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MINUTES OF THE 73rd MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 20th JANUARY 2022 AT 9.00 AM

- PRESENT:
- Her Excellency the Governor, Ms Dileeni Daniel-Selvaratnam
 - 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 22/16

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 72nd Meeting of Executive Council held on Thursday 13th January, 2022 and the Round Robin Minutes agreed on Monday 17th January, 2022.

MATTERS ARISING FROM THE MINUTES

EX MIN 22/17

COVID-19 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:

PS Health, Mr Foster Rogers
CMO, Dr Aisha Andrewin
Dir CDU, Mrs Twyla Richardson-Bradshaw

Epidemiology***Global overview***

For the past week (10 - 16 January 2022), globally, the number of new cases has increased, while the number of new deaths remains similar to the previous week. This past week, across the six WHO regions, over 18 million new cases were reported, this is a 20% increase as compared to the previous week and over 45,000 new deaths were reported. As of January 16, over 323 million confirmed cases and over 5.5 million deaths have been reported.

Despite a slowdown in the increase in case incidence at the global level, all regions reported an increase in the incidence of weekly cases with the exception of the African Region, which reported a 27% decrease. The South-East Asia Region reported the largest increase in new cases last week (145%), followed by the Eastern Mediterranean Region (68%), the Western Pacific Region (38%), the

Region of the Americas (17%) and the European Region (10%). New weekly deaths increased in the South-East Asia Region (12%) and the Region of the Americas (7%), while for the other Regions the numbers remained similar to those reported during the previous week.

The highest numbers of new cases were reported in the United States of America (4,688,466 new cases; similar to the previous week's figures), France (2,012,943 new cases; a 26% increase), India (1,594,160 new cases; a 150% increase), Italy (1,268,153 new cases; a 25% increase) and the United Kingdom (813,326 new cases; a 33% decrease).

Update on the Emergence of Variant of Concern Omicron (B.1.1.529)

Omicron continues to dominate, accounting for 71.9% of the samples sequenced in the last 30 days. This was followed by Delta at 28%; <0.1% each for Gamma and Alpha and <0.1% for Mu and Lambda combined. Countries that experienced a rapid rise in Omicron cases in November and December 2021 are beginning to see declines in cases.

Despite early data that suggests that the severity of infection associated with the Omicron variant is lower than it is for Delta, the very large number of cases, including those amongst healthcare workers, has resulted in a substantial number of people requiring hospitalization, putting pressure on healthcare systems. Because of this, countries have been urged to develop mitigation plans to maintain essential health services when faced with significant disruption during surges of COVID-19.

Updates on international guidance

From Monday 17th January, people with COVID-19 in England can end their self-isolation after 5 full days, as long as they test negative on day 5 and day 6.

As of January 10, the UK has added Novavax (Nuvaxovid and Covovax) to its list of approved vaccines.

Caribbean Region

Since the previous report on January 10, an additional 226,913 cases of COVID-19 were confirmed in 35 countries within the Caribbean, bringing the region's total confirmed cases to 2,755,817 in 35 countries/territories (including the 26 CARPHA Member States). The new total represents a 9% increase in the number of confirmed cases. There were 30,096 deaths recorded in the Caribbean Region as of January 17, 2022.

Anguilla

As of January 18, 2022 the total number of confirmed cases since the beginning of the pandemic in early 2020 is 2206 with 2030 recoveries, 7 deaths and 169 active cases. Six persons are currently admitted to the Isolation Unit, this includes four adults (one unvaccinated female, three males - two unvaccinated, one vaccinated) and two unvaccinated minors.

Since the reopening of schools, about 15 children have tested positive and this has involved all six public primary schools and the high school. Initially community transmission was suspected, however, this may be changing as one or two classroom contacts have tested positive. Contact tracing and investigation are underway, but there are some challenges with this and data capture.

Additionally, as the number of cases has increased over the past months, contact tracing, like some other aspects of the response, has become more challenging. In order to optimize the identification of contacts and minimize further transmission, the Ministry of Health has appealed to the general public asking that persons who test positive for COVID-19 encourage all potential contacts to come to the drive through testing site for assessment and follow up.

Between 30% to 40% of positive rapid tests administered at the drive through are the result of COVID-19 cases retesting under the current algorithm of 7 and 10 days for vaccinated and unvaccinated persons, respectively. It was recently reconfirmed with UKHSA colleagues that rapid tests have high specificity i.e. a positive rapid test correlates with infectiousness.

Vaccination Deployment Update

Vaccine Uptake

As of January 19, 2022, 10,187 first doses and 9,318 second doses have been administered. In an estimated population of 15,500 total persons, this would represent 66% of the population having received the first dose and 60% of the population having received two doses.

