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MINUTES OF THE 52nd MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 15th JULY 2021 AT 9.00 AM

- PRESENT: Her Excellency the Governor, Ms Dileeni Daniel-Selvaratnam
The Honourable Deputy Governor, Mr Perin Bradley
The Honourable Premier and Minister for Finance and Health,
Dr Ellis Webster
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
- ABSENT: The Honourable Minister for Social Development, Cultural Affairs,
Youth Affairs, Gender Affairs, Education and Library Services,
Ms Dee-Ann Kentish-Rogers

EX MIN 21/226

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 51st Meeting of Executive Council held on Thursday 8th July, 2021.

MATTERS ARISING FROM THE MINUTES

EX MIN 21/227

COVID-19 & ASTRAZENECA/OXFORD VACCINE UPDATE

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, Health, Mr Foster Rogers
Chief Medical Officer (Ag), Dr Lishaw Ward

Epidemiology***Global overview***

According to the WHO Situation Report of July 13, global COVID-19 cases have increased by 10% over the past week to 3 million new cases, with a 3% increase in new deaths to 55,000 over the past week. All WHO regions except the region of the Americas reported significant increases in new cases compared to last week, with the highest recorded increase in new cases in the Mediterranean (25%) and European (20%) regions and the highest recorded increase in mortality in the African (50%) and South East regions (26%) relative to last week.

The WHO notes that the current emerging variants, coupled with the relaxation of public health and social measures, the increase in social mixing and mobility, along with sub-optimal vaccination coverage in many countries is contributing to rapid increases in new cases, hospitalization and deaths, in many countries across the globe.

The epidemiological situation remains the same. The Delta VOC continues to be recorded in new countries and several countries

continue to observe an increase in cases associated with the Delta variant.

In the USA, the CDC now estimates that the Delta variant has become the predominant COVID strain, responsible for up to 58% of new cases. The increase is largely associated with states/regions of the USA that have lower vaccination uptake rates.

Caribbean Region

The Caribbean region continues to record an increase in cases, with a 3% increase over the previous week. Several countries are experiencing cluster outbreaks and community transmission of the virus, with increasing hospitalizations and deaths.

Anguilla

On July 1, Anguilla recorded two new active cases of COVID-19, in two fully vaccinated male visitors from the USA and Brazil respectively.

As of July 14, Anguilla has recorded a total of 111 confirmed cases with 111 recoveries and 0 active cases. There are 34 persons currently in quarantine and an additional 25 persons under surveillance (children and other persons requiring Day 4 testing). From July 1 to July 10, there have been 2770 arrivals into Anguilla via air and seaports.

Vaccination Deployment Update

As of July 14, there were 9755 registered persons of which 9362 persons had received their first dose, representing 74% of the target population figure of 12,600 persons. Thus far, 8446 persons (67% of target) have received their second dose. In a population estimate of 15,500 total persons this would represent 60% of the population having received the first dose and 54% having received two doses. This is below the 70% minimum threshold for herd immunity. The breakdown by occupation of first doses is as follows:

- 354 Healthcare workers

- 521 Civil, border protection and port staff
- 1786 Hospitality
- 1070 Retired
- 5634 Others

Using 2011 census age demographics, the breakdown of individuals who have received the vaccine by age, is as follows:

- 2857 persons age 18 - 34
- 2799 persons age 35 - 49
- 2419 persons age 50 - 64
- 1272 persons age 65+

Vaccine Stock

As of July 12, there were 3932 doses remaining with an expiry date of July 31. First doses continue to be issued.

The Ministry of Health has extended the operating hours of the vaccination team at the JRWP to 4:00pm each day, until the end of July, for the convenience of persons wishing to obtain a first dose. After that period, second doses will be given at the Welches and Western Polyclinics.

HAA Laboratory

The HAA has been notified that the HEPA filters for the biosafety cabinet have been shipped to Anguilla. The replacement motor has been manufactured, it is being programmed to make it compatible with the equipment in Anguilla and will be shipped from the USA on July 15. The technicians are expected to arrive around July 27.

COVID-19 Regulations

Current COVID-19 Regulations are in place until July 31, 2021. They will have to be extended to cover the period up to August 31, 2021.

Council:

- 1) thanked the Health team for the continued hard work and the efforts made to protect Anguilla;

