

CABINET OF THE VIRGIN ISLANDS - POST MEETING STATEMENT

CABINET DECISIONS

31st March, 7th and 14th April, 2021

Cabinet Meeting – 31st March, 2021

His Excellency, the Governor Mr. John J. Rankin, CMG, chaired the Meeting held on 31st March at the Financial Services Commission's Conference Room.

All Members were present.

The Cabinet:

1. Noted that the contract with WorldReach Software Corporation to establish the passport processing system and the secure network infrastructure and passport application processing services using the PassportReach™ was extended for an additional four (4) years, commencing 1st April, 2021 followed by six (6) optional one-year periods and noted the increase in passport application processing fee from twenty-seven dollars (\$27) to twenty-eight dollars (\$28) per passport.
2. Decided that Mr. Malvern Brathwaite, Assistant Secretary in the Premier's Office, be appointed as the Secretary to the Appeals Tribunal with effect from 1st March, 2021 for a period of two (2) years, in accordance with Schedule 4 paragraph 2 (1) of the Physical Planning Act, 2004.
3. Decided that Guavaberry Spring Bay Ltd. be granted an extension to their Hotel Aid Licence by the Minister for a period of three (3) years with effect from 1st April, 2021 pursuant to Section 3 of the Hotel Aid Ordinance (Cap.290).
4. Reviewed and approved the Bill entitled, Merchant Shipping (Amendment) Act, 2021 and decided that the Bill be introduced for its first reading in the House of Assembly at the next convenient Sitting.
5. Noted and agreed the report of the Ministerial Code of Conduct Working Group Committee and its recommendations; agreed that the Ministerial Code be approved solely on the findings as recommended by the Committee and decided that the Ministerial Code be tabled in the House of Assembly at the next convenient Sitting.

6. Decided that the BVI Ports Authority Regulations, 1995; Regulation 103 be amended to delete Part (a) and that the Premier's Office instruct the Attorney General's Chambers to amend the said Regulations.
7. Reviewed and accepted the British Virgin Islands Electricity Corporation 2016 Annual Report and decided that the Report be tabled in the House of Assembly at the next convenient Sitting.
8. Noted the information, conclusions and recommendations presented in relation to developing a clear road map that outlines the steps to be taken by the people of the Virgin Islands on their journey towards determining their final Political Status.
9. Noted the update provided by the BVI Ports Authority regarding the operations at the Road Town Jetty and Cyril B. Romney Tortola Pier Park in preparation for the reopening of the Seaports on 15th April, 2021.
10. Noted the update from the BVI Airports Authority on the runway at the Terrance B. Lettsome International Airport.
11. Noted the update on the BVI Gateway penetration test as provided by the BVI Airports Authority.
12. Considered and approved the BVI Business Companies (Amendment of Schedule 1) Order, 2021 ("the Order") and decided that the amended Order be published in the Official Gazette of the Virgin Islands and thereafter laid on the table in the House of Assembly at the next convenient Sitting.
13. Considered and approved the Financial Services (Limited Partnership Fees) (Amendment) Regulations, 2021 ("the Regulations"); decided that the amended Regulations be published in the Official Gazette of the Virgin Islands and thereafter laid on the table in the House of Assembly at the next convenient Sitting.
14. Decided that, subject to the approval of the Foreign and Commonwealth Development Office, six (6) coins, 2021 Ship Series be minted by Pobjoy Mint Ltd., in accordance with the five (5) year agreement between Pobjoy Mint Ltd. and the Government of the Virgin Islands.
15. Ratified the extension of existing appointments of the following persons as members of the Insurance Complaints Tribunal (known as the Financial Services Complaints Tribunal effective 28th March, 2020) for the following periods:
 - a. Mr. Jack Husbands – Chairman (19th February, 2019 to 31st March, 2021);

