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**MINUTES OF THE 25<sup>th</sup> MEETING OF THE TWELFTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 7<sup>TH</sup> JANUARY 2021 AT 9.00AM**

- PRESENT: His Excellency the Governor (acting), Mr Perin Bradley
- The Honourable Premier and Minister for Finance and Health,  
Dr Ellis Webster
- The Honourable Deputy Governor (acting), Mrs Kathleen Rogers
- 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 (acting), Ms Erica Edwards
- 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
- ABSENT: The Honourable Attorney General, Mr Dwight Horsford

EX MIN 21/01

**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 24<sup>th</sup> Meeting of Executive Council held on Wednesday 23<sup>rd</sup> December 2020 and the Minutes of the Special Meeting held on Monday 28<sup>th</sup> December 2020.

**MATTERS ARISING FROM THE MINUTES**

Council noted that:

- 1) the AG's Chambers continues to work on implementation of the Regulations to facilitate hotels remitting arrival fees to the Government of Anguilla on behalf of guests;
- 2) in relation to EX MIN 20/468, regarding responsibility for the administration of unemployment assistance benefit, there have been some challenges with the transition. As it relates to the period from April 2020 to now the Ministry of Social Development has not received details of any applicants. Applicants continue to experience challenges with the online system and consideration may be given to incorporating paper applications;
- 3) in relation to EX MIN 20/488, the Hon Premier and the Attorney General's Chambers continue to work on amendment of the Regulations;
- 4) it is anticipated that the now approved Astra Zeneca vaccination will be forwarded to Anguilla this month. It is necessary to carry out visible community outreach and marketing campaigns to raise awareness of the vaccine. H.E. the Governor (acting) shall request a progress report from the PS, Health;
- 5) in relation to EX MIN 20/530 a charitable donation of EC\$5000.00 was made;
- 6) in relation to EX MIN 20/531 the November YTD financial

update will be given at the next meeting of Executive Council;  
and

- 7) in relation to EX MIN 20/538 the AG's Chambers is drafting the Regulations required to extend the benefit.

EX MIN 21/02

**BUDGET 2021**

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

Council noted that the budgets of the WCA and AASPA were outstanding and these were required to finalize the 2021 Budget.

Action: PS, FIN; BD; ACC, GEN; HON, PREM

EX MIN 21/03

**UPDATE ON THE BUDGETS OF THE STATUTORY BODIES – WCA & AASPA**

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 the meeting:

PS MICUHT, Mr Karim Hodge  
Principal Assistant Secretary, Ms Marisa Harding-Hodge

Kennedy W. Hodge, Chairman and Member  
Lorna Richardson, Acting CEO WCA  
Jennifer Gaskin, Finance Manager  
Tericia Liburd, Member  
Calla Gumbs, Member  
Glennava Hodge, Member  
Geraldine James, Member

**Water Corporation of Anguilla**

The Board briefed Council on the progress made in producing a balanced budget.

Council noted that: -

- 1) the Board had prepared three proposed options based on various tariff and subvention changes for consideration. However, only one of these proposals was consistent with the Governments appropriated subvention; and
- 2) it appears that the direct costs of providing water increased exponentially in 2019. Direct costs increased from an average of 60% between 2016 and 2018 to 92.8% in 2019. The requirements of the Fiscal Responsibility Act as it relates to entering into the Seven Seas contract for water production were not met.

Council:

- 1) approved the budget of the WCA and a \$0.018 cents change to each of the water tariff charges;
- 2) noted that the farmers and senior citizens' homes are exempt from the change in water tariff charges;
- 3) agreed that the WCA should engage in comprehensive public relations as it relates to the change in water tariff charges; and
- 4) instructed the AG's Chambers to prepare the Regulations to change the water tariff charges.