The breakdown by age of persons having received a first dose is as follows:

- 455 persons age 12 - 17
- 3046 persons age 18 - 34
- 2897 persons age 35 - 49
- 2489 persons age 50 - 64
- 1325 persons age 65+

The occupational breakdown of first doses is as follows:

- 355 Healthcare workers
- 546 Civil and Border Protection
- 1828 Hospitality
- 1105 Retired
- 6400 Others

Distribution (Pfizer)

As of January 19, 2511 doses of Pfizer have been administered, this includes 1803 booster doses and 455 first doses for 12 - 17 year olds. This represents roughly 35% of the estimated 12 – 17 year old population.

Second doses for children aged 12 - 17 years old will begin in the first week of February and students will be invited to obtain their second dose on scheduled days at the polyclinics.

INF 2022/01 - Fishing on the South Side

Under section 3(5) of the Emergency Powers (Border Security and Control) (Amendment) (No. 6) Regulations, 2021, the Commissioner of Police is empowered to authorise fishing in the southern territorial waters of Anguilla, subject to conditions. Based on discussions between the Commissioner of Police and the Ministry and Department of Natural Resources, the following protocols and conditions were agreed in principle:

- 1) All fishers and vessels must be licensed and vessels must be equipped with tracking devices to be eligible for consideration.
- 2) The names of all eligible south side fishers (along with photos of their vessel, captain and crew) will be submitted to the Royal Anguilla Police Force (RAPF) by the Department of Natural Resources for vetting/risk assessment before being approved to fish.
- 3) Fishing will only be allowed between 6:00am and 6:00pm.
- 4) Fishers must submit a weekly schedule to the RAPF.
- 5) Fishers are not permitted to enter the territorial waters of St Martin.
- 6) Fishers are prohibited from tampering with, removing or turning off their tracking devices.
- 7) There will be continuous live digital monitoring of vessel movements. The manning of the live monitoring will be shared between the Department of Natural Resources (Fisheries) and the Anguilla Fire and Rescue Service.
- 8) Random in-water and landing checks will be done by the RAPF and other border security agencies as part of the enforcement mechanism.

Council:

- 1) thanked the health team for their continued hard work;
- 2) noted that as per Ex Min 22/10 the options for a fully automated system and changing the portal in order to improve efficiency are being considered. The key areas to address are the operation of the portal, the timescale to achieve full automation and resourcing. Noted that American Airlines daily flights are commencing in April and the portal update needs to be ready for this time;

- 3) noted the health teams indication that marketing material is being prepared to address particular public concerns about vaccination. Focused marketing is needed to increase vaccination rates. Further noted that the marketing campaign for the vaccination of 12 – 17 year olds needs to be strengthened and directed specifically towards the target group and parents. Work is needed on the messaging for schools and what falls within the remit of teachers as it relates to sharing information about vaccination. Noted that mandatory vaccination forms a part of the exit strategy. Vaccination has to be highlighted as a COVID-19 mitigation strategy, especially in circumstances where the health team are recommending that less emphasis be placed on case numbers. The vaccination expiry dates have to be monitored to avoid wastage, resourcing should be considered and whether there is capacity amongst the private sector;
- 4) approved the health teams recommendation that contact tracing efforts should now focus on specific groups including school children, institutionalized persons and imported cases for the purpose of IHR reporting;
- 5) agreed to maintain the current contact tracing/quarantine/isolation testing algorithm;
- 6) agreed the protocol and conditions for fishing on the south side of Anguilla as outlined. Noted that the Department of Inland Revenue shall require all fishermen to be licensed by January 31. Noted that presently there are 11 fishermen registered for fishing on the south side, but any interested fishermen can register to fish on the south side provided that they meet the same conditions; and
- 7) agreed that the Regulations shall be amended to include Novavax as an approved vaccine for the purposes of entry into Anguilla.

Council authorized 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 22/18

EX MEM 22/10 ESTABLISHMENT OF A NATIONAL SECURITY COUNCIL FOR ANGUILLA

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

Under section 28 of the Anguilla Constitution, defence, internal security and policing policy are the responsibility of H.E. the Governor.

The establishment of a National Security Council (NSC) in Anguilla will support the Governor in the execution of her duties to ensure that there is sufficient focus and join up across relevant entities on issues concerning crime and border security, traditional critical national security concerns, as well as health security, environmental security and issues that may threaten our economic security such as cyber threats.

The NSC will provide a consultative forum to inform the exercise of the Governor's Constitutional powers and an opportunity for the Governor to formally consult with the Premier on matters relating to international security. The establishment of a NSC will also signal clear intent to our regional and international partners that Anguilla has a clear governance framework in place to assess risks to its national security.