- b. Members: Eleanor Smith; Violet Gaul; Icis Malone and Everette O'Neal (20th December, 2018 to 31st March, 2021; and
 - c. approved the renewal and new appointments from 1st April, 2021 to 31st March, 2023: Jack Husbands (Chairman) and Eleanor Smith; Violet Gaul; Icis Malone and Thelma Penn (Members).
16. Approved the proposed Supplement No. III to the Cooperation Agreement for Emergency Response between the Ministry of Public Health of the Republic of Cuba and the Government of the Virgin Islands for the augmentation of the Medical Brigade with specialist doctors and nurses to further enhance the Territory's overall response to the COVID-19 Pandemic; approved the proposed budget and decided that the tender process be waived and decided that funding in the amount of the two million, nine hundred seventy-eight thousand, seven hundred dollars (\$2,978,700) for the support period be approved via a Schedule of Additional Provision by the House of Assembly at the next convenient Sitting.
17. Received and considered the 2019 Annual Report of the International Tax Authority and decided that the Report be laid on the table in the House of Assembly at the next convenient Sitting.
18. Decided that Benedicta Samuels be appointed as Vice Chair to the membership of the Board of Directors of the National Bank of the Virgin Islands Limited for a period of three (3) years with effect from 1st April, 2021 to 31st March, 2024 pursuant to the Articles of Association of the National Bank of the Virgin Islands Limited (NBVI), and subject to the approval of the Financial Services Commission – the banking regulator.
19. Reviewed and approved the Bill entitled "Cruising and Home Permit Act, 2021, which seeks to repeal and replace the Cruising Permit Act (Cap 203) to allow small cruise ships to begin and end their cruise itineraries in the BVI and decided that the Bill be introduced for its first reading in the House of Assembly at its next convenient Sitting.
20. Ratified the waiver of the tender process for contractual arrangement between the Government of the Virgin Islands and Axiom International to allow for the delivery of the RVIPF ARV training in the amount of ninety-eight thousand, five hundred and ninety-eight pounds (£98,598) which equated to approximately one hundred and twenty-five thousand dollars (\$125,000) and:
- a. noted the Foreign Commonwealth and Development Office's commitment to co-fund the initiative; and

- b. approved payment to Axiom International in the sum of forty-six thousand nine hundred and forty-six pounds and twenty-seven cents (£46,946.27) and not exceeding seventy-one thousand dollars (\$71,000).

21. Approved an application for a transfer of Leasehold Charge.

Cabinet Meeting – 7th April, 2021

His Excellency, the Governor Mr. John J. Rankin, CMG, chaired the Meeting held on 7th April, 2021 at the Financial Services Commission's Conference Room.

All Members were present.

The Cabinet:

1. Approved the Bill entitled, "Child Maintenance and Access Act, 2021" to include filing/service fees" and decided that the Bill be introduced for its first reading in the House of Assembly at the next convenient Sitting.
2. Reviewed and noted the Bill entitled, "Virgin Islands Shipping and Maritime Authority Act, 2021 which seeks to transition the Virgin Islands Shipping Registry from a Government Department to a statutory agency and decided that the Premier's Office instruct the Attorney General's Chambers to vet and finalise the Bill.
3. Reviewed and accepted the British Virgin Islands Electricity Corporation 2017 Annual Report and decided that the Report be tabled in the House of Assembly at the next convenient Sitting.
4. Noted the information on the new policy being developed for selecting persons for Government owned Statutory Boards and Committees; that the Premier's Office will keep Cabinet updated on this intended policy initiative, and that the Premier's Office will pilot this initiative for any upcoming Statutory Board under its portfolio.
5. Reviewed and accepted the Virgin Islands Recovery and Disaster Agency Annual Report ("the Report") and Audited Financial Statements for the year ending 2019 and decided that both documents be tabled in the House of Assembly at the next convenient Sitting.

6. Decided that, subject to the approval of the Foreign and Commonwealth Development Office, one (1) coin, 25th Anniversary of the death of Diana, Princess of Wales be minted by Pobjoy Mint Ltd, in accordance with the five (5) year agreement between Pobjoy Mint Ltd. and the Government of the Virgin Islands.
7. Decided to waive the tender process and ratify new major contract for Top Priority Security Services for an additional period of six (6) months of security services to the Elmore Stoutt High School or until the completion of the tender process, whichever comes first, in the amount of three hundred and twenty-seven thousand, three hundred and sixty dollars (\$327,360) and ratify after the occurrence of the expenditure.
8. Approved the variation in the amount of eight hundred fifty-three thousand, five hundred seventy-six dollars and eight cents (\$853,576.08), for Design BVI Limited for additional resiliency measures for the installation of impact-resistant glass windows, doors, and frames at the Ralph T. O'Neal Administration Complex.
9. Approved the duty exemption of six thousand, six hundred and forty dollars and eighty-eight cents (\$6,640.88) on poultry equipment for a local registered farmer in accordance with Section 54(3) of the Customs Management and Duties Act, 2010, as amended and enumerated in Schedule 5 Paragraph 13(4) (b) Poultry Production;
10. Noted the 2020 Commemorative Coin Royalty Report and that a total of four thousand, six hundred and ninety-eight dollars and thirteen cents (\$4,698.13) has been received as coin royalties from Pobjoy Mint Ltd.
11. Agreed that the Accreditation Commission on Colleges of Medicine (ACCM) be added as a recognised accreditation body in Schedule 3 of the Higher Education Licencing Act, 2016.
12. Decided that the current social distancing requirement of six feet be reduced to three feet to facilitate an increase in the number of students being able to access onsite instruction in schools throughout the Territory; decided that permission be granted to the Ministry of Education, with the approval of the Ministry for Health and Social Development, to vary the three-foot distancing requirement, as needed, to accommodate all homeroom groups in the larger primary and secondary schools to facilitate daily onsite classes as determined by the principals.
13. Decided that Ms. Lorie Freeman act as Deputy Director of the BVI Social Security Board from 31st December, 2020, up to 30th June, 2021 in the first instance, and that a Resolution be tabled at the next convenient Sitting of the House of Assembly.

