

THIS DOCUMENT IS THE PROPERTY
OF THE GOVERNMENT OF ANGUILLA

Copy No.

MINUTES OF THE 11TH MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 24th SEPTEMBER 2020 AT 9.00AM

- PRESENT: His Excellency The Governor, Mr Timothy Foy, OBE
- The Honourable Premier and Minister for Finance and Health,
Dr Ellis Webster
- The Honourable Deputy Governor, Mr Perin Bradley
- The Honourable Minister for Social Development, Cultural Affairs,
Youth Affairs, Gender Affairs, Education and Library Services,
Ms Dee-Ann Kentish-Rogers
- The Honourable Minister for Home Affairs, Immigration, Labour,
Human Rights, Constitutional Affairs, Information and Broadcasting,
Lands and Physical Planning, Mr Kenneth Hodge
- The Honourable Minister for Infrastructure, Communications,
Utilities, Housing and Tourism, Mr Haydn Hughes
- The Honourable Minister for Economic Development, Commerce,
Information Technology, Environment and Natural Resources,
Mr Kyle Hodge
- The Honourable Attorney General, Mr Dwight Horsford
- Clerk to Executive Council, Mrs Angela Hughes
- IN ATTENDANCE: Hon Parliamentary Secretary for Economic Development,
Mrs Quincia Gumbs-Marie
Hon Special Ministerial Assistant to the Hon Minister for Social
Development/Education, Mr Merrick Richardson
Financial Specialist, Mr Stephen Turnbull

EX MIN 20/399

CONFIRMATION OF THE MINUTES

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council confirmed the Minutes of the 10th Meeting of Executive Council held on Thursday 17th September 2020.

Council confirmed the Minutes of the Special Meeting of Executive Council held on Monday 21st September 2020.

MATTERS ARISING FROM THE MINUTES

Council noted that:

- 1) the Hon AG is working on a mechanism to facilitate the policy objective outlined in EX MIN 20/395; and
- 2) the work to prepare the MTEFP and Budget for 2021 is ongoing.

EX MIN 20/400

INF 20/05 INFORMATION NOTE: - UPDATE ON STATUTORY BODIES CONTINGENT LIABILITIES EXERCISE

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

The Hon Deputy Governor briefed Council on the progress made by the Statutory Bodies in addressing their contingent liabilities. They were required to identify actions to be taken to reduce contingent liabilities and increase revenue. The key points were as follows: -

Anguilla Air and Sea Ports Authority

The AASPA have not provided any indication of how COVID-19 will impact their finances in 2020 and beyond, however, they have no reserves and ordinarily they do not generate surpluses. AASPA needs to obtain Board resolutions and Ministerial approval for the plans they have outlined. The board has indicated that they are progressing the following initiatives:

- Increase of airport tariff by 25% for local airlines and 50% for foreign airlines to generate an estimated additional EC\$1.1m per annum.
- Increase seaport tonnage, port dues, and cargo handling fees to generate an estimated additional EC\$500K per annum.
- The termination or renegotiation of the following contracts:
 - (i) KCI Consultancy – EC\$1.62m per annum. To be terminated from the 21 October 2020, however, there is a 3% success fee that survives the contract
 - (ii) CFAS – EC\$483K per annum
 - (iii) SER Legal Services – EC\$72K per annum
 - (iv) Infrastructure Advisor – EC\$64K per annum

Health Authority of Anguilla

The budget presented by the HAA indicates a very small surplus position inclusive of the ordinary subvention payment. However, there are questions surrounding the estimate submitted for patient care fees. The potential revenue risk is in the region of EC\$4m. The board's proposed actions include:

- Increase of the subvention by EC\$3.6m per annum.
- Alternatively, they propose to increase private care fees.

Anguilla Development Board

The ADB have indicated that their sustainability over the medium to long term is questionable without additional financial support to facilitate onward lending. The ABD has proposed that the GoA provide an equity injection of up to EC\$1m per annum for the next ten years.

Public Service Pension Fund

The most recent actuarial review of the PSPF indicated unfunded liabilities of EC\$224m; however, a further actuarial assessment is currently being conducted. The 2016 review recommended the following:

- Increase in the rate of contributions from 3% to 8%.
- Increase the retirement age to 60 years.

PSPF indicated that their liabilities are manageable because they will not crystalize for a number of years. The loan scheme has been performing well and that has not been factored in.

Anguilla Social Security Board

The ASSB did not provide their financial sustainability plan nor have they provided their latest actuarial review recommendations.

