

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



**TO BE HELD ON
FRIDAY, 17TH MAY, 2019
AT THE HOUSE OF ASSEMBLY
ROAD TOWN, TORTOLA
AT 10:00 A.M.**

ORDER OF THE DAY

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- 1) **Prayers**
- 2) **Administration of Oaths**
- 3) **Confirmation of Minutes**
 - Confirmation of Minutes for the Meeting of Tuesday 2nd April, 2019
- 4) **Announcements by the Speaker**
- 5) **Statements by Ministers**
- 6) **Presentation of Papers**
 - a) **The Premier and Minister of Finance to lay on the table the following documents:**
 - i) British Virgin Islands Financial Investigation Agency – 2019 Budget Estimates;
 - ii) British Virgin Islands Financial Investigation Agency – Annual Report 2017; and
 - iii) Statements of Reallocation Between Votes – Reallocation Warrants Schedule No. 1 of 2018.
 - b) **The Minister for Health and Social Development to lay on the table the following documents:**
 - i) Family Support Network – Annual Report 2016; and
 - ii) Family Support Network – Audited Financial Statements for year ended December 31, 2015.
- 7) **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 Motion standing in his name under Item 9(1) (i) through (v) and (vii) to (viii) on the Order of the Day.
 - b) The Minister for Health and Social Development 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 9(1) (vi) and (ix) on the Order of the Day.

- c) The Leader of the Opposition and Member for the Eighth 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 8(i) through (iii) 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 8(iv) through (vii) on the Order of the Day.
- e) The Member for the Second 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 8(viii) on the Order of the Day.

8) Questions and Answers to Questions

- i) **The Leader of the Opposition and Member for the Eighth District to ask the Honourable Premier and Minister of Finance the following questions:**

Question 1

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

- a. If the Government of the Virgin Islands is paying the legal fees for the Honourable Speaker of the House of Assembly for the legal case between Mr. Mark Vanterpool vs Honourable Julian Willock, Speaker of the House of Assembly and The Attorney General interested party;
- b. If the answer is yes, what is the estimated cost of said legal fees?;
- c. The amount billed and paid thus far for said legal case?; and
- d. If the answer is no, could the Minister
 - i. Please explain the basis under which they were retained?; and
 - ii. Clarify how the legal fees are anticipated to be met?

Question 2

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

- a) If the Government of the Virgin Islands is paying the legal fees for the Honourable Speaker of the House of Assembly Julian Willock for the appeal for the legal case between Honourable Julian Willock Speaker of the House of Assembly vs. Mr. Mark Vanterpool and interested party The Attorney General;

- b) If the answer is yes, what is the estimated cost of legal fees for said legal case?;
- c) The amount billed and paid thus far, for said legal case?;and
- d) If the answer is no, can the Minister
 - i. Please explain the basis under which they were retained?; and
 - ii. Clarify how the legal fees are anticipated to be met?

Question 3

Mister Speaker, could the Honourable Premier please tell this Honourable House whether he has had any discussions with the Honourable Speaker about his decision not to swear in the Mr. Mark Vanterpool elected Member for the Fourth District, especially in light of the recent court decision to granting the duly elected member redress and requiring the Speaker to swear him in. If so, could the Honourable Premier tell this Honourable House what is his position on the matter and whether it was shared with the Honourable Speaker?

Question 4

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

- a) If his Government has waved the tender process for any contracts, projects or purchases since taking office since 28th February 2019 to date?; and
- b) If the answer is yes, please list and provide this Honourable House with the details of each instance that this was done, including each project, purchase or contract, the dollar amount associated, and the reason for doing so, the date this was done, and whether Cabinet agreed to waive the tender process?

Question 5

Mister Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House what was the number balance of all bank accounts and for each “fund” owned or maintained by the Government of the Virgin Islands as of 1st March, 2019?

Question 6

Mister Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House, what was the number balance of all bank accounts and for each “fund” owned or maintained by the Government of the Virgin Islands as of 10th May, 2019?