Council noted:

- 1) the Governor's intention to establish a National Security Council;
- 2) the potential for resultant legislation which may be required;
- 3) that the membership of the NSC will be, as follows:
 - a) H.E. the Governor (Chair)
 - b) Honourable Premier
 - c) Honourable Minister for Home Affairs
 - d) Honourable Attorney General

- e) Commissioner of Police (Ex Officio); and
- 4) that the following will be invited to brief on areas of their work bearing on internal security:
 - a) Director of Immigration
 - b) Comptroller of Customs
 - c) Superintendent of Prisons

Action: H.E.GOV; HON, AG; HON, PREM; HON, MIN HA; COP

EX MIN 22/19

EX MEM 22/11 LICENSING OF BUSINESSES (LICENCE FEES EXEMPTION FOR FERRY BOAT OPERATORS) ORDER, 2022

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 for EDCITENR briefed Council. The ferryboat route to Marigot reopened on January 10, 2022, but in light of the ongoing uncertainty surrounding COVID-19 and the decrease in the frequency of trips which may affect profitability, some ferry boat operators may experience difficulty in continuing to operate, without some relief.

The Ministry is proposing that 2022 business license fees are waived for operators that paid their business licence fees in full in 2020. This proposal is reflected in the draft Licensing of Businesses (Licence Fees Exemption for Ferry Boat Operators) Order, 2022 (Order) which aims to provide some financial relief.

Council:

- 1) noted that other persons/businesses that have experienced financial hardship may request relief and a distinction should be drawn. The assessment of any financial hardship to a business seeking relief lies within the discretion of the Ministry and relief will only be granted if assessed as applicable and the Government can afford to do so; and

- 2) approved the draft Licensing of Businesses (Licence Fees Exemption for Ferry Boat Operators) Order, 2022 made under section 19(2) of the Licensing of Businesses Act 2021, exempting Ferry Boat Operators servicing the Blowing Point to Marigot route from payment of their 2022 business licence fees provided that business licence fees for 2020 were paid in full.

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

Action: PS, EDCITENR; HON, AG; HON, MIN EDCITENR

EX MIN 22/21

EX MEM 22/01 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION SOUTH CENTRAL BLOCK 38409 B, PARCEL 48 BEING 0.49 OF AN ACRE WITH A DWELLING HOUSE THEREON

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 that where a property is sold for a price which includes an amount properly attributed to Furniture, Fittings & Equipment (FFE), that amount will not be charged Stamp Duty. For hotels the same principle also applies with respect to Intangible Assets/Goodwill, where this is supported by a professional business valuation. This purchase concerns a villa being bought as a business and the parties wished to attribute a value to Intangible Assets/Goodwill;
- 2) noted that in line with existing policy the Department of Lands & Survey confirmed a FFE value of 10% of the property price (reduced from 17% as proposed by the parties). They confirmed a Goodwill value of 3% of the property price (reduced from 13% proposed by the parties). It is necessary

to consider the rationale for proposing a Goodwill value of 3% of the property price on an exceptional basis;

- 3) noted the Director of Lands & Surveys indication that usually with hotels a professional business valuation is provided and a Goodwill value of 5% of the property price for a hotel is not unusual. Noted his further indication that a circular is to be issued by the Department, indicating that Intangible Assets/Goodwill values for the purposes of Stamp Duty calculation will not be considered for houses and villas, but will only be considered for hotels, and must be supported by a professional business valuation prepared by an independent professionally qualified and experienced business valuation company;
- 4) agreed and accepted the FFE value of 10% of the property price, but the Goodwill value of 3% of the property price shall be removed and the duty payable recalculated; and
- 5) agreed that the Attorney General's Chambers shall review the provisions of the Stamp Act as it relates to the responsibility of the Comptroller of Inland Revenue for valuations.

Council agreed to issue an Aliens Land Holding Licence to hold property situated in Registration Section South Central, Block 38409 B, described as Parcel 48 being 0.49 acres of land located at Lockrum, Anguilla for tourism purposes with a Villa thereon, subject to the following:

a) Stamp duties payable are as follows:

- | | | |
|------|---|-----------------------|
| (i) | under the Stamp Act – 5%
of EC\$4,032,300.00 | EC\$201,615.00 |
| (ii) | under the Aliens Land Holding
Regulation Act – 5%
of EC\$5,201,667.00 | <u>EC\$260,083.35</u> |

TOTAL

EC\$461,698.35

- b) with the express condition that the Applicant Company must obtain a Business Licence from the Ministry of Economic Development, Investment, Commerce, Information Technology & Natural Resources in order to rent the said property; and
- c) the Licensee shall fully comply with the laws of Anguilla from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour (Relations) Act, the Social Security Act, the Immigration and Passport Regulations and any statutory modification or re-enactment thereof and any rules or regulations made there under.

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

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