



CABINET OF THE VIRGIN ISLANDS - POST MEETING STATEMENT

CABINET DECISIONS **20th February, 2019**

His Excellency the Governor Augustus J. U. Jaspert chaired the first half of the Meeting held on 20th February, 2019 at the Peebles Hospital, Conference Room P12 and thereafter Acting Governor Mr. David Archer, Jr. chaired the meeting to conclusion.

All Members were present, with the exception of the Minister for Education and Culture, and Attorney General Hon. Baba Aziz, who was overseas on official business. Ms. JoAnn Williams Roberts attended as the acting Attorney General.

Cabinet Meeting – 20th February, 2019

Cabinet:

1. Decided that White Bay Villas be granted a Hotel Aid Licence by the Minister for a period of three (3) years with effect from 1st March, 2019, pursuant to Section 3 of the Hotel Aid Ordinance (Cap. 290).
2. Decided that Fort Recovery Ltd. be granted a renewal of their Hotel Aid Licence by the Minister for a period of two (2) years with effect from 1st March, 2019, pursuant to Section 3 of the Hotel Aid Ordinance (Cap. 290).
3. Reviewed and noted the “Virgin Islands Recovery Report”, which provides a detailed report of the recovery of the Virgin Islands to date, and noted and agreed that the report be published as soon as reasonably practicable.
4. Approved the procurement of seven (7) vehicles for a Vehicle Pool to be utilized by various Ministries and Departments within Central Government and accepted the recommendation of the Central Tenders Board to award Virgin Islands Motors Ltd. the contract to supply Government vehicles in the amount of one hundred and fifty thousand, nine hundred dollars (\$150,900.00).
5. Approved the renewal of appointments of Dr. Drexel Glasgow and Mrs. Nona Vanterpool-Bonelli to the Board of Directors of the National Bank of the Virgin Islands Limited as Non-Executive Directors for one (1) year effective 1st June, 2019 until 31st May, 2020 and for one (1) year effective 1st February, 2019 until 31st January, 2020, respectively.

6. Noted change requests associated with the Electronic Monitoring and Management Application in the amounts of thirty-four thousand, seven hundred and ten dollars (\$34,710.00) and forty-seven thousand, eight hundred dollars (\$47,800.00), respectively; noted and approved the total amount of eighty-two thousand, five hundred and ten dollars (\$82,510.00) that constitutes a variation of forty-four (44) per cent over the original contract sum of one hundred and eighty-five thousand, five hundred and twenty dollars (\$185,520.00), which requires Cabinet's approval in accordance with Regulation 187 of the Public Finance Management Regulations, 2005 in order to allow the International Tax Authority to meet its international obligations in relation to exchange of information, upon request, and decided that for future contracts, the appropriate expertise be consulted for negotiations and review of the terms of contracts/agreements.
7. Agreed that the BVI Financial Account Reporting System be expanded to allow the Government to meet its international obligations for the exchange of information for Country-by-Country Reporting and that the current functionality be upgraded to accommodate for legislative changes made in relation to the Common Reporting Standards requirements and provide greater efficiency; decided that, given the value of the work to be carried out by VIZOR, (approx. one hundred and twelve thousand, and thirty-two dollars (\$112,032.00)) that the tender process be waived to allow VIZOR to be re-engaged to perform the works and services needed as per their agreement; noted that the costs of the support services to be provided by Deloitte Ltd. be capped at thirty thousand dollars (\$30,000.00); decided that Deloitte Ltd. be re-engaged to perform the works and services needed as per their agreement and also decided that for future contracts, the appropriate expertise be consulted for negotiations and review of the terms of contracts/agreements.
8. Accepted the recommendation of the Central Tenders Board to award Federal Signal (USA) the contract for the supply and delivery of nine (9) sirens plus components, subject to agreement of contractual terms and conditions, for a sum not exceeding one hundred and seventy thousand, five hundred and eight dollars and sixty-two cents (\$170,508.62); and decided that the tender process be waived to allow for direct contracting with Federal Signal (USA), in accordance with Government's procurement policy, and in accordance with Caribbean Development Bank's (CDB) Guidelines and exceptions permitted under the Disaster Management Strategy and Operations Guidelines, given the anticipated low value of less than two hundred thousand dollars (\$200,000.00) and the CDB's prior approval and no objection.
9. Decided that the sum of five million, two hundred and fifty-seven thousand, one hundred and twenty-nine dollars (\$5,257,129.00) be advanced to the BVI Airports Authority (BVIAA) for the resurfacing of the runway at the Terrance B. Lettsome International Airport for the commencement of works and completion by 19th April, 2019 and stated that it is the understanding of the Cabinet that

arrangements would be made to re-pay the funds upon settlement of the insurance proceeds received by the BVIAA.

