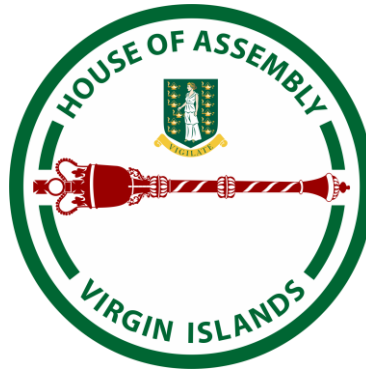


**EIGHTH SITTING OF THE SECOND SESSION  
OF THE THIRD HOUSE OF ASSEMBLY  
OF THE VIRGIN ISLANDS**



**TO BE HELD ON  
TUESDAY, 13<sup>TH</sup> JUNE, 2017  
AT THE HOUSE OF ASSEMBLY  
ROAD TOWN, TORTOLA  
AT 10:00 A.M.**

**ORDER OF THE DAY**

# **ORDER OF THE DAY**

- 1) **Prayers**
- 2) **Announcements by the Speaker**
- 3) **Statements by Ministers**
- 4) **Presentation of Papers**
  - a) **The Premier and Minister of Finance to lay on the table the following documents:**
    - i) British Virgin Islands Tourist Board – Annual Report 2015;
    - ii) Statutory Instrument 2017 No. 20 – Stamps (Undersea Life Definitive) Order, 2017;
    - iii) Statutory Instrument 2017 No. 21 – Stamps (Underwater Life Part 1) (No. 2) Order, 2017; and
    - iv) Statutory Instrument 2017 No. 22 – Stamps (Underwater Life Part 2) (No. 3) Order, 2017.
- 5) **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 7(1) (i) and (ii) on the Order of the Day.
  - b) The Leader of the Opposition and Member for the First District to give notice that, at a later stage in the proceedings, he would seek leave to ask Questions standing in his name under Items 6(i) through (iii) on the Order of the Day.
  - c) 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 Items 6 (iv) through (vi) on the Order of the Day.

**6) Questions and Answers to Questions**

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

**Question 1**

Madam Speaker, would the Premier and Minister of Finance please inform this Honourable House, to date, notwithstanding that provided at the Seventh Sitting of the Second Session of the Third House of Assembly, of the total amount expended from the \$25,000,000 loan facility from First Caribbean International Bank that was approved by the House of Assembly and please state the current balance to be drawn down?

**Question 2**

Madam Speaker, would the Premier and Minister of Finance please inform this Honourable House when the outstanding audited Financial Statements for the years 2012, 2013, 2014, 2015 and 2016 would be completed and made public?

- i) If they are not completed please state when would they be completed?

**Question 3**

Madam Speaker, would the Premier and Minister of Finance please give this Honourable House a full update on the ongoing discussions with Delta Petroleum and the Government of the Virgin Islands in reference to the Privy Council's ruling on the case that the Government of the Virgin Islands lost to Delta Petroleum?

**Question 4**

Madam Speaker, would the Premier and Minister of Finance please inform this Honourable House why were the funds disbursed to BVI Airways/BV Airways by the Government of the Virgin Islands earlier than the dates set forth in the schedule of the signed agreement between both parties?

- i) State if the Government of the Virgin Islands has received from BVI Airways/BV Airways an account of how the money received by the airline from Government was spent?
- ii) If not, has government requested such information and has it been received?
- iii) If not, will government be requesting such information?

### **Question 5**

Madam Speaker, in a statement made by the Premier and Minister of Finance a few weeks ago, it was stated that the planes are owned by an outfit known as Raptor and leased to BVI Airways, could the Premier and Minister of Finance please inform this Honourable House who is Raptor and if government's money was used to purchase the planes why do they appear to belong to another company which is not part of the agreement?

- i) If the planes are owned by Raptor and were purchased with government money in the name of BVI Airways, why is the airline now paying to lease planes that were already paid for?
- ii) If the planes were purchased with government money in the name of BVI Airways and then transferred to Raptor, how much money did Raptor pay BVI Airways?
- iii) Did BVI Airways sell the planes to Raptor at a profit or a loss and has that money been accounted for?
- iv) Is the lease between Raptor and BVI Airways commercially reasonable based upon aircraft value and industry standards?
- v) How long is the lease term and what penalties will the Government of the Virgin Islands incur if the lease is not paid?
- vi) Who are the beneficial owners of Raptor?

