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**MINUTES OF THE 19<sup>TH</sup> MEETING OF THE TWELFTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 19<sup>th</sup> NOVEMBER 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 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
- ABSENT: The Honourable Minister for Social Development, Cultural Affairs,  
Youth Affairs, Gender Affairs, Education and Library Services,  
Ms Dee-Ann Kentish-Rogers  
Financial Specialist, Mr Stephen Turnbull

EX MIN 20/467

**CONFIRMATION OF THE MINUTES**

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

Council confirmed the Minutes of the 18<sup>th</sup> Meeting of Executive Council held on Thursday 12<sup>th</sup> November 2020.

**MATTERS ARISING FROM THE MINUTES**

Council noted that:

- 1) the Comptroller of Inland Revenue continues to work on the report on the reform of the Interim Stabilization Levy;
- 2) a Supply Officer has now been identified and the appointment will be made shortly;
- 3) the returning residents team responsible for managing applications received via the portal is functioning well;
- 4) work must be done to issue Covid-19 test results more quickly and effectively. Any delay in the provision of results impacts the guests experience, as they are confined to their guest rooms; and
- 5) the Accountant General has now regularized the process as it relates to the payment of fees collected under the Quarantine Act which should be directly credited to the Consolidated Fund. The Attorney General's Chambers will prepare the amendments to the Regulations to facilitate hotels remitting the arrival fees to the Government of Anguilla on behalf of guests.

EX MIN 20/468

**EX MEM 20/231 AMENDMENT TO PROVISIONS FOR THE COVID-19 UNEMPLOYMENT ASSISTANCE BENEFIT**

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

The Ministry of Finance wishes to amend certain provisions of the COVID-19 Unemployment Assistance Benefit in order to improve efficiency. The Hon Premier recapped the original decision taken

to assist persons who were unemployed as of October 2019. The Department of Social Development is better positioned to ascertain eligibility.

Council:

- 1) agreed that the COVID-19 Unemployment Assistance Benefit specifically relating to unemployment/underemployment prior to February 1, 2020 is to be administered by the Department of Social Development through a social welfare financial assistance programme or food voucher programme providing benefits of up to EC\$800.00 per month for the period April to June 2020 and up to EC\$1,000.00 per month for the period July to December 2020 for eligible persons;
- 2) agreed that the transfer of responsibility from the Ministry of Finance to the Department of Social Development shall take effect on December 1, 2020;
- 3) agreed to restrict retroactive payments under the COVID-19 Unemployment Assistance Benefit programme to within three (3) months of the date of unemployment/underemployment; and
- 4) further agreed that eligible substitute teachers shall be paid COVID-19 Unemployment Assistance Benefit for the period April to June 2020 as a result of the closure of schools due to COVID-19.

Action: PS, FIN; PS, SD; HON, MIN FIN; HON, MIN SD; BD;  
ACC, GEN; MINS OF GOV'T

EX MIN 20/469

**EX MEM 20/232 STANDING EXEMPTION FROM CUSTOMS DUTY AND EXCISE TAX FOR LICENSED TAXI DRIVERS**

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

Council considered revising the standing exemption for taxi drivers, in order to grant a full waiver of Import Customs Duty (ICD) and Excise Tax (EXC). The Customs Service Fee (CSF) is automatically waived where ICD is waived. In preparation for the full GST regime and to limit the number of exemptions from Goods Tax, it is proposed that Interim Goods Tax (IGT) of 9% is applied in full, together with the Customs Administrative Cost of 5%, a total rate of 14%.

## Council:

- 1) noted the Reduction of Customs Duty on Taxicabs (Motion No. 287) Resolution 2011;
- 2) noted that the current Regulation provides for customs duty of 22.5%; however, the current practice has been to grant a full waiver of ICD and only 5% Customs Administrative Cost is charged. The current regulated rates with GST total 29% and the new proposed total rate of customs duty is 14%; and
- 3) further noted that giving a discretionary concession which produces a lower tax rate than the sum stipulated by the Regulation has a negative impact on revenue, as the revenue lost will be deducted from the UK financial aid grant.

## Following discussion Council:

- 1) agreed to revise the standing exemption for persons who hold a current taxi driver permit issued under the Licensing of Taxicabs and Taxi Drivers Regulations;
- 2) agreed to extend the same revised standing exemption to include luxury ground transportation service providers;
- 3) further agreed that the Regulation for this standing exemption shall expire on January 1, 2022 when GST will be fully implemented;
- 4) approved the waiver of Import Custom Duty and Excise Tax in full, with Interim Goods Tax of 9% and a Customs Administrative Cost of 5% to be levied;
- 5) further approved the terms of the standing exemption, wherein the concession is to be granted at intervals of four (4) years and for vehicles that are no more than three (3) years old based on model year; and
- 6) instructed the Attorney General's Chambers to draft the required Regulations.