Question 7

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

- a. The amount of money that was spent on capital projects for each of the following months; November and December, 2018, as well as January and February 2019?
- b. The cumulative amount spent on capital projects for the said months?

Question 8

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

- a) If his Government has engaged in any new or renewed any consultant, consultancy or service provider, formally or in principle to provide services to the Government of the Virgin Islands across all Ministries since taking office?; and
- b) If the answer is yes, please give details of the contracts inclusive of the duration, amounts and purpose, as well provide a copy of all contracts, agreements, inclusive of payment schedule, purchase orders and deliverables for each engagement, contract or agreement.

Question 9

Mister Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House how much funds have been expended to undertake road patching/paving works since his government took office, which areas were patched/paved, and an approximation of the distance that was paved.

Question 10

Mister Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House what additional funding outside of the previously negotiated CDB loan has been secured to fund the recovery projects and what progress the Government has made in accessing the promised UK Guarantee of up to \$400 million dollars.

Question 11

Mister Speaker, could the Premier and Minister of Finance please tell this Honourable House whether he has or has caused to be suspended in writing or otherwise; the membership of any Board members, meetings of Boards, or any other operations of Commissions, Statutory Boards, or any other such entities which falls under his authority.

Question 12

Mister Speaker, could the Premier and Minister of Finance please tell this Honourable House the current status of the following Statutory Boards/Commissions, as well as a listing of its members and the dates of their appointments:

- a. BVI Tourist Board;
- b. BVI Airports Authority;
- c. BVI Ports Authority; and
- d. Telecommunications Regulatory Commission.

Question 13

Mister Speaker, could the Honourable Premier and Minister of Finance please give this Honourable House:

- a) The total costs of travel domestic, regional or international that has been incurred by his Government since taking office to date?; and
- b) A breakdown of total costs expended on travel across, specifying, the purpose of the travel, the costs of each trip (inclusive of transportation, accommodations, and subsistence) and each members of the delegation of each trip.

Question 14

Mister Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House what is the name of the company providing private security to him, the beneficial owner of company, when the services commenced and details of the cost of the services.

- ii) **The Leader of the Opposition and Member for the Eighth District to ask the Honourable Minister for Transportation, Works and Utilities the following questions:**

Question 1

Mister Speaker, could the Minister for Transportation, Works and Utilities please tell this Honourable House:

- a) If the residents of Greenland from Courtney Gordons Apartments leading to the top of the hill to John Blacks residence is currently getting public water?; and
- b) If the answer is no, please advise what are the plans to address this issue and when will the residents of this area get access to the public water supply?

Question 2

Mister Speaker, could the Minister for Transportation, Works and Utilities please advise this Honourable House on the status of the installation of the water infrastructure in the Sabbath Hill area, from Hope Hill Church onwards to give access to the public water system for residents in Sabbath Hill?

Question 3

Mister Speaker, could the Minister for Transportation, Works, and Utilities please tell this Honourable House whether he has or has caused to be suspended in writing or otherwise; the membership of Board members, meetings of Boards, or any other operations of any Boards, Commission or other such authority which falls under his authority.

Question 4

Mister Speaker, could the Minister for Transportation, Works and Utilities please tell this Honourable House the current status of the following Statutory Boards, as well as a listing of its members and the dates of their appointments:

- a) BVI Electricity Corporation
- iii) **The Leader of the Opposition and Member for the Eighth District to ask the Honourable Minister for Health and Social Development the following questions:**

Question 1

Mister Speaker, could the Minister for Health and Social Development please tell this Honourable House:

- a) How many persons have been approved for, or given, grants under the Housing Recovery Assistance Programme for repairs of their homes between 1st March, 2019, to date; and
- b) The total dollar amount of the grants approved or given during that same period.

Question 2

Mister Speaker, could the Minister for Health and Social Development please tell this Honourable House whether he has or has caused to be suspended in writing or otherwise; the membership of Board members, meetings of Boards, or any other operations of any Boards, Commission or other such authority which falls under his authority.