### **Question 6**

Madam Speaker, the agreement between BVI Airways/BV Airways and the Government of the Virgin Islands calls for repayment to the Government of Virgin Islands the \$7,000,000.00 by BVI Airways/BV Airways; if lease payments are being made to Raptor for the aircraft(s) that were paid for using government money and the government is not a beneficial owner of Raptor, how does the Government of the Virgin Islands get repaid?

### **Question 7**

Madam Speaker, would the Premier and Minister of Finance please inform this Honourable House if BVI Airways is in full compliance with the contract signed between BVI Airways/BV Airways and the Government of the Virgin Islands?

- i) If not, what specific areas are they not in compliance with and what actions are being taken by the Government of the Virgin Islands to ensure compliance?

### **Question 8**

Madam Speaker, would the Premier and Minister of Finance please inform this Honourable House if BVI Airways/BV Airways has advised the Government of the Virgin Islands of a start-up date for service to and from Miami now that it has been reported that the airline has completed certification in America?

- i) Inform where the public can go to book flights and purchase tickets on BVI Airways/BV Airways to and from Miami to the Virgin Islands?
  - ii) If the above is not accessible now, please state when the service will be accessible to the public?
  - iii) Are there provisions in the agreement and addendum agreement for termination by the Government of the Virgin Islands of BVI Airways/BV Airways for non-performance by BVI Airways/BV Airways?
- ii) **The Leader of the Opposition and Member for the First District to ask the Minister for Communications and Works the following questions:**

### **Question 1**

Madam Speaker could the Minister for Communications and Works please inform this Honourable House what was the budgeted cost for the St. Thomas Bay Jetty Dock rehabilitation works in Virgin Gorda?

### **Question 2**

Madam Speaker could the Minister for Communications and Works please inform this Honourable House of the total cost of works done on the St. Thomas Bay Jetty Dock rehabilitation works in Virgin Gorda including all soft and hard costs? and;

- i) State if the tender process was fully adhered to for this project? If not, why not?
- ii) Explain if the project was done in full adherence with the tenets of the Protocols for Effective Financial Management?
- iii) State if there were any variations and if yes please state the total amount(s) and who were they made payable to?

- iv) List each contract, work order, purchase order, and all other awarding of works other than in the form of contracts for this project, with the amounts and person(s) and/or Company(s) awarded and the dates awarded with description of each works affixed.
- v) Inform in detail the other works, remedial and otherwise, planned for the St. Thomas Jetty Dock and by when?

### **Question 3**

Madam Speaker, could the Minister for Communications and Works please inform this Honourable House whether or not he received engineering reports regarding the structural integrity of the Jetty given the reported degradation of the steel works at the under-side of the dock?

### **Question 4**

Madam Speaker, from the inception of the Cruise Pier Project to date, would the Minister for Communications and Works please state for this Honourable House the name(s) of each law firm(s), legal person(s), legal consultants and/or legal companies hired on the Cruise Pier Development project?

- i) State the amount paid to each of them along with the description of works?
- ii) State each subcontractor(s) that was approved to work along with each legal firm(s)/person(s) on the project?
- iii) Provide a copy of each contract or terms of engagement?
- iv) State if any variation was paid to any of the legal entities, and if yes, state the legal person and/or firm and the amount paid in variation to each?
- v) List all outstanding monies owed to any legal firm/person on the project and the description of what the outstanding funds are to be paid for?
- vi) Inform if the tendering process was used to hire each legal entity? and, if not, why not?
- vii) In the cases where the tender process was not used, inform the procedure used to hire each of the legal entities used on the project?

### **Question 5**

Madam Speaker, during the Seventh Sitting of the Second Session of the Third House of Assembly the Minister for Communications and Works informed this Honourable House that the total cost of the Cruise Pier Project was \$82,815,759.73 with the total of the Marine phase being \$37,532,165.27 and the total of the Land phase being \$37,709,550.58.

Seeing that the combined total of the land and marine phase does not total \$82,815,759.73, could the Minister please inform the Honourable House of the names of each vendor/contractor paid from the \$7,574,043.88 which is the total from the difference of the combined total of the marine and land phase from the total of the cost of the project?

### **Question 6**

Madam Speaker, given the answer in question 4, would the Minister for Communications and Works please inform this Honourable House if the tender process was used to select each vendor/contractor?

