

## **THE CABINET OF THE VIRGIN ISLANDS - POST MEETING STATEMENT**

### **CABINET DECISION**

29<sup>th</sup> June, 2022

29<sup>th</sup> March, 2023

5<sup>th</sup> April, 2023

### **Cabinet Meeting – 29<sup>th</sup> June, 2022**

His Excellency, the Governor John J. Rankin, CMG, chaired the Meeting held at the Premier's Office Conference Room on 29<sup>th</sup> June, 2022.

All Members were present, with the exception of the Minister for Natural Resources and Labour and the Attorney General, who were overseas on official travel and on annual leave, respectively.

Cabinet:

1. Considered that the Register of Interests Act, 2006 be repealed and
  - a. decided that amendments reflected in the Bill entitled, Register of Interests Act, 2022 specifically include the following:
    - a. amendment to Section 9(1) of the Register of Interests Act, 2006 to make the register public for inspection, in keeping with the framework for implementation of the recommendations of the Commission of Inquiry Report (Recommendations B2-B5) and other reforms, while a new system is being designed and developed to cover both elected and public officials; and
    - b. amendment to Section 7 of the Register of Interests Act, 2006 to include penalties for Members of the House of Assembly not declaring his/her interests on time; and
  - b. considered and approved that the Bill entitled, Register of Interests Act, 2022 be advanced to the House of Assembly to be introduced for its first reading at the next available Sitting.

2. Noted the report on Assessment of the Self-Governance Sufficiency in Conformity with Internationally-recognised Standards and decided that the report be tabled at the next convenient Sitting of the House of Assembly of the Virgin Islands.
3. Rescinded the decisions made on 31<sup>st</sup> December, 2021 and approved:
  - a. the increase in membership of the Constitutional Review Commission (CRC) from 11 to 16 members;
  - b. the appointment of Mrs. Lisa Penn-Lettsome and Ms. Janice Stoutt as Chairman and Deputy Chairman, respectively to the Constitutional Review Commission with effect from 8<sup>th</sup> July, 2022;
  - c. the appointment of Sir Charles Michael Dennis Byron (Former Chief Justice) as a member/resource team with effect from 8<sup>th</sup> July, 2022;
  - d. the appointment of the following individuals as members of the Constitutional Review Commission with effect from 8<sup>th</sup> July, 2022:
    - i. Ms. Maya Barry
    - ii. Mr. Sendrick Chinnery
    - iii. Ms. Noni Georges
    - iv. Dr. Steve Lennard
    - v. Mr. Coy Levons
    - vi. Mrs. Bernadine Louis
    - vii. Benedicta P. T. Samuels Ph.D. (Law)
    - viii. Mr. Ronnie W. Skelton
    - ix. Mr. Rajah A Smith
    - x. Rev. Dr. Melvin A Turnbull
    - xi. Dr. Charles Wheatley
  - e. the appointments of Mrs. Tanya Cassie-Parker and Ms. Susan Demers, while noting the following:
    - i. that by Recommendation A2 of the Framework for the Implementation of the Commission of Inquiry Report, as endorsed by the Cabinet, the Governor and the Premier must agree to the final membership of the Constitutional Review Commission;
    - ii. that whereas the Governor is supportive of Mrs. Tanya Cassie-Parker and Ms. Susan Demers as

his nominees to the Commission because they, like others, would bring expertise to the Commission, as well as contribute to its diversity and reflection of the population of the Territory of the Virgin Islands as a whole, the Cabinet has received strong objections from a wide cross-section of persons to the Governor's nominations of the said two persons;

- iii. that the Cabinet believes that the expertise and diversity on the Commission can be achieved through the proposed existing membership in (d), as well as with their proposed alternatives;
  - iv. that by Part VIII of the Framework, a delay to implement the recommendations by deadline without legitimate excuse will trigger consultations between the Governor, Premier and relevant actor(s) to assess and address the delay; and
  - v. that the Cabinet is of the view that the procedure described at item (iv) consists of an inherent conflict of interest in that the Governor is able to nominate persons to the Commission, as well as play a role in the negotiation phase with the United Kingdom on the issue.
- f. expressed its strong view that during the deliberations of the business of the Commission, no bias against Virgin Islanders or their culture is to be tolerated by the Chairperson and that the Chairperson shall bring such an occurrence to the attention of the Cabinet for the purpose of Cabinet's reconsideration of the relevant appointment for onward reference to the Governor and Premier; and decided
- g. that the Premier's Office instruct the Attorney General to draft a resolution for the House of Assembly for the purpose of approving the new membership reflected in items b, c, d and e; and
- h. that the Resolution be laid on the table for debate at the next available Sitting of the House of Assembly.