Question 3

Mister Speaker, could the Minister for Health and Social Development please tell this Honourable House the current status of the following Statutory Boards, as well as a listing of its members and the dates of their appointments:

- a) BVI Health Services Authority; and
 - b) BVI Social Security Board
- iv) **The Member for the Third District to ask the Honourable Premier and Minister of Finance the following questions:**

Question 1

Mister Speaker, on Election Day 21st February Government issued a \$800+ thousand contract to an outside consultant to do works related to Roads. Could the Premier and Minister of Finance please tell this Honourable House whether:

- a) There was a competitive bidding process before the contract was awarded?;
- b) If he intends to rescind the contract considering suspicions surrounding its timing?; and
- c) Can he present this Honourable House with a copy of the contract?

Question 2

Mister Speaker, over the course of the past 3 years I have been vociferously complaining and reporting about water issues in the Third District to the Premier, the Minister and everyone who would listen. At the First Sitting of the Fourth and last Session of the last House of Assembly on 13th September, the Premier announced an August Cabinet approval of a \$3.5 million funding to address water issues. Could the Honourable Premier and Minister of Finance please tell this Honourable House:

- a) Exactly which sub-head was that money placed and who has access to it?;and
- b) How much of it has been spent to date, and where and how?

Question 3

Mister Speaker, for several years the Opposition has been stonewalled and at times downright refused answers relating BVI Airways and a related missing \$7.2 million of Government funds. Could the Premier and Minister of Finance please:

- a) Provide this Honourable House with the breakdown of those Funds Disbursements to BVI Airways;
- b) Provide this Honourable House with the breakdown of BVI Airways disposed of said funds; and

- c) An inventory of goods and services acquired by the said \$7.2 million of Government money.

Question 4

Mister Speaker, the former Premier and Minister of Finance told this Honourable House that he had issued instructions to the Attorney General to initiate proceedings with the recovery of the \$7.2 million from BVI Airways. Could the Premier and Minister of Finance please:

- a) Present this Honourable House with a copy of those instructions?; and
b) Inform this Honourable House as to the actions taken by the AG?

Question 5

Mister Speaker, can the Premier and Minister of Finance please present this Honourable House with:

- a) The names of the shareholders of BVI Airways?;
b) The names of the Directors of BVI Airways?;
c) The fees paid to each Director of BVI Airways?; and
d) The name of the person serving on BVI Airways Board as representative of the Government of the Virgin Islands?

Question 6

Mister Speaker, we have been promised on several occasions that the L shaped buildings on the Elmore Stoutt High School Campus would be ready for occupancy by September 2019, however not until a few weeks ago under this Administration work started. Could the Premier and Minister of Finance please tell this Honourable House:

- a) What was the status of the project when he took office?;
b) Was the contract awarded to a contractor before he took office?; and
c) If the answer to b) is yes, who was the contractor?

Question 7

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

- a) the RDA is involved in the construction taking place on the L shaped buildings on the ESHS Campus?;
b) If yes, in what capacity?; and

- c) If no, why not? And how do you get around the fact that it violates the High Level Framework for UK support for the British Virgin Islands Hurricane Recovery, which states that “the Agency will be the sole structure for investments in recovery, irrespective of whether the investment is guaranteed by the UK Government”?

Question 8

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

- a) The Duty-Free facility at Cyril B. Romney Tortola Pier Park is active?;
- b) How exactly does it works?; and
- c) How much revenue was collected by HM Customs from Merchants at the Pier Park for each of the years 2016, 2017, 2018, and to date 2019?

Question 9

Mister Speaker, for years now, ever since it was discovered that the UK Government had removed the Code letters VGB from the BVI Passport, I have been requesting that it be replaced, even through numerous appeals to the Premier, but without success. Could the Premier and Minister of Finance please tell this Honourable House what he intends to do about it?

Question 10

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

- a) The number of Belongerships that were issued from 1st January, 2017 to 10th February 2018;
- b) The number of Belongerships that were issued from 1st January, 2018 to 10th February 2019; and
- i) How many times were they issued within this period, and how many were issued each time.
- v) **The Member for the Third District to ask the Honourable Deputy Premier and Minister for Education, Culture, Youth Affairs, Agriculture and Fisheries the following question:**

Question 1

Mister Speaker, could the Deputy Premier and Minister for Education please tell this Honourable House what are the eligibility requirements for Free-Tuition at HLSCC?