10. Agreed that a Special Fund be established pursuant to section 11 of the Public Financial Management Act, 2004 in respect of the annual budgetary allocation to the Virgin Islands Recovery Trust (the Trust); agreed that the Special Fund forms part of the Development Fund and will be called the "BVI Recovery Fund" and agreed that assets created by the Recovery and Development Agency, on behalf of Central Government, shall be transferred to Central Government and recorded in the Government's asset register.
11. Decided that the Government of the Virgin Islands enter into a lease agreement with Waltsco Ltd. for two years, in the first instance, for the rental of premises on Virgin Gorda to temporarily house some Government offices in the Virgin Gorda Administration Building and that the Ministry of Finance allocate the sum of thirty-seven thousand, eight hundred and twenty-five dollars (\$37,825) for the rental payments.
12. Decided that the Government of the Virgin Islands enter into two separate lease agreements with Bargain Centre Company Limited for office accommodation for the Virgin Islands Shipping Registry and also enter into a lease agreement with Sea Meadow Holdings Property Limited for the ground and fourth floors to be used as office spaces for the temporary accommodation of the Ministry of Health and Social Development for a maximum of two (2) years.
13. Decided that permission be granted to Patricia Romney, representing the Estate of the late Cyril Romney, to install a removable floating jetty on Jost Van Dyke to be used for the safe embarking and disembarking of visitors, especially tenders from the cruise ships, subject to prescribed conditions.
14. Agreed that permission be granted to Ms. Marian Romney and Ms. Patricia Romney to obtain a licence to use the seabed for the installation of fifteen (15) commercial moorings at Great Harbour, Peter Island, subject to prescribed conditions.
15. Decided that the employment contract for the Chief Executive Officer of the Telecommunications Regulatory Commission, Mr. Guy Malone, be extended for a further two (2) years, effective 1st March, 2019 with the same terms and conditions, in terms of compensation and benefits.
16. Recommended Mr. Tony Scatliffe to the Governor for reappointment to the Building Authority as the Chairman for a period of one (1) year with effect from 1st January to 31st December, 2019.

17. Decided that Mrs. Annie Malone-Frett (Representing Government), Mr. Simon Potter and Mr. Michael Vanterpool (Representing employers) be re-appointed to the Social Security Board for one (1) year effective 1st March, 2019; decided that Private Health Practitioner Dr. Dawn Brewley's appointment be revoked and that Dr. Mitchel Penn be appointed to the Board, as the Private Health Practitioner, for one (1) year effective 15th February, 2019.
18. Decided that Mrs. Lynette Sauda Underwood-Smith, Ph.D be appointed as a member and Chairman and that Ms. Solika S. Carey be appointed as a member and Deputy Chairman of the Non-Profit Organisation Registration Board for a period of one (1) year with effect from 11th February, 2019 and decided that Dr. Wayne Hoyte be reappointed for a period of one (1) year with effect from 1st March, 2019.
19. Noted and endorsed that the draft Ministerial Code of Conduct be adopted for the Territory of the Virgin Islands, inclusive of about 13 headings, and agreed that the Attorney General and the Cabinet Secretary, with support from the Deputy Governor's Office, refine the draft with a view to a final version being submitted to the Cabinet of the Virgin Islands in March 2019.
20. Reviewed and accepted the Cabinet Office's Monitoring Report of the Implementation of Cabinet decisions across Ministries covering the period 1st January to 31st December, 2017 and January 1st to 30th June, 2018.
21. Approved the further engagement of Junior Counsel, Mr, Jack Rivett, to continue work in conjunction with and to assist Mr. Michael Furness QC, at a further sum not to exceed one hundred thousand dollars (\$100,000) to draft regulations to the Economic Substance Act, 2018 and assist with ancillary matters and waived the tender process, on an exceptional basis, in relation to the engagement of such counsel in the interests of continuity and on the grounds of national importance and urgency.
22. Accepted the recommendations of the Board of Immigration to grant Certificates of Residence to some persons, in accordance with Section 18(1) of the Immigration and Passport Act (as amended) and the Policy on Residency for Direct Investors, approved by Cabinet on 9th May, 2018, on the basis that they have made substantial direct investment in the Territory and are otherwise suitable candidates.
23. Approved a number of leases, lease variations and a bank charge for Crown land for commercial purposes and a Non-Belonger Land Holding Licence application.

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Guidelines:

1. Cabinet decisions will be published by the Cabinet Office following confirmation of the minutes.
2. Only a summary of the decisions will be published.
3. Cabinet discussions will not be disclosed.
4. Cabinet decisions of a sensitive nature, matters of national security, those where publication breaches regional or international conventions and those relating to personal privacy will not be disclosed.
5. Cabinet decisions will be published in the weekly issues of the Virgin Islands Official Gazette at www.eservices.gov.vg/gazette.
6. Cabinet decisions will be also available on bvi.gov.vg and on Twitter.