4. Noted:

- a. that on 28<sup>th</sup> June, 2022, the National Security Council met and approved that Recommendation B40 of the Framework for Implementation of the Recommendations of the Commission of Inquiry Report and Other Reforms should be implemented via the MOU with one (1) amendment, which reads as follows:

"agreed to an amendment in section 2.3 (pg. 4) of the MoU as follows: "The authorities will..., or aircraft in accordance with each of their individual enabling legislation" ; and decided that:

- b. Recommendation B40 of the Framework for Implementation of the Recommendations of the Commission of Inquiry Report and Other Reforms:

"Cabinet approves Joint responsibility between the relevant government agencies and the Royal Virgin Islands Police Force for security of all ports, including airports, under command of the Force, until security concerns are effectively addressed and new constitutional and legal arrangements have been considered"

be implemented via the Memorandum of Understanding between Authorities of Inter-Governmental Agencies on Security of the Seaports and Airports; and

- c. amended the wording in Section 10.1 of to read as follows:

"the MoU will be reviewed by the Cabinet every six months (6) and may be modified by the written consent of the authorities";

5. Endorsed the removal of two persons from the membership of the Scholarship Trust Fund Board in line with Section 5(1) of the Scholarship Trust Fund Act (Cap. 118) that provides for no more than seven (7) members to be appointed to the Board and noted that the seven (7) members are as follows:

- i. Deon Vanterpool – Chairman;
- ii. Everett Fraser;
- iii. John Lewis;
- iv. Morsha Frett;
- v. Kay-Ann Maduro-Dunkley;
- vi. Permanent Secretary, Ministry of Education and Culture or designate; and
- vii. Manager, National Bank of the Virgin Islands or designate

6. Decided:

- a. that the following persons comprise the panel to review the scholarship/educational grants programme in the Ministry of Education, Culture, Youth Affairs and Sports as noted in Recommendation B11 of the Framework for Implementation of the Recommendations of the Commission of Inquiry Report and Other Reforms:
  - i. Dr. Sauda Underwood-Smith;
  - ii. Dr. Richard Georges;
  - iii. Ms. Kamika Forbes;
  - iv. Mrs. Kishelle Blaize-Cameron;
  - v. Mr. Maurice Turnbull; and
- b. requested that the Panel submit their review to the Minister no later than 30<sup>th</sup> September, 2022.

**Cabinet Meeting – 29<sup>th</sup> March, 2023**

His Excellency, the Governor John J. Rankin, CMG, chaired the Meeting held at the Premier's Office Conference Room on 29<sup>th</sup> March, 2023.

All Members were present.

1. Noted and received the Report on Statutory Boards entitled "2022 Statutory Boards Review – Final Report"; and decided that the Report be tabled at the next convenient Sitting of the House of Assembly.
2. Noted and received the document entitled "Report on Investigation into Statutory Boards COI Recommendation B29"; and decided that the Report be tabled at the next convenient Sitting of the House of Assembly.
3. Approved the name change from the Roman Catholic Bishop of St. John's Incorporation and Vesting Act (Cap.252) to "Bishop of St. John's-Basseterre" wherever referred to in the Vesting Act; and decided that the Premier's Office instruct the Attorney General's Chambers to amend the Vesting Act.
4. Decided that the Government of the Virgin Islands enter into a new lease agreement with Lesmore Smith for a period of three (3) years, via a single-source procurement method in accordance with sections 8 (3)(c)(ii), 11(3) and 24 (1) and (2) of the Public Procurement Act, 2021, for the annex, first floor, and third floor space of the Vorinica's House of Commerce for the purpose of accommodating the Ministry of Health and Social Development and the Environmental Health Department with a start date of the 26<sup>th</sup> January, 2023. and

- a. that the Deputy Governor's Office instruct the Attorney General's Chambers to vet the lease prepared by the landlord.
5. Decided that the Government of the Virgin Islands enter into a new lease agreement with Pauletta Wheatley, via the single-source procurement method in accordance with Section 8 (3)(c)(ii) and 24 (1) and (2) of the Public Procurement Act (2021) to occupy 3,355 sq. ft. of space in the Luna Tower for a period of four (4) years with a start date of 1st January, 2023; and decided that the Deputy Governor's Office instruct the Attorney General's Chambers to vet the leases prepared by the landlord.
6. Decided that consent be granted to the Attorney General's Chambers ("Chambers") to install a Perimeter Security fence on the seaward side of the TTT Building situated on Parcel 175, Block 2838F, Road Town Registration Section, to improve the security of the building as recommended by the national risk assessment exercise conducted by the Caribbean Financial Action Task Force (CFAFT); and noted that the outstanding balance of eighteen thousand, two hundred and twenty-seven dollars and fifty cents (\$18,227.50) has been allocated in the 2023 budget and will be paid on completion of the work.
7. Noted that Ms. Symorne Penn's appointment as Acting General Manager will conclude on 31<sup>st</sup> March, 2023, as the recruitment process for the post of General Manager is completed; decided that Dr. Neil Smith be appointed in the post of General Manager effective 3<sup>rd</sup> April, 2023 in accordance with Part IV Section 11(2) of the British Virgin Islands Electricity Corporation Ordinance (Cap 277).
8. Noted:
  - a. the expiration of the following members' appointments:
    - i. Ms. Lorna Christopher (Chairman) - 30<sup>th</sup> September, 2022;
    - ii. Mr. Gregory Callwood (Member to represent the Taxi-Cab Operators on the Sister Islands) - 30<sup>th</sup> September, 2021;
    - iii. Mr. Kenrico Wheatley, Sr. (Member to represent the Livery Service Operators in the Territory) - 31<sup>st</sup> May, 2022.
  - b. Decided:
    - i. that Ms. Lorna Christopher be appointed as Chairman of the Taxi and Livery Commission, in accordance with Section 3(1)(h) of the Road Traffic (Taxi and Livery Commission) Regulations, 1997, as amended, from 15th March, 2023 to 14th March 2026;