- 2) noted that the website for vaccination registration could be configured to provide provision for those persons who are turning 18 in the course of 2021 to register their interest in receiving the vaccine. This would enable data collection, particularly, as it relates to forecasting the number of doses required in the future and also herd immunity forecasting;
- 3) noted that discussions are being held with HMG concerning vaccine sharing with the BVI, as the remaining doses expire on July 31;
- 4) noted that vaccinations will not be offered on Saturday July 31, as based on current trends this should not be necessary;
- 5) noted that there is a need to increase the resilience of the team responsible for approving applications submitted on the ivisit Anguilla portal, as this is a critical function. The turnaround time needs to be improved, otherwise there may be a risk to reputation. Some persons are receiving their denial or approval for entry too close to the time of travel or while on the way. The slower turnaround time for test results in the USA and the 3 day testing requirement for Sint Maarten/St Martin have resulted in the uploading of test results closer to the day of entry into Anguilla. Presently 3 persons are approving applications and this should be increased shortly, as more persons are being trained. The Hon Deputy Governor will work to ensure that the resilience of the team is enhanced, a team of approximately 10 persons is desirable;
- 6) noted that in the upcoming days large group arrivals are expected, and in order to facilitate a smooth entry into Anguilla the groups will be tested at the property rather than at the port;
- 7) noted that most persons are receiving their arrival test results within 24 hours. Exceptionally, according to work load some results are taking longer, up to a maximum of a day and a half. On occasion delays are attributable to misunderstandings or communication issues. The Ministry should prepare a clear protocol pertaining to the communication of test results. The contact telephone

numbers for the Ministry and the hotline should continue to be highlighted, so that persons understand where to obtain information, especially if following up on test results;

- 8) noted that approximately 240 test kits were loaned to Hughes Medical Centre (about 40 test kits remain) in order to assist with the volume of testing, especially for onward travel. However, some persons still prefer to complete their testing with the Ministry as they wish to obtain Government issued test results;
- 9) noted that the Ministry shall confirm the number of remaining test kits so that resources can be managed. Consideration can then be given to procuring more test kits and/or reviewing the position on arrival testing;
- 10) noted that the August week boat races are approaching, the Anguilla boat racing organisations have requested guidance from the health team generally and on the protocols to be followed, given that on the boats there will be a mix of vaccinated and unvaccinated persons; and
- 11) further noted that the re-instatement of day trips to Sint Maarten/St Martin remains under consideration, mid to late August remains the estimated date for commencement. The Ministry will provide a proposed fixed date for the re-instatement of day trips, for Council's consideration next week, to enable stakeholders to forward plan.

Council authorised the issue of the Action Sheet before confirmation of the Minutes.

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

EX MIN 21/228

EX MEM 21/130 AMENDMENTS TO GST BILL

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:

Comptroller of Inland Revenue (Ag), Mr Lonnie Hobson
Deputy Comptroller of Inland Revenue, Ms Tameika Fleming
Tax Consultant, Mr Peter Townsend

On July 6, 2021, Council were presented with proposed amendments to the GST Bill that went before the House of Assembly on March 23, 2021 for the 1st Reading. In Ex Min 21/217 Council considered and approved certain amendments to the GST Bill. The amendments have been converted into a Committee Stage Amendments motion and are also reflected in the revised GST Bill. The Ministry presented to Council the amendments made to the GST Bill and supporting information.

Council:

- 1) noted the timeline for enactment of the Bill for Goods and Services Tax and that the Minister of Finance will respond to the Select Committee report by July 26, 2021;
- 2) noted the ExCo Minutes extract and aligned GST Bill amendments;
- 3) noted the list of GST benefits and that the Ministers of Government will work with IRD to develop this work further;
- 4) noted that clause 10 of the Committee Stage Amendments provides a Ministerial discretion, to expand or reduce the list of items set out in the zero rate and exemption categories referred to in the Regulations;
- 5) noted that pursuant to section 100 of the GST Bill the standard rate and threshold change can only be effected through primary legislation;
- 6) further noted that the following amendments are required:
 - a) clause 7 of the Committee Stage Amendments should be amended so that the courts discretion is not fettered;

- b) to be clear that the Ministerial discretion in Clause 10 of the Committee Stage Amendments is subject to Council's approval;
 - c) the commencement date of 1 July 2022 is to be inserted in the GST Bill; and
 - d) section 105 (11) of the GST Bill does not achieve the mandate. Regulations cannot supersede the primary legislation. Accordingly, provision for the duration of the GST transitional period and the relief measures should be included in the primary legislation. The IRD and AG's Chambers will work in collaboration to prepare this amendment;
- 7) approved the following, in principle, subject to the amendments noted at paragraph 6:
- a) the Committee Stage Amendments; and
 - b) the draft Bill for Goods and Services Tax;
- 8) instructed the IRD to collaborate with the AG's Chambers to present the Committee Stage Amendments to the House of Assembly by July 20, 2021, and also to complete the amendment and revision of the GST Bill; and
- 9) further instructed the AG's Chambers to prepare the Bill for tabling at the House of Assembly on July 27, 2021, for the 2nd and 3rd readings.

Council agreed that the amendments required to the GST Bill will be approved via Round Robin or a Special Meeting of Executive Council.

Action: PS, FIN; CIR; HON, DG; HON, AG; HON, PREM;
MINS OF GOV'T

EX MIN 21/229

EX MEM 21/125 APPROVAL OF THE ELECTRICITY (SUPPLY) 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 Hon Premier briefed Council. The Electricity Act (the "Act") establishes the requirement for persons to have a licence to use any electrical plant, for the purpose of supplying electricity to any premises within the area specified in the licence. The Act makes provision for Regulations to prescribe the licence fees for electricity suppliers.