- vi) **The Member for the Third District to ask the Honourable Minister for Transportation, Works and Utilities the following questions:**

Question 1

Mister Speaker, could the Minister for Transportation, Works and Utilities please tell this Honourable House:

- a) How much money was spent on asphalt in the weeks just prior to the 2019 General Elections?
- b) The specific areas and District in which the Asphalt was used and the cost for each project or area?; and
- c) How was the initiative funded?

Question 2

Mister Speaker, could the Minister for Transportation, Works and Utilities please tell this Honourable House whether his Ministry has a comprehensive programme being devised for the redesign of the Territory roads and drains, that is in keeping with the needs to mitigate against the challenges faced by disasters such as Hurricane Irma?

Question 3

Mister Speaker, at the Sixth Sitting of the Fourth Session of the Third House of Assembly, it was confirmed by the then Minister that the people serviced by the Hannah Hill Reservoir were operating under a schedule, usually from 4AM to 10:30AM daily. Could the Minister for Transportation, Works and Utilities please tell this Honourable House if there has been any changes?

Question 4

Mister Speaker, could the Minister for Transportation, Works and Utilities please tell this Honourable House why is it that he has a water Plant at Bar Bay in the East of the island with a production capacity of 500,000 gallons a day which is not used to supply water to Balsam Ghut Reservoir, but instead elects to take water from the Sabbath Hill Reservoir to Balsam Ghut, thus creating a rationing situation in places where the Sabbath Hill Reservoir was intended to serve?

Question 5

Mister Speaker, could the Minister for Transportation, Works and Utilities please tell this Honourable House the whereabouts of the pumps that were previously promised to be installed in the vicinities of Foncy's, and Ellis Thomas Downs almost two years ago in this Honourable House?

Question 6

Mister Speaker, at the Eleventh Sitting of the Second Session of the Third House of Assembly on 13th November, 2017, the Minister for Communications and Works told this Honourable House that his Ministry was committed to ensuring a 24 hour supply of water to all customers of the territory. And with particular regards to the Third District they remained focused on upgrades. Could the Minister for Transportation, Works and Utilities please give the status of the following:

- a) The upgrade to the electrical supply at Diamond, which we were told was in progress at the time?;
- b) The installation of a Pump Station at Long Trench, which we were told was in progress at the time?;
- c) The pumps which we were told was already purchased, and for which a contract was already awarded for the construction of the Pump House?; and
- d) Was the Pump House constructed, and who was the contractor?

Question 7

Mister Speaker, could the Minister for Transportation, Works and Utilities please tell this Honourable House how each of the upgrades indicated in Question 6 above are intended to improve the water situation in the Third District?

Question 8

Mister Speaker, could the Minister for Transportation, Works and Utilities please tell this Honourable House whether:

- a) He now has access to the \$3.5 million that was approved by Cabinet in August of 2018 for the purpose of addressing the water issues?;
- b) How much of the money was used to date?; and
- c) Give a schedule for the actions to be undertaken?

vii) **The Member for the Third District to ask the Honourable Minister for Health and Social Development the following questions:**

Question 1

Mister Speaker, could the Minister for Health and Social Development please tell this Honourable House:

- a) When was the Senior Citizens Programme cut from 3 days a week to 1 day a week?; and
- b) why was it cut?

Question 2

Mister Speaker, could the Minister for Health and Social Development please tell this Honourable House:

- a) What was the budget for the Senior Citizens Programme for each of the years from 2010 to present?; and
- b) What will it cost to run the programme as it was prior to the cut-back, for 5 days instead of 3 days?

Question 3

Mister Speaker, could the Minister for Health and Social Development please tell this Honourable House when is the Senior Citizens Programme in Sea Cows Bay going to move back to the Valeria O. Thomas Community Centre?