- i) In the cases where the tender process was not used please state the process used and the authorizing body?
  - ii) For each vendor/contractor please state each subcontractor for each entity that was approved to work along with them on the project?
  - iii) For each vendor/contractor stated in question 4, please state the amount paid to each and the description of works?
  - iv) Furnish a copy of each contract and/or terms of engagement?
  - v) State which vendor/contractor variations payments were made to, the amounts and the description of the work that required the variation payment?
  - vi) State if the tenets of the Protocols for Effective Financial Management were fully adhered to in this phase of the project?
- iii) The Leader of the Opposition and Member of the First District to ask the Honourable Minister for Education and Culture the following questions:**

### **Question 1**

Madam Speaker, would the Honourable Minister for Education and Culture please inform this Honourable House when were the drawings for the wall upgrade project, from 2014 to present, around portions of the perimeter of the Elmore Stoutt High School were submitted by his Ministry to the Land Development Control Authority for approval?

- i) If not, why not?
- ii) Inform what date(s) were the drawing(s) approved by the Land Development Control Authority?
- iii) Inform when will the works to complete the project be started? And, if the tendering process will be used in the works to be completed and if the tenets of the Protocols for Effective Financial Management will be fully adhered to in the carrying out of the works?
- iv) Inform of the up-to-date costs to complete the fencing project including all soft and hard costs; and, the source of funding including each budgetary Head and Subhead that the project will be charged to?
- v) For each budgetary Head and Subhead to be used, state the current balance of each?

### **Question 2**

Madam Speaker, could the Minister for Education and Culture please confirm what capital works will be carried out by his Ministry this summer and the balance of 2017 at the H. L. Stoutt Community College?

- i) State each budgetary Head and Subhead for which the works will be charged and if the tenets of the Protocols for Effective Financial Management will be fully adhered to in the carrying out of the works?
- ii) For each budgetary Head and Subhead to be used, state the current balance of each?
- iii) Provide a detailed listing of the works to be done with the costing for each work listed affixed?

### **Question 3**

Madam Speaker, could the Minister for Education and Culture please confirm what capital works will be carried out by his Ministry this summer and the balance of 2017 in each public secondary school?

- i) State each budgetary Head and Subhead for which the works will be charged and if the tenets of the Protocols for Effective Financial Management will be fully adhered to in the carrying out of the works?
- ii) For each budgetary Head and Subhead to be used, state the current balance of each?



- iii) Provide a detailed listing of the works to be done by schools with the costing for each work listed affixed?

#### **Question 4**

Madam Speaker, could the Minister for Education and Culture please confirm what capital works will be carried out by his Ministry this summer and the balance of 2017 in each public primary school?

- i) State each budgetary Head and Subhead for which the works will be charged and if the tenets of the Protocols for Effective Financial Management will be fully adhered to in the carrying out of the works?
- ii) For each budgetary Head and Subhead to be used, state the current balance of each?
- iii) Provide a detailed listing of the works to be done by schools with the costing for each work listed affixed?

#### **Question 5**

Madam Speaker, would the Minister for Education and Culture please inform this Honourable House, to date, of the total amount paid for transportation of the 12<sup>th</sup> Grade students of Elmore Stoutt High School from the Elmore Stoutt High School campus to H.L. Stoutt Community College campus and vice versa for the 2016-2017 school year?

- i) List the total amount in outstanding invoices, to date, to be paid?
- ii) For the remaining balance of the school year list the amounts to be paid excluding all of the above?
- iv) State each budgetary Head and Subhead used to pay the transportation cost and state the current balance of each Head and Subhead?
- v) List the projected transportation cost for the Elmore Stoutt High School students for the 2017-2018 school year?

#### **Question 6**

Madam Speaker, in addition to the teachers' monthly salaries, would the Minister for Education and Culture please inform this Honourable House, if any extra compensation was paid to the teachers of the Elmore Stoutt High School who had to commute between the Elmore Stoutt High School campus and H.L. Stoutt Community College campus in order to teach the 12<sup>th</sup> Grade Students during the 2016-2017 school year to assist in their unforeseen added expense in gas costs for their cars, among other associated costs incurred?

