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**MINUTES OF THE 150<sup>TH</sup> MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 19<sup>TH</sup> JULY 2018**

- PRESENT: His Excellency the Governor, Mr Timothy Foy, OBE
- The Honourable Victor Banks, Chief Minister and Minister of Finance,  
Economic Development, Commerce, Tourism and Information Technology
- The Honourable Deputy Governor (Ag), Mr Merwyn F Rogers
- The Honourable Evans Rogers, Minister of Health and Social Development, Lands  
and Physical Planning
- The Honourable Cora Richardson-Hodge, Minister of Home Affairs and Education
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications,  
Utilities, Housing, Agriculture, Fisheries and Environment
- The Honourable Attorney General (Ag), Mr Ivor Greene
- Mrs Nicola Webster, Clerk to Executive Council (Designate)
- IN ATTENDANCE: Mr Cardigan Connor, Hon Parliamentary Secretary  
Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA  
Mr Stephen Turnbull, Financial Specialist  
Dr Aidan Harrigan, PS, FIN  
Mr Larry Franklin, PS, EDICTIT  
Mrs Anthea Ipinson-Connor, Chief Project Officer  
Mrs Shantelle Richardson, Director, Economic Planning  
Ms Jamila Gumbs, Budget Officer  
Mrs Nashara Webster-Wilkes, Economist  
Mrs Tavia Connor, Business Process Analyst  
Mr Kiel Connor, Comptroller, Inland Revenue  
Ms Tamika Fleming, Deputy Comptroller, Inland Revenue  
Ms Marisa Harding-Hodge, Compliance Officer
- ABSENT: The Honourable Deputy Governor, Mr Perin Bradley  
Mrs Jewelle Fleming, Clerk to Executive Council

EX MIN 18/366 **CONFIRMATION OF THE MINUTES**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained in attendance.

Council confirmed the Minutes of the 149<sup>th</sup> Meeting held on Thursday 12 July 2018. Council agreed to publicize the minutes of the 146<sup>th</sup> meeting held on 21 June.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 18/367 **EX MIN 18/349 EX MIN 18/335 EX MEM 18/158 PERMANENT RESIDENCY BY INVESTMENT AGENT FEE & EX MIN 18/322 EX MEM 18/107 PERMANENT RESIDENCY BY INVESTMENT (ECONOMIC RESIDENCY)**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained in attendance.

Following on from EX MIN 18/349 of 12 July 2018, Director, Economic Planning updated council and advised that a draftsperson has been assigned to deal with these matters but a timeframe for finalization has not been identified.

Action: PS, EDICTIT; PS, FIN; DEP; HON AG; (Acting); HON DG (Acting)

EX MIN 18/368 **EX MIN 18/338 EX MEM 18/178 CDB HURRICANE RECOVERY SUPPORT LOAN - ANGUILLA**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained in attendance. Dr Aidan Harrigan, PS, FIN joined the meeting.

Further to EX MIN 18/338 of 6 July, Council noted that the refinanced loan agreement was signed off by the Attorney General's Chambers.

Action: PS, FIN; HON AG (Acting); PS, EDICTIT; PAS, FIN; BD; DM; DEP;  
ACC GEN

EX MIN 18/369 **EX MIN 18/341 EX MEM 18/181 ANGUILLA PROGRAMME – PRIORITISATION OF PROJECTS**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA Financial Specialist and remained in attendance.

Further to EX MIN 18/352 of 12 July, Council agreed that the revised project list should be re-submitted to Ex Co on Thursday 26 July for further consideration.

Action: PS, MICUHAFE; PS, MHA/ED; PS, HLPP; COS, GO; MINS OF GOV'T

EX MIN 18/370

**EX MIN 18/361 LEGISLATIVE PRIORITY**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained in attendance. The following persons joined:

Council agreed that the Hon Deputy Governor should draft the necessary legislative priority list to be sent to the Attorney General's Chambers and stressed the need to ensure that the legislative drafting department is properly staffed.