### **Anguilla Air and Seaports Authority**

The following persons joined the meeting: -

CEO, Mr Sherman Williams  
Chairman and Member, Mrs Cara Connor  
Karl Woodley, Deputy Chairman and Member  
Leon Lake, Member  
Warren Buddle, Member  
Laurent Bute, Member

Council noted that: -

- 1) the AASPA has presented a budget for the fourth time that now forecasts a EC\$2 million surplus. An additional EC\$7.4 million has been generated through proposed fee increases. This was inconsistent with Executive Council's mandate to present a balanced rather than surplus budget, especially given the economic climate;
- 2) there is a challenge in interpreting the budget submitted as it is not possible to readily determine the reasonableness of the proposed changes. Particular areas of concern were airline ticket fees, passenger service fees, port development fees, cargo (warehouse/security) fees, fees affecting construction materials and revenues raised through Sandy Ground port. Changes in certain areas would have a direct impact on the price of goods for the end consumer. New charges should be avoided; and
- 3) the Board states that they aimed to align the fees with those charged in the region and make AASPA sustainable without a subvention.

Council then agreed that: -

- 1) AASPA should again review its budget and present to Executive Council a further revised fee schedule to support a balanced rather than surplus budget and show the key underlying assumptions; and
- 2) the Board shall present the budget at a Special Meeting of Executive Council on Friday 8<sup>th</sup> January 2021 at 8.00 am.

Action: PS, FIN; PS, MICUHT; BD; ACC, GEN; HON, MIN MICUHT;  
HON, PREM

EX MIN 21/04

**GOA WORK PLAN 2021**

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

H.E the Governor (acting) noted his priorities for 2021, with regard to the Public Service and there will be a strong emphasis on performance management. This requires a clear understanding of what the Government programmes and priorities for the year are. Accordingly, the Permanent Secretaries and Heads of Department must be aligned on the expectations of the Public Service.

In furtherance of this objective Council agreed to convene a meeting of the Permanent Secretaries and Ministers of Government at 1.30 pm on Tuesday 12<sup>th</sup> January 2021.

Action: H.E, GOV; PS, FIN; PS, HLTH; PS, EDCITENR; PS, HA;  
PS, PA; HON, DG; MINS OF GOV'T

EX MIN 21/05

**EX MEM 21/01 ESTABLISHMENT OF AN EDUCATION ADVISORY BOARD**

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

The Hon Minister of Social Development briefed Council. By virtue of section 9 of the Education Act 2011, the Minister of Education is empowered to appoint an Education Advisory Board. The Board may advise the Minister of Education on any matters relating to education, it has the power to hold public hearings and to determine any matter relating to the promotion of education. The work of this Board will provide the Ministry with data and findings with which to make positive and transformational changes to the Comprehensive System in Anguilla.

Council approved the establishment of the Education Advisory Board.

Action: PS, SD; HON, MIN SD

EX MIN 21/06

**EX MEM 21/02 GRANT OF PERMIT OF PERMANENT RESIDENCE VIA INVESTMENT TO THE PRINCIPAL APPLICANT AND DEPENDANTS**

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

The Hon Minister of Economic Development briefed Council on the application for the grant of permanent residence, which meets the legislative requirements.

Council:

- 1) considered and reviewed the application in respect of a Permit of Permanent Residence in accordance with the provisions of the Anguilla Economic Residence Act and the Anguilla Economic Residence Regulations; and
- 2) agreed to grant the Permit of Permanent Residence to the principal applicant, their spouse and three children.

Action: PS, EDCITENR; HON, MIN EDCITENR

EX MIN 21/07

**EX MEM 21/03 GRANT OF PERMIT OF PERMANENT RESIDENCE VIA INVESTMENT TO THE PRINCIPAL APPLICANT AND SPOUSE**

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

The Hon Minister of Economic Development briefed Council on the application for the grant of permanent residence, which meets the legislative requirements.

Council:

- 1) considered and reviewed the application in respect of a Permit of Permanent Residence in accordance with the provisions of the Anguilla Economic Residence Act and the Anguilla Economic Residence Regulations; and
- 2) agreed to grant the Permit of Permanent Residence to the principal applicant and their spouse, subject to the payment of the permit fee.

