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**MINUTES OF THE 97<sup>TH</sup> MEETING OF THE TENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON FRIDAY 23<sup>RD</sup> MARCH 2012**

PRESENT: His Excellency the Governor, Mr Alistair Harrison

The Honourable Hubert Hughes, Chief Minister and Minister of Finance,  
Economic Development, Investment, Commerce and Tourism

The Honourable Deputy Governor, Mr Stanley Reid

The Honourable Edison Baird, Minister of Social Development, Health, Sports  
and Education

The Honourable Walcott Richardson, Minister of Labour, Immigration, Lands,  
Physical Planning, Human Rights, Environment, Gender Affairs and Agriculture  
and Fisheries

The Honourable Evan Gumbs, Minister of Infrastructure, Communications,  
Utilities and Housing

Mrs Jewelle Fleming, Clerk to Executive Council

IN ATTENDANCE: Mrs Chanelle Petty-Barrett, PS, ELSYC  
Mr Foster Rogers, PS, EDICT  
Mr Ivor Greene, Senior Crown Counsel (Civil)

ABSENT: The Honourable Attorney General, Mr James Wood

EX MIN 12/186 **CONFIRMATION OF THE MINUTES**

Council agreed that the Minutes of the 96<sup>th</sup> Meeting held on Thursday 15<sup>th</sup> March and the Continuation of the Minutes held on Friday 16<sup>th</sup> March 2012 should be confirmed at a subsequent Meeting of Executive Council.

**OUTSTANDING ITEM FOR EXCO**

1. EX MIN 08/761 IMMIGRATION AND LABOUR POLICY  
of 11 December 2008  
Action: PS, MHA; AG

EX MIN 12/187

**EX MIN 12/172 EX MEM 12/68 EDUCATION BILL 2012**

EX MIN 12/172 of 16<sup>th</sup> March 2012 refers.

Mrs Chanelle Petty-Barrett, PS, ELSYC joined the Meeting.

Council noted the concerns submitted by the Hon Evan M. Gumbs regarding the Education Act.

Council agreed the following amendments to the relevant sections of the Act:-

- 1) Home Education - the wording should read, “a home education programme should be structured along the lines of the National Curriculum”;
- 2) Prohibition of discrimination - fine reduced from EC\$10,000.00 to EC\$3,000.00;
- 3) Corporal Punishment – should be taken out. Positive behaviour management should be continued. Council agreed that this section should be brought back to Executive Council on Thursday for further consideration following the drafting of proper wording by the Ministry and AG’s Chambers.

Action: PS, ELSYC; AG

EX MIN 12/188

**EX MEM 12/78 PROGRESS REPORT ON THE APS EFFICIENCY REVIEW EXERCISE (MERGER OF DEPARTMENTS OF AGRICULTURE AND FISHERIES ETC)**

Council agreed that the matter should be deferred at the request of the Hon Minister, Home Affairs who wished to speak to the DG prior to presentation of the paper.

Action: HON MIN, MHA; DG

EX MIN 12/189

**EX MEM 12/79 EUROPEAN DEVELOPMENT FUND (EDF) 10 – PERFORMANCE ASSESSMENT INDICATORS**

Mr Foster Rogers, PS, EDICT joined the Meeting.

Council designated the achievement of the targets and the associated tasks necessary for their completion as top priority until the 10<sup>th</sup> EDF General Budget Support Programme had been completed.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, EDICT; PS, FIN; PAS, FIN

EX MIN 12/190

**EX MEM 12/80 TERRITORIAL AUTHORISING OFFICER (TAO) - EUROPEAN DEVELOPMENT FUND (EDF)**

PS, EDICT remained for discussion.

Council approved the transfer of the Territorial Authorising Officer position from Dr Aidan Harrigan to Mr Foster Rogers as he is now responsible for the Economic Development, Investment, Commerce & Tourism portfolio and the EDF programme.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, EDICT; PS, FIN; PAS, FIN

EX MIN 12/191

**EX MEM 12/81 AUTHORISATION TO APPROACH CDB FOR LOAN FUNDING FOR SECRETARIAT ROAD AND COMMUNITY COLLEGE HEADQUARTERS PROJECTS**

PS, EDICT remained for discussion.

Council agreed that:-

- (i) the GoA should approach the CDB to borrow **EC\$10.15 million** on concessionary terms from the SDF 7 allocation (under which GoA has available to it approximately **EC\$13.365 million** which it will lose if the funds are not committed by December 31, 2012);
- (ii) GoA should seek the approval of the UKG for the borrowing as proposed and that the Hon CM should write to the FCO Minister, Mr Henry Bellingham to build a strong business case for funding. Council noted that the CM would be off island and agreed that the letter should be signed by the PS, EDICT or the PS, FIN on behalf of the CM to be issued next week;

HE The Governor undertook to inform the FCO Minister of the intended letter.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, EDICT; PS, FIN; PAS, FIN; ACC GEN

EX MIN 12/192

**EX MEM 12/82 FINANCIAL ASSISTANCE FOR KALYN BARTLETTE**

PS, EDICT remained for discussion.

