) agreed that Ms A, who is employed at the Albena Lake-Hodge Comprehensive School should be paid her deferred salary in the sum of EC\$47,610.47 to assist her with the payment of arrears on her mortgage at NCBA.

Council further agreed that the Hon Deputy Governor should speak to Ms A for clarification of certain queries.

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