Action: HON DG; AG(AG)

EX MIN 18/371

**REVENUE AND EXPENDITURE HALF-YEAR REPORT**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA, PS, FIN and Financial Specialist remained in attendance. The following persons joined:

Mr Larry Franklin, PS, EDICTIT  
 Mrs Anthea Ipinson-Connor, Chief Project Officer  
 Mrs Shantelle Richardson, Director, Economic Planning  
 Ms Jamila Gumbs, Budget Officer  
 Mrs Nashara Webster-Wilkes, Economist  
 Mrs Tavia Connor, Business Process Analyst  
 Mr Kiel Connor, Comptroller, Inland Revenue  
 Ms Tamika Fleming, Deputy Comptroller, Inland Revenue  
 Ms Marisa Harding-Hodge, Compliance Officer

Council noted the power point presentation of the half-year report on the GoA's Revenue, Expenditure and Capital Performance.

Following the presentation, Council noted the conclusions as outlined:-

- (i) the recurrent revenue, grossed an actual of EC\$98.15m from an anticipated \$88.36m that was projected in the Budget;
- (ii) the recurrent expenditure realised an actual of EC\$94.76m from a projected estimate of EC\$97.07m.
- (iii) the overall recurrent balance for the period stood at a surplus of EC\$3.39m.
- (iv) capital expenditure grossed at 3.3m from the approved budget of 85.74m; and
- (vii) the additional funding from the Global Britain Fund must be spent by 31 August 2018.

Council thanked and commended the officers for their commitment and hard work and request that they continue to exercise restraint and report again in three (3) months.

Action: PS, FIN; PS, EDICTLP; BD; DEP; PAS, FIN; ACC GEN

EX MIN 18/372

**UPDATE ON HURRICANE PREPAREDNESS, SHELTERS AND LIFE IMPACT CENTRE**

Hon Parliamentary Secretary Ministerial Assistant to the Hon Minister, MHA, PS, FIN, PS, EDICTIT and Financial Specialist remained in attendance. Ms Melissa Meade, Director, Disaster Management joined the meeting.

With reference to EX MIN 18/345 of 6 July, and EX MIN 18/362 the Director, Disaster Management update council on the preparations for the hurricane season and gave a review of the current status of the hurricane shelters.

The Director, Disaster Management informed Council that from the seven (7) shelters that were assessed only three (3), Bethel Pre-school, Zion Methodist Church and Mount Fortune 7<sup>th</sup> Day Adventist Church are currently ready. The Rodney MacArthur Rey Auditorium was severely damaged and that restoration has begun but the timeframe for completion was not identified. The possibility of three additional shelters, Life Impact Centre, West End; The Methodist Manse, Crocus Hill and Pure Foundation, Crocus Hill have also been identified.

Council:-

- (i) urged the Hon Deputy Governor to work with the Director, Disaster Management to prepare a plan of action;
- (ii) instructed the Director, Disaster Management to compile a comprehensive report on the status of hurricane preparation
  - (a) based on how the Red Cross operates and their views;
  - (b) the plans for the shelters and the possibility of using the Ebenezer Methodist Church Hall located in the Valley as s shelter; and
- (iii) agreed that the Red Cross should be invited to Executive Council for discussion.

Action: HON DG (Acting); DDM; PS, MICUHAFE; MINS OF GOV'T

EX MIN 18/373

**EX MEM 18/189 PROPOSED PROCESS FOR WORK PERMIT EXEMPTIONS**

Hon Parliamentary Secretary Ministerial Assistant to the Hon Minister, MHA, PS, FIN, PS, EDICTIT and Financial Specialist remained in attendance.

Further to Ex Min 18/262 Council approved the policy as presented and agreed that item 4 should read "spouses of persons in essential services. Where essential services are deemed to be those services as defined in the essential services act ...".

