

**FIRST SITTING OF THE FOURTH SESSION
OF THE THIRD HOUSE OF ASSEMBLY
OF THE VIRGIN ISLANDS**



**TO BE HELD ON
THURSDAY, 13TH SEPTEMBER, 2018
AT THE HOUSE OF ASSEMBLY
ROAD TOWN, TORTOLA
AT 10:00 A.M.**

ORDER OF THE DAY

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1) Prayers

2) Confirmation of Minutes

- Confirmation of Minutes for the Meeting of Thursday 28th June, 2018

3) Announcements by the Speaker

4) Statements by Ministers

- **The Premier and Minister of Finance to move the following motion:**

WHEREAS Standing Order 11 of the House of Assembly Standing Orders outlines for each sitting the order of business of the House of Assembly, unless the House directs otherwise;

NOW THEREFORE, BE IT RESOLVED that this Honourable House directs that the business of the order of the day as outlined in Standing Order 11 be, for the purposes of this First Sitting of the Fourth Session of the Third House of Assembly, varied to allow for Item 4 – Statements by Ministers and Item 7 – Questions and Answers to Questions to be taken immediately after Item 8(1)(ii) on the Order of the Day.

5) Presentation of Papers

- a) The Premier and Minister of Finance to lay on the table the following documents:**

- i) Department of Disaster Management – Annual Report 2016; and
- ii) Recovery to Development Plan of the Virgin Islands.

- b) The Minister for Communications and Works to lay on the table the following document:**

- Department of Motor Vehicles – Annual Report 2016.

6) Notices of Motions Given Orally

- a) The Premier and Minister of Finance to give notice that, at a later stage in the proceedings, he would seek leave to move the Motions standing in his name under Item 8(1)(i), (ii), (v) and (vi) on the Order of the Day.

- b) The Minister for Education and Culture to give notice that, at a later stage in the proceedings, he would seek leave to move the Motion standing in his name under Item 8(1)(iii) on the Order of the Day.
- c) The Attorney General to give notice that, at a later stage in the proceedings, he would seek leave to move the Motion standing in his name under Item 8(1)(iv) on the Order of the Day.
- d) The Member for the Third District to give notice that, at a later stage in the proceedings, he would seek leave to ask the Questions standing in his name under Item 7(i) through (iv) on the Order of the Day.

7) Questions and Answers to Questions

i) The Member for the Third District to ask the Honourable Premier and Minister of Finance the following questions:

Question 1

Madam Speaker, given my concerns about water problems at the last sitting of this Honourable House, could the Honourable Premier and Minister of Finance please tell this Honourable House:

- a) Whether he has given any consideration to making the issue a priority? and
- b) If the answer to a) is yes, can he state the measures to be taken?

Question 2

Madam Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House whether the Government of the Virgin Islands is liable for any debt or expenses incurred by BVI Airways?

Question 3

Madam Speaker, could the Honourable Premier please tell this Honourable House if there has been any further development in the relationship between BVI Airways and the Government?

Question 4

Madam Speaker, could the Honourable Premier please tell this Honourable House:

- a) Who is the CEO of the Recovery and Development Agency?
- b) Where is the individual from?
- c) What is their background, and how were they recruited?
- d) What is their salary, and all other allowances? and

- e) Provide a copy of the employment contract?

Question 5

Madam Speaker, could the Honourable Premier please provide this Honourable House with the names of all Board Members of the Recovery and Development Agency, and who their Nominees are?

Question 6

Madam Speaker, could the Honourable Premier please provide this Honourable House with the salary/stipend, along with any other perks, of each Board Member of the Recovery and Development Agency.

Question 7

Madam Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House whether he is in a position to give the cost to the Government of the Virgin Islands for commissioning the two Law Firms to challenge the UK Government on its Law on Beneficial Ownership Register?

Question 8

Madam Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House what has transpired between the Government of the Virgin Islands and the UK Government regarding the Beneficial Ownership Register since the passage of the Law requiring us to make our Register public?

Question 9

Madam Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House whether the merchants at Tortola Pier Park are still utilizing the Duty Free Concession?

Question 10

Madam Speaker, if the answer to Question 9 is yes, could the Honourable Premier and Minister of Finance please tell this Honourable House:

- a) Whether persons residing in the Virgin Islands are allowed to shop at the stores? And
- b) If a) above is yes, how do the merchants account for the customs duty due to the participation of residents?

Question 11

Madam Speaker, if the answer to Question 9 is yes, could the Honourable Premier and Minister of Finance please tell this Honourable House:

- a) Whether the concession was used during the months following Hurricane Irma from September 2017 to August 2018?
- b) If yes, why, given there were no ships?

Question 12

Madam Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House whether:

- a) The \$25 million Operating Line of Credit at First Caribbean International Bank which was approved by this Honourable House is still current?
- b) If yes, is the Treasury actively utilizing it?

Question 13

Madam Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House whether:

- a) The Government is making use of the \$55 million borrowed to balance its 2018 Budget?
- b) If the answer to a) is yes, to what extent, and why, given the reported over performance of the Financial Services Commission in terms of revenue?

ii) The Member for the Third District to ask the Honourable Deputy Premier and Minister for Natural Resources and Labour the following questions:

Question 1

Madam Speaker, could the Deputy Premier and Minister for Natural Resources and Labour please tell this Honourable House:

- a) The current number of Work Permits issued to skilled workers since Hurricane Irma?
- b) How many family members accompanied these skilled workers?

Question 2

Madam Speaker, could the Deputy Premier and Minister for Natural Resources and Labour please provide a breakdown of the relationships, spouse, child etc. and indicate how many have Work Permits, and how many are attending school.