- i) If yes, list the total amount to date, paid to teachers?
  - ii) For the remaining balance of the school year list the amounts to be paid excluding all of the above?
  - iii) State each budgetary Head and Subhead used to pay the transportation cost (among other associated costs) and state the current balance of each Head and Subhead?
  - iv) State the policy used to guide the awarding of the teachers' remuneration package for the above listed transportation expenses and the number of teachers that qualified for the package?
  - v) List the projected transportation cost for the teachers of Elmore Stoutt High School for the 2017-2018 school year?
- iv) **The Member for the Third District to ask the Premier and Minister of Finance the following questions:**

**Question 1**

Madam Speaker, since both the Premier and the Comptroller of Customs has confirmed that the Duty-Free Facility enacted by this Honourable House to facilitate Merchants at the Tortola Pier Park is being utilized, could the Honourable Premier and Minister of Finance please state the total value of goods imported by these Merchants that were exempted under this law between January 1<sup>st</sup> 2016 and December 31<sup>st</sup> 2016?

**Question 2**

Madam Speaker, with regards to Question number 1, could the Honourable Premier and Minister of Finance please tell this Honourable House what was the total amount of Customs Duty exempted?

**Question 3**

Madam Speaker, with regards to Question number 1, could the Honourable Premier and Minister of Finance please tell this Honourable House the total value of goods sold by these Merchants for local consumption to non-Cruise ship passengers?

**Question 4**

Madam Speaker, with regards to Question number 1, could the Honourable Premier and Minister of Finance please tell this Honourable House:

- a) the total amount of customs duty collected due to the sale of duty free merchandise as per Question 1 for local consumption to non-Cruise ship passengers? And
- b) How much of the customs duty collected for the period January 1 to December 31<sup>st</sup> 2016 was paid into the Treasury, and when?

### **Question 5**

Madam Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House when he intends to bring the Accountant General's Annual Reports of Accounts for the years 2010 and 2011?

### **Question 6**

Madam Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House what was the number of companies registered in the territory at the end of the first quarter 2017, and what was the figure at the same time 2016?

### **Question 7**

Madam Speaker, could the Honourable Premier and Minister of Finance please tell this Honourable House what were the revenues realized by the Financial Services Commission by the end of the first quarter 2017, and what was the figure at the same time 2016?

- v) **The Member for the Third District to ask the 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) If he has a program in place to deal with the nuisance of cattle roaming the streets and worst, destroying people's property? and
- b) Explain in detail how the program works, from the moment a call for help is made until the animal is reunited with its owner, or slaughtered?

### **Question 2**

Madam Speaker, with regards to the Terrence B Lettsome International Airport Runway Extension, could the Deputy Premier and Minister for Natural Resources and Labour please tell this Honourable House:

- a) When were the consultant or consultants first commissioned to conduct the study on an extension?
- b) Who were the consultants?
- c) What were the recommendations of the consultants, and what dates were they given?
- d) How much money was paid to the consultant to date?

### **Question 3**

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

- a) How long has it been since the British Virgin Islands Airport Authority undertook to explore the possibility of extending the Runway at the Terrence B Lettsome International Airport?
- b) Whether that process was continuous, or interrupted across Administrations?

### **Question 4**

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

- a) When did his Government establish a staffed office charged with the responsibility of further executing the recommended concept for extending the Runway at the Terrence B Lettsome International Airport?
- b) Is that office still in existence, if yes what are they currently doing, and if no, when was it closed and why? And
- c) How much has that office cost the Government to date?

### **Question 5**

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

- a) What are the latest proposals received in response to RFP's for extending the Runway at the Terrence B Lettsome International Airport?
- b) Whether his Government has to date selected any of the Proposals received?

### **Question 6**

Madam Speaker, could the Deputy Premier and Minister for Natural Resources and Labour please tell this Honourable House, what is it that Government hopes to achieve through extending the Runway at the Terrence B Lettsome International Airport?

### **Question 7**

Madam Speaker, could the Deputy Premier and Minister for Natural Resources and Labour please tell this Honourable House, what is the status of the Runway at the Terrence B Lettsome International Airport Project?

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

### **Question 1**

Madam Speaker, with regards to telecommunications, could the Minister for Communications and Works please tell this Honourable House when legislation will be brought to effect Local Number Portability in the Territory?

### **Question 2**

Madam Speaker, could the Minister for Communications and Works please tell this Honourable House when he intends to install the speed bumps in Slaney adjacent to the Seventh Day Adventist Church which were requested.

## 7) **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, “**Financial Secretary (Transfer of Powers) Act, 2017**”

#### **Second and Third Readings**

(ii) The Premier and Minister of Finance to move a motion for the Second and Third Readings of the Bill entitled, “**Customs Management and Duties (Amendment) Act, 2017**”

- 2) **Private Members Business**
- 8) **Other Business**
- 9) **Adjournment**