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

Action: PS, MHA

EX MIN 18/374

**EX MEM 18/190 PUBLIC HOLIDAYS FOR 2019**

Hon Parliamentary Secretary Ministerial Assistant to the Hon Minister, MHA, PS, FIN, PS, EDICTIT and Financial Specialist remained in attendance.

Council approved the list of Public Holidays for 2019, as follows:-

New Year's Day	Tuesday, 1 January
James Ronald Webster Day	Monday, 4 March
Good Friday	Friday, 19 April
Easter Monday	Monday, 22 April
Labour Day	Wednesday, 1 May
Anguilla Day	Thursday, 30 May
Whit Monday	Monday, 10 June
Celebration of the Birthday of Her Majesty The Queen	Monday, 17 June
August Monday	Monday, 5 August
August Thursday	Thursday, 8 August
Constitution Day	Friday, 9 August
National Heroes and Heroines Day	Thursday, 19 December
Christmas Day	Wednesday, 25 December
Boxing Day	Thursday 26 December

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

Action: PS, MHA; PAS, MHA

EX MIN 18/375

**EX MEM 18/191 APPLICATION FOR THE PERMIT OF PERMANENT RESIDENCE**

Ministerial Assistant to the Hon Minister, MHA, PS, FIN; PS, EDICTIT and Financial Specialist remained in attendance.

Council agreed that the twenty-eight (28) persons on the attached list should be granted the permit of permanent residence in accordance with Section 24 of the Immigration and Passport Act.

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

Action: PS, MHA; LAB COM; CIO; HON CM; HON MIN, MHA

EX MIN 18/376

**EX MEM 18/192 REAFFIRMING EXECUTIVE COUNCIL'S  
COMMITMENT FOR GOVERNMENT OF ANGUILLA TO MEET THE  
COST OF THE ELECTRICITY FUEL SURCHARGE FOR THE WATER  
CORPORATION OF ANGUILLA (WCA)**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA, PS, FIN; PS, EDICTIT, Financial Specialist, remained in attendance.

Council noted:-

- (i) the debt owed by the Water Corporation of Anguilla to the Anguilla Electricity Company for the fuel surcharge;
- (ii) instructed the PS Finance to verify if there is an on-going payment policy where the GoA would meet the cost of the electricity fuel surcharge to ANGLEC for the Water Corporation of Anguilla; and
- (iii) further instructed the PS Finance to report on the extent of the arrears owed to the Water Corporation of Anguilla by GoA and submit to council for further consideration.

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

Action: PS, FIN; HON AG (Acting); PS, EDICTIT; PAS, FIN; BD; DEP; ACC GEN

EX MIN 18/377

**EX MEM 18/193 CRIMINAL JUSTICE REFORM**

Hon Parliamentary Secretary Ministerial Assistant to the Hon Minister, MHA, PS, FIN, PS, EDICTIT and Financial Specialist remained in attendance.

Council noted the request for further amendment to the Bill and agreed that the matter be deferred pending a meeting with the Hon Minister, MHA, the Hon Attorney General and the Bar Association for further clarification on item 3a which states

“Amendment of section 29 to clarify that it will remain a criminal offence for a child, a person of 17 years or younger, to be in possession of cannabis”.

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

Action: HON AG; PS, MHA; MINS OF GOV'T

EX MIN 18/378

**EX MEM 18/194 EXTERNAL AUDIT SERVICES**

Hon Parliamentary Secretary Ministerial Assistant to the Hon Minister, MHA, PS, FIN, PS, EDICTIT and Financial Specialist remained in attendance.