Pursuant to the Electricity Supply (Amendment) Regulations, 2016 public suppliers are restricted to a maximum period of five years, in which fees under the licence may be enforced. As such, the fees under ANGLEC's Public Supplier's Licence must be periodically renewed. The fee proposed aligns with what is currently paid. This is an annual fee at a rate of EC\$750k for the fixed portion (payable by Jan 31) and a variable portion which is 0.65% of the gross revenue charge, as per the previous years audited financial statements. The latter is payable by the last quarter of the year in which it is due.

The Regulations will allow for the collection of the Public Supplier Licence fee, which is included in 2021 revenue projections and estimated to generate EC\$1.1 million.

Council:

- 1) approved in principle, the Electricity Supply (Amendment) Regulations, 2021, subject to review of the legal position and confirmation, from the AG's Chambers as to whether or not the Interpretation and General Clauses Act constrains the proposed retroactive application fees through the draft Regulation; and
- 2) agreed to affirm the decision once the considered advice of the AG's Chambers is rendered.

Action: PS, FIN; HON, PREM

EX MIN 21/231

EX MEM 21/127 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION SOUTH EAST, BLOCK 79214 B, PARCEL 202 SL A1 CONTAINING 1243 SQ. FT.

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

Council approved the issue of an Aliens Land Holding Licence to hold, on a freehold basis, land situated in Registration Section South East, Block 79214 B, described as Parcel 202 Strata Lot SL A1 consisting of 1243 sq. ft., with a strata lot unit thereon located in Sandy Hill for residential purposes, subject to:

(a) payment of the following Stamp Duties:

(i) under the Stamp Act – 5% of EC\$604,845.00	EC\$43,011.20
(ii) under the Aliens Land Holding Regulation Act – 5% of EC\$604,845.00	<u>EC\$43,011.20</u>
TOTAL	<u>EC\$86,022.40</u>

(b) Sandy Hill Beach Resort Club Development should be designated as the exclusive renting agent for the villa;

(c) the Licensees should be required to enter into an agreement with Sandy Hill Beach Resort Club Development for the management and use of the villa for at least forty-four (44) weeks in each calendar year; and

(d) the Licensees shall have the right to reside in the villa for a maximum of eight (8) weeks in each calendar year without being liable for the payment of Accommodation Tax. However, if the applicants wish to live in their villa for a period

longer than eight (8) weeks, then they should be required to pay the Accommodation Tax.

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

EX MIN 21/232

EX MEM 21/128 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT - REGISTRATION SECTION CAULS POND, BLOCK 69016 B, PARCEL 146 CONTAINING 1.00 ACRE

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

Council approved the issue of an Aliens Land Holding Licence to hold, vacant land on a freehold basis, property situated in Registration Section Cauls Pond, Block 69016 B, described as Parcel 146 containing 1.00 acre located at Bad Cox, Anguilla for residential purposes, subject to the following:

(a) payment of the following Stamp Duties:

(i) under the Stamp Act – 5% of EC\$241,938.00	EC\$12,096.90
(ii) under the Aliens Land Holding Regulation Act – 6.25% of EC\$241,938.00	EC\$15,121.13
(iii) Refundable Deposit – 10% of EC\$241,938.00	<u>EC\$24,193.80</u>

TOTAL **EC\$51,411.83**

(b) the construction of the dwelling house is to be completed within thirty (30) months. If said dwelling house is not completed at the end of thirty (30) months, 50% of the refundable deposit will be forfeited to the Government of Anguilla. The remaining balance of 50% will be forfeited if the construction is not

completed within a further 6 months. Thereafter, forfeiture proceedings for the property will be commenced by the Government of Anguilla for a period of twenty-four (24) months;

(c) the applicant shall be granted an exemption from Governments Policy that restricts Aliens to the purchase of no more than half an acre of land, on the grounds that the request for exemption is sufficient; and

(d) with the express condition that the land is to be used for residential purposes and that the Licencee must not rent their dwelling house without first notifying the Ministry of Lands.

Council noted that consideration should be given to reviewing the policy that restricts Aliens to the purchase of no more than half an acre of land. Some recent applications have exceeded this threshold.

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

EX MIN 21/233

EX MEM 21/129 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION EAST CENTRAL, BLOCK 89319 B, PARCEL 102 CONTAINING 0.50 ACRES

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

Council approved the issue of an Aliens Land Holding Licence to hold on a freehold basis, property situated in Registration Section East Central, Block 89319 B, described as Parcel 102 containing 0.50 acres located at Sea Rock, Island Harbour, Anguilla for residential purposes with a dwelling house thereon, subject to the following:

a) payment of the following Stamp Duties:

- | | | |
|-----|--------------------------|---------------|
| (i) | under the Stamp Act – 5% | |
| | of EC\$967,752.00 | EC\$48,387.60 |

(ii)	under the Aliens Land Holding Regulation Act – 5% of EC\$967,752.00	EC\$48,387.60
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TOTAL	<u>EC\$96,775.20</u>
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b) with the express condition that the land is to be used for residential purposes and that the Licencee must not rent their dwelling house without first notifying the Ministry of Lands.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

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