The Anguilla Community College

The ACC has projected deficits of about EC\$1m per annum (inclusive of the CDB loan commitments). The board's option to improve financial sustainability is to transfer some of its costs to the GoA. They are seeking an additional subvention of EC\$1m per annum. The ACC have considered ways to reduce property costs. The ACC indicates that prevailing conditions are hampering its ability to perform and that they have a high administrative burden because they do not have external administrative support.

Water Corporation Anguilla

The WCA were initially projecting deficits for 2020, 2021 and 2022 of EC\$964K, EC\$567K, and EC\$183K respectively. The board further resolved the following measures to improve sustainability. These measures include:

- Increasing the water tariff by EC\$0.005 per gallon which is estimated to yield an additional EC\$816K revenue per annum. These calculations require verification.

- Buy-out the TSG brackish water plant which would yield annual savings of EC\$450K.

With the implementation of these measures the board believes that WCA will return to making an annual surplus. However, it is not clear whether full consideration has been given to all the elements which may impact this plan.

Anguilla Tourist Board

The ATB is currently reviewing their marketing and contracts for other services with a view to either: non-renewal, cancellation or renegotiating. Subvention requirements for 2021 must be considered.

Following discussion Council agreed:

- i. **AASPA** – the Hon Minister MICUH&T should engage with the Chairman of the Board to:
 - a) ensure the Board approves and implements as a matter of urgency the actions identified to reduce contingent liabilities; and
 - b) direct the Board to cease all activity related to the development and expansion of all ports including CJLIA.

- ii. **WCA**, that:
 - a) recognizing WCA's financial position the GoA was prepared in principle to provide a subvention for 2021. The required amount should be presented by WCA to ExCo for its approval quickly so that this could be included in the MTEFP and 2021 budget;
 - b) the Permanent Secretary MICUH&T should immediately begin discussions with WCA's Chairman and ANGLEC to develop a comprehensive proposal for the merger of water and electricity functions. The intention being that ANGLEC becomes responsible for the provision of water in addition to electricity, and absorbs WCA's existing assets and liabilities; and

- c) the merger of electricity and water services should be achieved by 1 January 2022.
- iii. **ACC**, that a subvention would be required for 2021. The value of this should be agreed by ExCo quickly so that it could be included in the MTEFP and the 2021 budget and subject to terms and conditions to reduce costs.
- iv. that the Alben Lake Hodge Comprehensive School Board of Governor's would be fully re-absorbed into the Ministry of Social Development. The Ministry should immediately commence planning to achieve this;
- v. **HAA**, that:
- a) an evaluation of the HAA fee structure should be immediately conducted to ascertain where fees can be increased – this should not be an across the board rate increase. Proposals should be submitted for ExCo's consideration no later than 31 October 2020; and
 - b) HAA would be fully reabsorbed into the Ministry of Health by 1 January 2022. The Ministry should immediately commence planning to achieve this.
- vi. **ADB**, that:
- a) the EC\$500,000 earmarked for the ADB under the first Supplementary Appropriation Budget shall be repurposed to provide the ADB with additional funds to onward lend. The target market for this additional funding should be small to medium businesses impacted by Covid-19;
 - b) GoA should provide the ADB with an additional EC\$1m subvention in 2021, which will be factored into the MTEFP; and

- c) the strategic review of the ADB's functions should continue and conclude no later than 31 December 2020.
- vii. **Public Service Pension Fund** that actions to manage the unfunded benefits liability would be considered following completion of the next actuarial review; and
- viii. **Anguilla Social Security Board** that:
- a) actions to manage the unfunded benefits liability would be considered following completion of the next actuarial review; and
 - b) the Hon Attorney General, the Minister of Finance and Financial Specialist will work together to identify potential amendments to the Social Security Act to ensure members contributions are fully protected.

Council further instructed the Attorney General's Chambers to draft Regulations for all fee increases proposed by the Statutory Bodies – WCA, AASPA & HAA.

Action: PS, FIN; PS, EDCITENR; BD; ACC GEN; MINS OF GOV'T

EX MIN 20/401

EX MEM 20/191 ANGUILLA FINANCIAL SERVICES COMMISSION ANNUAL REPORT 2018

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council:

- 1) noted the Anguilla Financial Service Commission's Annual Report and financial statement for 2018; and
- 2) in accordance with legislative requirements instructed the Attorney General's Chambers to table the report at the next

session of the House of Assembly for the information of legislators and the public.