Council:-

- (i) noted that in March 2018 the Public Utilities Commission issued a tender for the provision of external audit services to replace the former provider, Grant

Thornton Ltd., who had been in that role for the past five (5) years. At the end of the process, the Commission selected BDO LLC to perform these services for the next three (3) years, subject to an annual reconfirmation through a letter of engagement;

- (ii) noted that the Commission has now received and reviewed the engagement letter from BDO LLC dated 15 May 2018 for the audit of its accounts for the year 2017, a copy of which is attached.
- (iii) further noted that Section 21 (4) of the PUC Act reads as follows:

*‘(4) The accounts shall be audited by such person as may be appointed in respect of each financial year by the Governor-in-Council.’ and*

- (iv) approved the appointment of the firm ‘BDO LLC’ to conduct the audit of the Commission’s accounts for the year 2017 , pursuant to Section 21 (4) of the Public Utilities Commission Act.

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

Action: HE; HON AG (Acting); PS, FIN; MINS OF GOV’T

EX MIN 18/379

**EX MEM 18/195 LOAN AGREEMENT – CARIBBEAN DEVELOPMENT BANK (CDB) HURRICANE RECOVERY SUPPORT LOAN – ANGUILLA**

Hon Parliamentary Secretary Ministerial Assistant to the Hon Minister, MHA, PS, FIN, PS, EDICTIT and Financial Specialist remained in attendance.

Further to EX MIN 18/338 of 6 July and EX MIN 18/350 of 12 July, Council

- (i) approved the loan agreement to give effect to the loan; and
- (ii) authorized the PS Finance to prepare the documentation for the Honourable Chief Minister and Minister of Finance to sign the CDB Loan Agreement on behalf of the GoA.

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

Action: PS, FIN; HON AG (Acting); PS, EDICTIT; PAS, FIN; BD;DM; DEP;  
ACC GEN

EX MIN 18/380

**EX MEM 18/196 AMENDMENT TO INTERNATIONAL BUSINESS COMPANIES ACT AND INTERNATIONAL BUSINESS COMPANIES REGULATIONS**

Hon Parliamentary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained in attendance.

Council, subject to tidying up and finalisation with the Attorney General’s Chambers:-

- (i) approved the International Business Companies (Amendment) Act, 2018 and International Business Companies (Amendment) Regulations, 2018 draft;

- (ii) agreed the drafts of the International Business Companies (Amendment) Act, 2018 and International Business Companies (Amendment) Regulations, 2018 be published in the Gazette and tabled for reading at the next sitting of the House of Assembly; and
- (iii) agreed that the amendment Acts/Bills be read in the House of Assembly in the order given above;

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

Action: PS, FIN; HON AG (Acting); PS, EDICTIT; PAS, FIN; DEP; BD; COM OFF

EX MIN 18/381

**EX MEM 18/197 NBA AND CCB PENSION FUNDS**

Hon Parliamentary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained in attendance.

Council:-

- (i) noted the need to resolve the issues of the Pension Funds of the insolvent banks NBA and CCB;
- (ii) noted that in terms of accessing the pension fund monies the AG has advised that trustees would have to be appointed for the two funds and actuarial assessments undertaken for the two funds to decide how the funds would be distributed.
- (iii) agreed that the GoA consent to allowing the Receiver to give preference to NBA and CCB Pension Funds to ensure that the EC\$5.7 million currently in the receiverships is paid forward or released; and
- (iv) agreed that the relevant parties ensure that trustees for the Pension Funds are duly appointed according to law and actuarial assessments conducted to determine how the funds should be distributed to beneficiaries

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

Action: PS, FIN; HON AG (Acting); PS, EDICTIT; PAS, FIN; BD;DM; DEP;  
ACC GEN

EX MIN 18/382

**EX MEM 18/198 EXEMPTION OF CANNABIS-BASED PRODUCTS FOR MEDICINAL PURPOSES UNDER THE DRUGS (PREVENTION OF MISUSE) ACT, REVISED STATUTES OF ANGUILLA, CHAPTER D45**

Hon Parliamentary Secretary Ministerial Assistant to the Hon Minister, MHA, PS, FIN, PS, EDICTIT and Financial Specialist remained in attendance. Dr Aisha Andrewin, Chief Medical Officer joined the meeting.