- iii) **The Member for the Third District to ask the Honourable Minister for Communications and Works the following questions:**

Question 1

Madam Speaker, could the Minister for Communications and Works please tell this Honourable House what progress has been made in the following areas:

- a) The installation of the pump at Long Trench?
- b) The upgrade to the electrical system at Diamond? and
- c) The installation of a 12” water main along Ridge Road from Sabbath Hill?

Question 2

Madam Speaker, could the Minister for Communications and Works please tell this Honourable House whether the 8” water main installed in 2015 from Meyers to Chalwell intended to bring water to the Hannah Hill Reservoir is still not connected to the system?

Question 3

Madam Speaker, could the Minister for Communications and Works please tell this Honourable House whether:

- a) The Bar Bay Water Plant is in operation?
- b) If the answer to a) is no, why not?
- c) If the answer is yes, when did operation start?

Question 4

Madam Speaker, could the Minister for Communications and Works please tell this Honourable House whether:

- a) The BiWater Plant at Paraquita Bay is operating at full capacity?
- b) If the answer to a) is no, what is the daily production? and
- c) What are the areas being serviced by the Plant.

Question 5

Madam Speaker, could the Minister for Communications and Works please tell this Honourable House whether:

- a) The BiWater Sewage Treatment Plant at Burt Point is operating?
- b) If the answer to a) is no, why not? and

c) If the answer is yes, when did it come back on line?

iv) The Member for the Third District to ask the Honourable Minister for Education and Culture the following questions:

Question 1

Madam Speaker, could the Minister for Education and Culture please tell this Honourable House:

- a) What was the cost of the work done prior to Hurricane Irma on the new structures at Elmore Stoutt High School?
- b) How much did Government pay to the Contractor?
- c) Was the construction insured? and
- d) Was Government compensated for whatever moneys were paid out on the Project?

8) Public Business

1) Government Business

(i) The Premier and Minister of Finance to move the following motion:

BE IT RESOLVED that this Honourable House invites His Excellency, the Governor, to appear and make an address.

(ii) Address by His Excellency, the Governor

Introduction and First Reading

(iii) The Minister for Education and Culture to move a motion for the Introduction and First Reading of the Bill entitled, “ **Prison Act, 2018”;**

(iv) The Attorney General to move a motion for the Introduction and First Reading of the Bill entitled, **Human Rights Commission Act, 2018”**

(v) The Premier and Minister of Finance to move the following motion:

WHEREAS it is provided by section 33 of the Public Finance Management Act, 2004 (No. 2 of 2004) that the Government or any person acting on behalf of the Government has no power to give a guarantee

involving the Government in any financial liability unless the guarantee is given in accordance with an enactment or under the authority of a resolution of the House of Assembly;

WHEREAS the House of Assembly of the Virgin Islands, by Resolution No. 4 of 2014 and No. 9 of 2015, approved the borrowing by the British Virgin Islands Ports Authority from First Caribbean International Bank (Cayman) Limited and its affiliates of the total sum of fifty million dollars (\$50,000,000) and by resolution No. 5 of 2014 approved the government guarantee of this loan for the purposes of assisting with the financing of the extension and widening of the cruise ship pier, and the creation of a mixed use real estate facility situated on Wickham’s Cay, Tortola, (“the Project”);

WHEREAS the British Virgin Islands Ports Authority (“the BVIPA”) proposes to take an additional loan in the sum of five million, eight hundred thousand dollars (\$5,800,000) from First Caribbean International Bank (Cayman) Limited and its affiliates for the purpose of:

- a) funding the interest and net swap payments for the amount of two million, one hundred thousand dollars (\$2,100,000)
- b) purchasing of port equipment, in the amount of one million, seven hundred thousand dollars (\$1,700,000); and
- c) guaranteeing of a Line of Credit from the Bank, in the sum of two million dollars (\$2,000,000).

AND WHEREAS it is expedient that the Government guarantees the further borrowing of five million, eight hundred thousand dollars (\$5,800,000) by the British Virgin Islands Ports Authority from First Caribbean International Bank (Cayman) Limited and its affiliates;

NOW BE IT RESOLVED that the House of Assembly of the Virgin Islands approves the guaranteeing by the Government of the repayment of the sum of five million, eight hundred thousand dollars (\$5,800,000) to be borrowed by British Virgin Islands Ports Authority from First Caribbean International Bank (Cayman) Limited and its affiliates for the purposes of funding interest and net swap payments of existing loan, purchasing of port equipment and guaranteeing a Line of Credit.

(vi) **The Premier and Minister of Finance to move the following motion:**

WHEREAS section 3(1) of the Virgin Islands Recovery and Development Agency Act, 2018(No. 1 of 2018) (hereinafter referred to as “the Act”) provides that the Premier or any other Minister to whom the subject for recovery and development is assigned, with the approval of Cabinet shall, consistent with the purposes of the Act, be responsible for developing and further reviewing the Virgin Islands Recovery and Development Plan (hereinafter referred to as “the Plan”) which Plan is for the recovery and development of the Virgin Islands following the disasters affecting the Territory in August and September, 2017;

WHEREAS section 3(5) of the Act provides that such Plan so developed, shall be laid before the House of Assembly within 60 days following its approval by Cabinet and, it shall be subject to an affirmative resolution of the House;

WHEREAS the Cabinet in exercise of the powers conferred on it by section 3(1) of the Act, by Memo No. 206/2018 approved the Plan on the 9th of July, 2018;

AND WHEREAS the Plan is laid on the Table of the House of Assembly on the 13th day of September, 2018;

NOW THEREFORE, BE IT RESOLVED that the House of Assembly of the Virgin Islands approves the Plan laid on the Table of the House of Assembly on the 13th day of September, 2018 and that the said Plan is the Virgin Islands Recovery and Development Plan from the 9th day of July, 2018.

2) Private Members Business

9) Other Business

10) Adjournment