

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

### **CABINET DECISIONS**

8<sup>th</sup> December, 2021

#### **Cabinet Meeting – 8<sup>th</sup> December, 2021**

His Excellency, the Governor John J. Rankin, CMG, chaired the Meeting on 8<sup>th</sup> December, 2021, which was held at the Financial Services Commission's Resource Centre.

All Members were present.

The Cabinet:

1. Reviewed and endorsed the 'Managing Staff Through a Disaster or Emergency Policy.
2. Noted the updated report, as of September 2021, of the Virgin Islands Comprehensive Disaster Management Strategic Plan 2019 to 2025.
3. Reviewed and approved the amendment to Schedule 5 of the Merchant Shipping Act 2001 to increase the maximum statutory fees on offences from five thousand dollars (\$5,000.00) to a maximum of ten (\$10,000.00) and:
  - a. introduced a fixed penalty fee to be issued immediately at the time of the offence by the BVI enforcement or regulatory agencies, involved in active regulation of the maritime operations in BVI waters;
  - b. agreed that the Director of Virgin Islands Shipping Registry, Marine Inspectors, Royal Virgin Islands Police Force and Her Majesty's Customs Officers are authorised to issue fixed penalty offences under the Act;
  - c. agreed that section 176 of the Police Act be further amended to authorise HM Customs, Immigration Officers and Officers of the Virgin Islands Shipping Registry to use breathalysers;

- d. decided that the Premier's Office instruct the Attorney General's Chambers to make the amendments above, to be resubmitted to the Cabinet for approval, before forwarding to the House of Assembly; and
  - e. decided that the Premier's Office liaise with the Deputy Governor's Office for action on decision sought item (c) with respect to amendments to the Police Act, which are to be resubmitted to the Cabinet for approval before forwarding to the House of Assembly.
4. Reviewed and approved the proposal for the expansion of scope and extension of time for an additional six (6) months from July to December 2021, to complete the work on the development of the National Sustainable Development Plan (NSDP) that was delayed due to the July COVID-19 spike and the intense capacity and time constraints created by the Commission of Inquiry; and noted
  - a. the expanded scope of works necessary to ensure the effectiveness of the NSDP; and
  - b. that compensation for the consultant contracted by the Economic Commission for Latin America and the Caribbean to assist the Virgin Islands will receive a monthly stipend of seven thousand, five hundred dollars (\$7,500.00) for a period of six months from July to December 2021.
5. Noted that Banco Popular de Puerto Rico is the primary bank for the central Government of the Virgin Islands and decided that:
  - a. the tender process for the procurement of a joint Banking Service and Payment Gateway Processor Service for Government of the Virgin Islands' revenue collection be waived for a period of three (3) years;
  - b. negotiations for the joint Banking Service and Payment Gateway Processor Service commence with Banco Popular and Evertec, Inc, respectively, due to the existing relationship with both vendors and for business continuity;
  - c. the negotiated rates charged by Banco Popular for Banking Service and Evertec, Inc for Payment Gateway Processor Service be submitted to Cabinet for approval; and
  - d. the Ministry of Finance instruct the Attorney General's Chambers to draft the agreements referenced in decisions sought (b) and (c) upon the completion of the negotiations.

6. Considered and approved the Bill entitled, Beneficial Ownership Secure Search System (BOSS) (Amendment) (No.2) Act, 2021, which seeks to amend the BOSS System Act, 2017 (No. 13 of 2017); and
  - a. decided that the tender process be waived, subject to the passing of the amendment to the Act by the House of Assembly, to allow for the Change Order by BDO Ltd. the holder of the proprietary rights over the BOSS System to make the requested changes, in accordance with the amendment Act, thus, prohibiting another provider from so doing;
  - b. approved the Change Order in the sum of one hundred and twenty thousand, four hundred and fifty dollars (\$120,450.00) to BDO Ltd; and
  - c. decided that the Ministry of Finance instruct the Attorney General's Chambers to vet the Bill and that it be introduced for its first reading in the House of Assembly at the next convenient Sitting.
7. Approved:
  - a. the waiver of the tender process for the procurement of the 1.0 Oracle Database Appliance X8-2-HA, TAA on the basis of:
    - i. the Government of the Virgin Islands' pre-existing relationship with Premier Group in developing the present payment portal and familiarity with existing systems;
    - ii. cost savings of approximately eighty-seven thousand dollars (\$87,000) to be realised from purchasing this model as opposed to two separate ODAX8-2M systems; and
    - iii. flexibility in payment (20% in 2021; 80% in 2022); and
  - b. payment to Premier Group in the amount three hundred and four thousand four hundred and thirty-two dollars (\$304,432.00) as outlined in the proposed payment structure from Head 2000 subhead 112810 subledger 23354135; noted the product purchase agreement between the Government of the Virgin Islands and Premier Group; and decided that the Ministry of Finance instruct the Attorney General's Chambers to vet the product purchase agreement referenced in decision sought (b); and:
    - i. decided that the tender process for the implementation of a Payment Gateway to provide access to all government services for revenue collection be waived;
    - ii. approved a contract with the Premier Group, for the purposes of configuration and implementation of the Payment Gateway, for the sum of five hundred and one thousand five hundred and forty-four dollars (\$501,544); and

- iii. decided that the contract for the Premier Group be prepared by the Attorney General's Chambers, in consultation with the Director, Department of Information Technology and the Treasury Department.
8. Considered and approved the BVI Business Companies (Amendment of Schedule 1) (No. 2) Order, 2021; decided that the Ministry of Finance instruct the Attorney General's Chambers to vet the Order; and decided that the Order be published in the Virgin Islands Official Gazette and thereafter forwarded to the House of Assembly to be laid on the table at the next convenient Sitting.
9. Reviewed and accepted the recommendations of the Board of Immigration to grant Certificates of Belonger Status to twelve (12) persons who, in accordance with section 16(6) of the Immigration and Passport Act (revised) are the spouses of belongers, and who have been living together with their spouses within the Territory for a period not less than five (5) years; accepted the Board's recommendations to grant Certificates of Belonger Status to thirty (30) applicants, who, in the opinion of the Board, have met the legal requirements of Section 16(3) of the Immigration and Passport Act (revised); and directed that the Immigration Department communicates Cabinet's decision to the respective applicants in a timely manner.
10. Noted the recommendations and resolutions for the permanent appointment of Mrs. Jeanette Scatliffe-Boynes as Director of the BVI Social Security Board and Ms. Lorie Freeman as Deputy Director of the BVI Social Security Board under Section 7(1)(1A) of the Social Security Act; and
  - a. decided to appoint Mrs. Scatliffe-Boynes as Director of the BVI Social Security Board and Ms. Freeman as Deputy Director of the BVI Social Security Board in accordance with Section 7(1) of the Social Security Act effective 1st January, 2022, respectively;
  - b. noted that in accordance with Section 7(1)(1A)(b) and Section 9(1)(1A)(b) that the appointments of the both the Director and Deputy Director shall be subject to a negative resolution of the House of Assembly.

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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](http://www.eservices.gov.vg/gazette).
6. Cabinet decisions will be also available on [bvi.gov.vg](http://bvi.gov.vg) and on Twitter.

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