- ii. that Mr. Gregory Callwood be appointed as a Member of the Taxi and Livery Commission representing Taxi-Cab Operators on the Sister Islands, in accordance with Section 3(1)(i) of the Road Traffic (Taxi and Livery Commission) Regulations, 1997, as amended, from 15th March, 2023 to 14th March, 2026;
    - iii. that Mr. Arnold Smith be re-appointed as a Member of the Taxi and Livery Commission representing Taxi-Cab Operators on Tortola, according to Section 3(1)(i) of the Road Traffic (Taxi and Livery Commission) Regulations, 1997, as amended, from 1st June, 2023 to 31st May, 2026;
  - c. noted that the members of the Board would be paid the following stipends for their services by the Taxi and Livery Commission:
    - i. Chairman - One thousand dollars (\$1,000.00) per month by attendance; and
    - ii. Members - Seven hundred dollars (\$700.00) per month by attendance.
  - d. noted that the ex-officio Members of the Taxi and Livery Commission, according to the Road Traffic (Taxi and Livery Commission) Regulations, 1997 remain unchanged; and
  - e. decided that the Ministry of Communications and Works instruct the Attorney General's Chambers to prepare the Instruments of Appointment; and
- 9. Received the Independent Reviewer's Report on Recommendation B30 of the Commission of Inquiry's report prepared by Mr. David Abednego entitled: Virgin Islands Crown Lands Distribution Policy Review Report and decided that the Independent Reviewer's Report be tabled in the House of Assembly at the next convenient Sitting.
- 10. Decided that permission be granted to Mr. Lesmore Smith, to sub-lease approximately 7,706 sq. ft., as part of Vorinica's House of Commerce, Road Town to the Ministry of Health, Government of the Virgin Islands for a term of lease of three (3) years and a lease commencement on 26<sup>th</sup> January, 2023.
- 11. Approved ten Non-Belonger Land Holding Licences and one lease for commercial use.

## **Cabinet Meeting – 5<sup>th</sup> April, 2023**

His Excellency, the Governor John J. Rankin, CMG, chaired the Meeting held at the Premier's Office Conference Room on 5<sup>th</sup> April, 2023.

All Members were present.

1. Approved increasing the membership of the Virgin Islands Trade Commission Board from seven (7) members to nine (9) members, to include a representative from the financial services industry and a representative from the tourism industry; and agreed:
  - a. that clause 9(3) of the Trade Commission Act be amended to revise the quorum for meetings from five (5) members to six (6) members;
  - b. that 50(2) of the Act be amended to give staff of the Trade Commission six (6) months, after the administrative structure of the Commission is in place, to make their decision to remain with the Commission or transfer back into central government; and decided
  - c. that the Premier's Office instruct the Attorney General's Chambers to draft the amendment, and thereafter re-submit to the Cabinet for approval before forwarding to the House of Assembly.
2. Approved the establishment of District Councils and decided that the Premier's Office, in collaboration with the relevant stakeholders, develop the policy to inform the drafting of legislation to establish District Councils.
3. Decided that the Government of the Virgin Islands enter into a new lease agreement, via single source procurement, with Bargain Centre Ltd. in accordance with sections 8 (3)(c)(ii), 11(3) and 24(1)(2) of the Public Procurement Act, 2021, to occupy the 2<sup>nd</sup> floor of the R.G. Hodge Plaza for a period of two (2) years with a start date of 1<sup>st</sup> December, 2022; and that the Deputy Governor's Office instruct the Attorney General's Chambers to vet the lease prepared by the Landlord.
4. Approved one application to vary existing leasehold charge.
5. Approved the exemption of import duty for Mr. Arringdell Creque, a local registered farmer, for the importation of a Goulds 18GBC20, Booster Pump Series GB, 2H water pump, valued at one thousand, four hundred and six dollars and sixty-eight cents (\$1,406.68), in accordance with sections 54(3), 65(1) and Schedule 5 (13)(1)(2) of the Customs Management and Duties Act 2010; and noted the endorsement of Mr. Creque's status as a registered farmer by the Director of Agriculture and Fisheries.



6. Approved the exemption of import duty for Mr. Berick Lettsome, a local registered farmer, for the importation of two (2) bifold doors and four (4) single bubble foil insulation rolls which are valued at six thousand, seven hundred dollars (\$6,700.), in accordance with sections 54(3), 65(1), Schedule 5 (13)(1)(2) and Schedule 5 (4)(b) - 'Poultry Production' of the Customs Management and Duties Act, 2010; and noted the endorsement of Mr. Lettsome's status as a registered farmer by the Director of Agriculture and Fisheries.

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