Action: HON, AG; MINS OF GOV'T

EX MIN 20/402

AMENDMENT TO EX MIN 20/382

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council noted the Memorandum from the Director of Lands & Survey dated September 22, wherein he requested an amendment to EX MIN 20/382, to read as follows: -

“The construction of the dwelling house to be completed within thirty (30) months. If said dwelling house is not completed at the end of thirty (30) months, a penalty of EC\$3,500.00 for each calendar month or part thereof that the project remains uncompleted and therefore to accrue as against the Licensee. Thereafter, forfeiture proceedings for the property will be commenced by the Government of Anguilla for a period of twenty-four (24) months.”

Council approved the proposed amendment to EX MIN 20/382.

Action: DLS

EX MIN 20/403

UPDATE ON COVID-19 RESPONSE

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained. The following persons joined:

PS, Health, Mr Foster Rogers
 Chief Medical Officer, Dr Aisha Andrewin
 Dir of Chronic Disease Unit, Mrs Twyla Richardson-Bradshaw
 Health Planner, Ms Rochelle Rogers

Accelerated repatriation

The PS, Health and Chief Medical Officer briefed Council on the progress of accelerated repatriation.

The Hon Premier noted that the repatriation process is going well and thanked the Ministry of Health and Public Health team for the work well done so far. The Hon Premier highlighted that repatriation needs to be completed so that tourism can be focused on. He also thanked the Governor's Office and FCDO for the 1200 individual Covid-19 test kits which have arrived.

Council noted that:

- 1) as of 24 September 377 persons had been repatriated along with an additional 83 medical returnees;
- 2) a total of 460 persons were returned to Anguilla and two visitors;
- 3) a further 20 persons are expected to arrive next week;
- 4) Phase 2 re-opening commences on November 1, 2020;
- 5) training in infection and disease control is ongoing with service providers (hotels and taxi operators);
- 6) Government quarantine facilities are available until November 14, 2020 and thereafter quarantine must take place either at home or in appropriate Government pre-approved accommodation;
- 7) in terms of transportation into Anguilla, air transfers alone are insufficient to meet the anticipated demand and consideration needs to be given to commencing ferry services via the Anguilla – St. Maarten Ferry Terminal; and
- 8) improvements have to be made to the Anguilla – St. Maarten Ferry Terminal and the Blowing Point Ferry Terminal so that they are suitable for Phase 2 re-opening.

Following discussion Council:

- 1) approved the Revised Protocols for re-opening of Tourism Sector, as follows: -
 - a) Protocols for the Management of Novel Coronavirus (COVID-19), Tourism Sector;
 - b) COVID-19 Management Protocols for the Accommodation Sector; and
 - c) Protocol for Business Travellers to Anguilla in Relation to the Outbreak of COVID-19.
- 2) approved the draft press release prepared by the Anguilla Tourist Board, subject to insertion of the agreed fees;
- 3) agreed that the Anguilla - St. Maarten Ferry Terminal, in St. Maarten will open on 1 November 2020 and ferry services between Anguilla and St. Maarten will resume;
- 4) agreed that the Hon Minister MICUH&T shall engage with the hoteliers to ensure that the necessary financing for improvements to the Anguilla - St. Maarten Ferry Terminal is in place;
- 5) further agreed that AASPA shall work with the Public Health team to ensure that the facilities at Blowing Point Ferry Terminal and the Anguilla - St. Maarten Ferry Terminal are suitable for high-end tourism during the Covid-19 pandemic and Phase 2 re-opening; and
- 6) noted that the position regarding non-essential travel remains the same - it should be avoided. Persons leaving Anguilla will be required to comply with the visitor's application process in order to return to Anguilla. There is no automatic right to re-entry.

Action: PS, HLTH; PS, FIN; PS, EDCITENR; BD; ACC GEN;
HON, DG; HON, AG; MINS OF GOV'T

EX MIN 20/404

EX MEM 20/192 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION SOUTH CENTRAL, BLOCK 38409 B, PARCEL 61 CONTAINING 0.53 OF AN ACRE

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council agreed to issue an Aliens Land Holding Licence to hold property situated in Registration Section South Central, Block 38409 B, described as Parcel 61 located at Pelican Bay, Blowing Point, Anguilla for residential purposes with a building thereon, subject to the following:

a)	Stamp Duties payable are as follows:	
	(i) under the Stamp Act – 5%	
	of EC\$2,419,380.00	EC\$120,969.00
	(ii) under the Aliens Land Holding	
	Regulation Act – 5%	
	of EC\$2,419,380.00	EC\$120,969.00

	TOTAL	EC\$241,938.00
		=====

b) the Applicant Company must obtain a Business Licence from the Ministry of Finance in order to rent the said property.

Action: PS, HA; DLS; HON AG; PS, FIN