Action: PS, FIN; HON, MIN FIN; BD; ACC, GEN; COC;  
MINS OF GOV'T

EX MIN 20/471

**EX MEM 20/234 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION SOUTH CENTRAL, BLOCK 38812 B, PARCEL 11**

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

Council agreed to issue an Aliens Land Holding Licence under Section 14(1)(f) of the Alien Lands Holding Licence Regulations Act, R.S.A, C. A55 to allow the registration of a charge in the sum of US\$525,000.00/EC\$1,411,305.00 over property in Registration Section South Central, Block 38812 B, Parcel 11 containing 0.90 of an acre of land, subject to the following:

1)	payment of the following Stamp Duties:	
	(i)	Stamp Duty on Licence in accordance with Aliens Land Holding Licence Regulations Act 14(1)(f) EC\$ 500.00
	(ii)	Stamp Duty on Charge @ 1% of EC\$1,411,305.00 <u>EC\$14,113.05</u>
	<b>TOTAL</b>	<b><u>EC\$14,613.05</u></b>

Action: PS, HA; DLS; HON, MIN HA

EX MIN 20/472

**EX MEM 20/235 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION SOUTH CENTRAL, BLOCK 38711 B, PARCEL 36 CONTAINING 0.28 ACRES**

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

Council agreed to issue an Aliens Land Holding Licence to hold on a freehold basis, property situate in Registration Section South Central, Block 38711 B, described as Parcel 36 containing 0.28 acres of land, located at Little Harbour, Anguilla for residential purposes with a dwelling house thereon, subject to the following:

## 1) payment of the following Stamp Duties:

(i)	under the Stamp Act – 5% of EC\$1,056,462.60	EC\$52,823.13
(ii)	under the Aliens Land Holding Regulation Act – 5% of EC\$1,056,462.60	EC\$52,823.13
<b>TOTAL</b>		<b><u>EC\$105,646.26</u></b>

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

Action: PS, HA; DLS; HON, MIN HA

EX MIN 20/473

**EX MEM 20/236 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION WEST END, BLOCK 17810 B, PARCEL 163 CONTAINING 0.30 ACRES**

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

Council agreed to issue an Aliens Land Holding Licence to hold on a freehold basis 0.30 acres of land, located at Barnes Bay being Villa no. 24, forming part of Resorts & Residences of Anguilla Home Owners Association Ltd., a Condominium development at Four Seasons Anguilla Ltd., situated in Registration Section West End, Block 17810 B described as Parcel 163, subject to the following:

## 1) payment of the following Stamp Duties:

(i)	under the Stamp Act – 5% of EC\$8,310,628.18	EC\$415,531.41
(ii)	under the Aliens Land Holding Regulation Act – 0% of EC\$8,310,628.18	<u>EXEMPT</u>
<b>TOTAL</b>		<b><u>EC\$415,531.41</u></b>

- 2) Regulations to be issued for Exemption.

Action: PS, HA; DLS; HON, MIN HA

EX MIN 20/474

**EX MEM 20/237 APPLICATION FOR REDUCTION OF STAMP DUTIES PAYABLE UPON TRANSFER OF LAND – CHARLES LEROY WEBSTER, FLORENCIA PARLONA WEBSTER-REECE AND FRANKLYN MATHIAS PERCY WEBSTER – PROPERTIES SITUATE IN REGISTRATION SECTION EAST END, BLOCK 99415 B, PARCELS 290, 291, 293 AND EAST END, BLOCK 99315 B, PARCEL 296**

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

The Hon Premier briefed Council on the matter. Mr. Charles Leroy Webster, Mrs. Florencia Parlona Webster-Reece and Mr. Franklyn Mathias Percy Webster, children of the late Honourable James Ronald Webster, (hereinafter referred to as ‘the Applicants’) have requested a reduction in the Stamp Duty fee from 2.5% to 1% on certain transfers of land from Mrs. Cleopatra Webster, widow of the late Honourable Mr. Webster to the Applicants.

The Applicants assert that paying the higher rate of 2.5% Stamp Duty will cause significant hardship. Mrs. Webster-Reece is seeking a refund from the Government of 1.5% of the Stamp Duty paid as she has already paid the full Stamp Duty of 2.5% and the transfer in her favour has already been registered.

Council is asked to consider the Financial Administration and Audit Act R.S.A C. F27 section 16(1) which makes provision for the reduction or exemption of the payment of taxes, duties and other fees on the basis of financial hardship.