Action: PS, EDCITENR; HON, MIN EDCITENR

EX MIN 21/08

**EX MEM 21/04 APPOINTMENT OF A MEMBER TO THE BOARD OF DIRECTORS OF THE ANGUILLA TOURIST BOARD (ATB) AS A RESULT OF THE RESIGNATION OF A MEMBER**

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 following documents:
  - a) the official appointment instruments dated July 28, 2020 appointing Ms Stacey Liburd as a member of the Anguilla Tourist Board;
  - b) the resignation letter dated December 31, 2020 from former ATB Board member, Ms Stacey Liburd; and
  - c) Resume of Ms Monica Bryan; and
- 2) approved the appointment of Ms Monica Bryan as a member of the Anguilla Tourist Board, with effect from January 14, 2021, for a period of 2 years, in accordance with Section 5 of the Anguilla Tourist Board Act.

Action: PS, MICUHT; HON, MIN MICUHT

EX MIN 21/09

**EX MEM 21/05 ANGUILLA'S RATING FOR THE GLOBAL FORUM ON TRANSPARENCY AND EXCHANGE OF INFORMATION FOR TAX PURPOSES (GLOBAL FORUM) EXCHANGE OF INFORMATION ON REQUEST STANDARD (EOIR) PEER REVIEW**

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained. Compliance Manager, Ms Marejah Smith joined the meeting.

In Ex Min 20/432 Council considered Anguilla's Second Round Global Forum Exchange of Information on Request Standard (EOIR) Peer Review, wherein Anguilla was rated non-compliant. A



Supplementary Review was requested on October 26, 2020 a response is awaited and Anguilla is required to provide an update on the steps taken thus far. The blacklist is due to be reviewed in February and once a Supplementary Review is pending the EU typically removes the jurisdiction from the blacklist. To move Anguilla closer to compliance the proposed legislation must be implemented.

Council:

- 1) noted that the Anguilla Bar Association should be given an opportunity to comment on the proposed legislation. Once the first reading of the Bill occurs the intervening period before the second reading can be utilised for further consultation and making any amendments and the Ministry of Finance will receive comments during this period;
- 2) approved the following legislation:
  - a) Limited Liability Companies (Amendment) Act, 2021;
  - b) Companies (Amendment) Act, 2021;
  - c) Company Management (Amendment) Act, 2021; and
  - d) International Business Companies (Amendment) Act, 2021; and
- 3) instructed the AG's Chambers to prepare the Bills for tabling at the next session of the House of Assembly.

Action: PS, FIN; HON, AG; SCC (Crim); HON, MIN FIN

EX MIN 21/10

**EX MEM 21/06 APPROVAL OF THE PETROLEUM (AMENDMENT) ACT, 2021 AND ASSOCIATED AMENDMENT REGULATIONS**

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

The Principal Assistant Secretary briefed Council. The Petroleum Act establishes the requirement for persons to have a licence to deal in, sell, or store bulk petroleum. It is proposed to amend the Petroleum Act and associated regulations to prescribe an annual

license fee composed of a fixed and a variable portion which would be applicable to dealers or sellers of bulk petroleum. This fee that had been previously agreed but not implemented will be payable annually at a rate of EC\$750,000 for the fixed portion. The legislative amendments are required because the revenue which is generated pursuant to the legislation is included in the MTEFP.

Council:

- 1) approved the following, but limited to the fixed portion of EC\$750,000 and removal of the reference to the variable portion which is a gross revenue charge of 0.85% of the previous years audited financial statements because this was not reflected in the 2021 MTEFP fiscal projections or 2021 Estimates:
  - a) Petroleum (Amendment) Act, 2021;
  - b) Petroleum Bulk Storage (Amendment) Regulations, 2021; and
  - c) Licences to Deal in Petroleum Other Than in a Licensed Pump (Amendment) Regulations, 2021; and
- 2) instructed the AG's Chambers to prepare the Bills for tabling at the next session of the House of Assembly.

Action: PS, FIN; HON, AG; SCC (Crim); HON, MIN FIN

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