- viii) **The Member for the Second District to ask the Honourable Premier and Minister of Finance the following questions:**

Question 1

Mister Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House what is the detailed financial position of the Territory as at 31st December, 2018:

- a) Balance in Consolidated Fund?;
- b) Balance in the Reserve Fund?; and
- c) Total Uncollected Revenue brought forward from 31st December, 2015 to 31st December, 2018 and the amounts that have been collected from the previous year?
 - i. 2015 balance and amount collected from 2014
 - ii. 2016 balance and amount collected from 2015
 - iii. 2017 balance and amount collected from 2016
 - iv. 2018 balance and amount collected from 2017.

Question 2

Mister Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House what happened to the funds that were air-marked in the 2016 Budget from the 15M Social Security Loan to complete the Road from Dog Hole to Foxy's in Great Harbour, JVD?

Question 3

Mister Speaker, could the Honourable Premier and Minister of Finance please inform this Honourable house:

- a) What is the status of the \$7.2 Million invested in BVI Airways/BVAirways?;
- b) Where are the two planes that were purchased using tax payer's money?;
- c) Who currently owns the planes?; and
- d) Who will be held accountable for seemingly unrecoverable \$7.2 Million?

Question 4

Mister Speaker could the Honourable Premier and Minister of Finance please tell this Honourable House:

- a) What are his plans for the Jost Van Dyke Ferry Terminal in Dog Hole?;
- b) If he intends to have it completed before the end of 2019?; and
- c) If yes, by what date?

9) Public Business

1) Government Business

Introduction and First Reading

- (i) The Premier and Minister of Finance to move a motion for the Introduction and First Reading of the Bill entitled, "**Immigration and Passport (Amendment) Act, 2019**";
- (ii) The Premier and Minister of Finance to move a motion for the Introduction and First Reading of the Bill entitled, "**Consumer Protection Act, 2019**";
- (iii) The Premier and Minister of Finance to move a motion for the Introduction and First Reading of the Bill entitled, "**Supplementary Appropriation (2014) Act, 2019**";

- (iv) The Premier and Minister of Finance to move a motion for the Introduction and First Reading of the Bill entitled, “**Supplementary Appropriation (2015) Act, 2019**”;
- (v) The Premier and Minister of Finance to move a motion for the Introduction and First Reading of the Bill entitled, “**Disaster Management Act, 2019**”;
- (vi) The Minister for Health and Social Development to move a motion for the Introduction and First Reading of the Bill entitled, “**Virgin Islands Red Cross Act, 2019**”.

Suspension of Standing Order 52(2) and (3)

- (vii) The Premier and Minister of Finance to move a motion for the Suspension of Standing Order 52(2) and (3) to allow for the Second and Third Readings of the Bill entitled, “**Immigration and Passport (Amendment) Act, 2019**”;

Second and Third Readings

- (viii) The Premier and Minister of Finance to move a motion for the Second and Third Readings of the Bill entitled, “**Immigration and Passport (Amendment) Act, 2019**”.
- (ix) **The Minister for Health and Social Development to move the following motion:**

WHEREAS section 5(1) of the BVI Health Services Authority Act, 2004 (No. 14 of 2004) provides for the establishment of a Board of the BVI Health Services Authority;

WHEREAS section 5(5)(b) of the said Act provides that the Minister of Health and Social Development shall, after consultation with the Leader of the Opposition, recommend to the Cabinet the appointment of one person as Chairman of the Board and that such appointment shall be subject to the approval of the House of Assembly;

AND WHEREAS the Minister of Health and Social Development has, after consultation with the Leader of the Opposition, recommended to the Cabinet the appointment of **Dr Joel Stevens** as the Chairman of the BVI Health Services Authority Board;

NOW THEREFORE, BE IT RESOLVED that the House of Assembly of the Virgin Islands approves the appointment of **Dr Joel Stevens** as the Chairman of the BVI Health Services Authority Board for a period of two (2) years, with effect from the 15th day of May, 2019.

- 2) **Private Members Business**
- 10) **Other Business**
- 11) **Adjournment**