Council:

- 1) noted the following documents:
  - (i) letter dated 12<sup>th</sup> July 2017 to Mr. Larry Franklin, Permanent Secretary of the Ministry of Finance Economic Development Investment, Commerce, Trade, Lands & Planning (FEDICTLP) from the Applicants; and
  - (ii) email dated 6<sup>th</sup> May 2020 from the Hon Attorney General to PS Lands;

Following discussion Council:

- 1) noted that the late Honourable Mr. Webster took certain decisions and the implications had to have been known. Mrs. Cleopatra Webster does not resist the transfers and there should be no discrimination against step-children;
- 2) noted that any sum which is forgone has a revenue impact, as it will be deducted from the UK financial aid grant;
- 3) agreed that Stamp Duty be reduced from 2.5% to 1% on the transfer of properties situated in Registration Section East End, Block 99415 B, described as Parcels 290, 291 and 293 and Registration Section East End, Block 99315 B, described as Parcel 296 from Cleopatra Webster to the Applicants, as detailed in the table below, on the basis of financial hardship pursuant to the Financial Administration and Audit Act;
- 4) agreed that the Government of Anguilla forgo taxes in the amount of EC\$27,459.80 for the registration of properties described in the **Table below**:

Name	Property		Assessed Value (EC\$)	2.50%	1%	Loss to GOA (EC\$)	Action
	Block	Parcel		Value (EC\$)	Value (EC\$)		
Florencia Parlona Ingrid Webster-Reece	99415 B	Parcel 290	750,400.00	18,760.00	7,504.00	\$11,256.00	Pd - Rec. 9101239822  Refund
Franklyn Mathias Percy Webster	99415 B	Parcel 291	994,634.00	24,865.85	9,946.34	\$14,919.51	To be Remitted
Florencia Parlona Ingrid Webster-Reece, Franklyn	99415 B	Parcel 293	73,387.86	1,834.70	733.88	\$1,100.82	To be Remitted



Mathias Percy Webster & Charles Ronald Leroy Webster							
Charles Ronald Leroy Webster	99315 B	Parcel 296	12,231.31	305.78	122.31	<b>\$ 183.47</b>	To be Remitted
		<b>TOTAL</b>				<b>\$27,459.80</b>	

- 5) instructed the Attorney General's Chambers to prepare and issue Regulations under Section 16 of the Finance Administration and Audit Act, R.S.A. C. F27 to remit Florencia Parlona Ingrid Webster-Reece, Franklyn Mathias Percy Webster & Charles Ronald Leroy Webster from the payment of Stamp Duties of EC\$16,203.80 owed to the Government of Anguilla and to refund Florencia Parlona Ingrid Webster-Reece in the amount of EC\$11,256.00; and
- 6) further agreed that this transaction is approved on an exceptional basis.

Action: PS, HA; DLS; HON, MIN HA

EX MIN 20/476

**EX MEM 20/239 GOVERNMENT OF ANGUILLA FINANCIAL UPDATE – OCTOBER YTD**

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

Budget Director, Mrs Shona Proctor  
Budget Officer, Ms Jamila Gumbs

Council noted the report on the financial position as at October 31, 2020, from the Budget Officer. The overall fiscal position remains challenging:

- Overall financial position including debt amortization shows a deficit of \$12.36 million at the end of October;

- Recurrent revenue inclusive of the financial aid grant payment of EC\$41.54 million was EC\$200.36 million this is EC\$12.66 million less than the original forecast. Overall percentage impact on recurrent revenue for the major revenue heads as a result of the COVID-19 pandemic are:
  - o Property tax - 4.07%
  - o Interim Stabilisation Levy -12.55%
  - o Taxes on goods and services -30.34%
  - o Customs duties and related charges -35.05%
  - o Licences -12.36%
  - o Fines, fees and permits -13.27%
  
- Recurrent expenditure was EC\$178.80 million which is EC\$12.41 million below estimate;
- Capital revenue is EC\$0.893 million;
- Capital expenditure is EC\$5.08 million;
- Operating bank accounts are overdrawn by EC\$12.98 million;
- Central Government Debt inclusive of short term credit facilities moved from \$486.53 million at the end of 2019 to \$453.90 million at the end of October 2020. The reduction in debt is attributable to debt amortization payments of \$29.67 million and disbursements on the ACC Loan of \$2.54 million;
- Since 2016 the \$330.28 million Banking Resolution debt declined by EC\$22.37 million to \$307.91 million at the end of October 2020; and
- The Sinking Fund balance at the end of October 2020 is zero.

Council:

- 1) thanked the Ministry for the work well done;

- 2) noted that the underspends will be applied to the Sinking Fund; and
- 3) agreed that further consideration would be given to a policy measure to improve vehicle licensing revenue.

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

**ORAL MENTION**

EX MIN 20/478

**ABSENCE FROM EXCO**

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

Hon Minister Kentish-Rogers informed the Clerk to Executive Council on 18<sup>th</sup> November that she would be absent from Executive Council on 19<sup>th</sup> November on grounds of illness.

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