Council considered the request for financial assistance from Ms Kalyn Bartlette, an employee of the Health Authority of Anguilla (HAA) who is currently undertaking a course of study at the Anguilla Community College (ACC) leading to an Associates Degree in Hospitality and Tourism Management. The cost of the entire course of study is approximately EC\$19,000.00.

The DG reminded Ministers that they had just recently considered the relevant portion of the Training Policy and determined that the HAA should not be included on the list of institutions whose employees would be eligible for GoA funding, if they pursued studies at the UWI Distance Centre or the ACC. The DG also informed the Ministers that their recent decision to fund the studies of non-belongers employed in the APS or the RAPF in the ratio of 30:70 (30% being payable by GoA and 70% by non-belongers) as opposed to the ratio of 70:30 for belongers (70% by GoA and 30% by belongers) was causing some concern to the UWI Distance Centre and the ACC. In light of this the Department of Public Administration was in the process of preparing a paper for the DG to bring to Executive Council to facilitate further consideration of these matters. The DG also pointed out that the Internal Audit Department had recently audited the administration of the Training Policy and had commented on the need to adhere to established policies. The DG advised that it would be preferable to defer Ms Bartlette's request so that it could be considered in the context of an overall policy decision rather than being an isolated case receiving special consideration.

Council agreed that Government bears 70% of the cost indicated and that Ms Bartlette bears 30%.

Action: PS, ELSYC; PS, PA; PS, FIN; PS, EDICT; ACC GEN

HE The Governor left the Meeting for a scheduled appointment. The Hon DG chaired the remainder of the Meeting.

EX MIN 12/193

**EX MEM 12/83 FILLING OF THE POST OF PRODUCT DEVELOPMENT OFFICER IN THE TOURISM UNIT OF EDICT**

PS, EDICT remained for discussion.

Council authorised the Ministry of EDICT to arrange for the filling of the position of Product Development Officer in the tourism Unit.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, EDICT; PS, PA; PS, FIN; PARL SEC; CO-ORD, TSDP

EX MIN 12/194

**EX MEM 12/84 TO AMEND THE OFFICIAL LIST OF PUBLIC HOLIDAYS FOR 2012**

EX MIN 11/463 of 27<sup>th</sup> July 2011 refers.

Council approved the amendment to the list of Public Holidays for 2012 to reflect the observance of Labour Day on Tuesday 1<sup>st</sup> May 2012 and not Monday 7<sup>th</sup> May as previously agreed.

Action: PS, MHA/LANDS; PAS, MHA

EX MIN 12/195      **EX MEM 12/85 AMENDMENT TO EXCO MIN 12/116**

EX MIN 12/116 of 17 February 2012 refers.

Council agreed that the matter should be deferred for clarification.

Action: PS, MHA/LANDS; DLS

EX MIN 12/196      **EX MEM 12/86 APPLICATION TO CLAIM LAND (REGISTRATION SECTION CAULS POND 68914B PARCEL 61 BEING APPROXIMATELY 0.30 ACRE) BY ABSENTEE OWNERS DURING CADASTRAL SURVEY AND REGISTRATION PROJECT**

Council agreed that the matter should be deferred and that the DLS should attend the Meeting of Executive Council for discussion when the paper is resubmitted.

Action: PS, MHA/LANDS; DLS

EX MIN 12/197      **EX MEM 12/87 FULL COMPOSITION OF THE AASPA BOARD BY ADDITION OF FOUR (4) NEW MEMBERS**

Council approved the appointment of four (4) additional members of the Anguilla Air and Sea Ports Authority Board for a three (3) year term effective 1<sup>st</sup> April 2012. The additional members are:-

- |    |                          |                             |
|----|--------------------------|-----------------------------|
| 1) | Mr Patrick Mardenborough | Member - Shipping           |
| 2) | Mr Benjamin Ruan         | Member - Engineering        |
| 3) | Mr Lanville Harrigan     | Member - Export Operations  |
| 4) | Mr Julian Romney         | Member - Community Services |

Council agreed that a monthly allowance of EC\$1,500.00 should be paid to each member. Council noted that the AASPA Board had been taken to its full compliment of 10 as allowed under Section 3 of the AASPA Act.

Action: PS, MICUH; PS, PA; PS, FIN; PS, EDICT; ACC GEN

**ORAL MENTION**

EX MIN 12/198      **FLAGS TO BE FLOWN AT HALF MAST**

Council agreed that Government flags should be flown at half mast on the day of the funeral service for Mr Raymond Haskins. The late Mr Haskins belonged to a family who contributed greatly to the development of Anguilla and who played an active role in the Anguilla Revolution. Council further agreed that the Hon Chief Minister should issue an official letter of condolence to the family of Mr Haskins on behalf of the Government of Anguilla.

Action: PS, MHA/LANDS; PAS, MHA; MINS OF GOV'T

EX MIN 12/199

**NATIONAL HEALTH FUND (NHF)**

Council concurred that a determination as to how the NHF will be progressed had to be made to give clear indication to Officials as to how they should proceed.

Action: PS, HSD

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