Council:

- (i) noted the Single Convention on Narcotic Drugs of 1961 is an international treaty to prohibit production and supply of specific (nominally narcotic) drugs and of



drugs with similar effects except under license for specific purposes, such as medical treatment and research;

“Cannabis and cannabis resin and extracts and tinctures of cannabis are listed under Schedules I and IV of the convention”;

- (ii) noted that parties to the convention recognize that the use of psychotropic substances for medical and scientific purposes is indispensable and that their availability for such purposes should not be unduly restricted...;
- (iii) further noted that as of February 2018, the Single Convention has 186 state parties including the United Kingdom;
- (iv) additionally noted that the use of cannabinoid products – cannabinoid being the class of the main active ingredient in cannabis- to treat epilepsy (fits) and other medical conditions has been studied for a number of years. As new products have been developed, several countries have revised or developed legislation related to the medical use of cannabis and its derivatives;
- (v) agreed that a Regulation be approved for legal importation of Cannabis Sativa Oil, Sativex, Epidiolex, and Nabilone under Section 9 (1) which states that the Governor may by regulation
  - (a) exempt from section 4(1), 6(1) or 7(1) such controlled drugs as he may specify; and
  - (b) make such other provisions as he thinks fit for the purpose of making it lawful for a person to do anything which would otherwise be unlawful under section 6(1), 7(1) and 8(1).
- (vi) agreed that persons with prescriptions from licensed, registered practitioners in the following jurisdictions be allowed to import Cannabis-based products for personal medicinal use: United Kingdom, United States, Australia, Canada and countries of the European Union; and
- (vii) approved the drafting by the Attorney General’s Chambers of the recommended regulation and exemptions under the Drugs (Prevention of Misuse) Act, Revised Statutes of Anguilla, Chapter D45.

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

Action: PS, HLPP; CMO; PS, FIN; PS, EDICTIT; MINS OF GOV’T

EX MIN 18/383

**EX MEM 18/199 INLAND REVENUE DEPARTMENT 3 YEAR STRATEGIC PLAN**

Hon Parliamentary Secretary Ministerial Assistant to the Hon Minister, MHA, PS, FIN, PS, EDICTIT and Financial Specialist remained in attendance.

Council:-

- (i) noted the 3 year Strategic Plan and commends the work of the Department;

- (ii) endorsed and approved the 3 year Strategic Plan as work in progress; and
- (iii) instructed the PS Finance to use the resources available as they seek to prioritize the Department's implementation of the strategic plan within the current economic realities.

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

Action: PS, FIN; PS, EDICTIT; PAS, FIN; DEP; CIR

EX MIN 18/384

**EX MEM 18/200 APPLICATION FOR DUTY EXEMPTION FOR MARKET SQUARE**

Hon Parliamentary Secretary Ministerial Assistant to the Hon Minister, MHA, PS, FIN and Financial Specialist remained in attendance.

Council:-

- (i) noted the new initiative of a vendor's outlet known as the Market Square to be located in Deep Waters; and
- (ii) agreed that the paper be deferred subject to Customs verifying the duty loss calculation and returned Executive Council for further consideration.

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

Action: PS, FIN; PS, EDICTIT; PAS, FIN; COC; FO

**ORAL MENTION**

EX MIN 18/385

**ADDITIONAL FUNDING**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA, and Financial Specialist remained in attendance.

The Hon Minister of Finance informed Council that a request for additional funding for the completion of studies in music was made, and that a formal paper will be presented.

Action: HON DG; PS FIN; MINS OF GOV'T

EX MIN 18/386

**OVERSEAS TRAVEL AND LEAVE**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA, and Financial Specialist remained in attendance.

HE The Governor informed Council that he would be on leave from Sunday 22 to Friday 24 July, 2018.

Action: EXCO MEMBERS

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