14. Cabinet reviewed and endorsed the report on COVID-19 Vaccine Coverage for the Overseas Territories for further submission to Public Health England.
15. Approved applications for two Non-Belongers land holding licences, a transfer Leasehold Charge and a first Leasehold Charge to assist with the restoration and expansion of a commercial building.

Cabinet Meeting – 14th April, 2021

His Excellency, the Governor Mr. John J. Rankin, CMG, chaired the Meeting held on 14th April, 2021 at the Financial Services Commission's Conference Room.

All Members were present.

The Cabinet:

1. Considered and approved the new visa handling and e-Visa handling processes and:
 - a. agreed that an Integrated Border Management System be implemented to facilitate closer relations among the Civil Registry and Passport Office, Royal Virgin Islands Police Force and the Department of Immigration;
 - b. decided that Statutory Instrument No. 36 of 2009 be amended to add the Philippines to the countries listed in the Instrument;
 - c. considered the drafting of new legislation for the Territory and decided that the Deputy Governor's Office instruct the Attorney General's Chambers to draft new visa legislation separate and apart from the Immigration and Passport Act (Cap. 130);
 - d. agreed that the Civil Registry and Passport Office, Immigration Department, the Royal Virgin Islands Police Force, Labour Department, Department of Information and Public Relations and the Department of Information Technology collaborate to develop an Implementation Plan for the introduction of e-Visas and the Integrated Border Management System;
 - e. approved the new classes of visas and the associated fees; and
 - f. noted the importance of the confidentiality of information on the integrated management system.

2. Approved the Bill and Regulations for the Eastern Caribbean Supreme Court (Judicial) Officers' Pensions) 2021 and Regulations, which seek to increase the pension of Judicial Officers.
3. Decided that the Hotel Aid Licence for Bitter End Yacht Club Limited be amended to include two (2) additional lists of items for duty free importation in accordance with the Hotel Aid Ordinance (Cap 290).
4. Decided that:
 - a. the Hotel Aid Licence granted to private homeowner at Oil Nut Bay be amended to include the list of materials for the construction of a villa on Peninsula Lot 3;
 - b. the requirement for the homeowner to remain a part of the Oil Nut Bay rental programme for the duration of the term of the Licence, shall be a condition of amending the Hotel Aid Licence to include the list for the Construction of the villa on Peninsula Lot 3; and
 - c. the relevant Government Departments ensure and monitor compliance with the Hotel Aid Ordinance accordingly.
5. Reviewed and approved the Bill entitled, Integrity in Public Life Act, 2021, which seeks to establish an Integrity Commission that would assist in achieving the Government's objectives to promote good governance, to enhance ethical conduct of public officials, and to strengthen the prevention and detection of corrupt acts by persons in public life and decided that the Bill be introduced for its first reading in the House of Assembly at the next convenient Sitting.
6. Reviewed and approved the amendments in the Bill entitled, Retiring Allowances (Legislative Service) (Amendment) Act, 2021; decided that funding be made available in the next budget cycle to cover the associated cost of these amendments and decided that the Bill be introduced for its first reading in the House of Assembly at its next convenient Sitting.
7. Decided that the Government of the Virgin Islands enters into a lease agreement with JOMA (Properties) Ltd. for the rental of Units 1, 2 and 3 for a period of two (2) years, in the first instance.
8. Decided that pursuant to the Articles of Association of the National Bank of the Virgin Islands Limited (NBVI) and, subject to the approval of the Financial Services Commission, the banking regulator, that Mrs. Icis Malone be appointed as Director of the Board of Directors of the National Bank of the Virgin Islands Limited for two (2) years with effect from 1st May, 2021 to 30th April, 2023.

9. Reviewed and accepted the Evaluation Report submitted by the Central Tenders Board Technical Sub-Committee, which was approved by the Central Tenders Board (CTB) on 23rd March, 2021; accepted the recommendation of the CTB to award Northam Construction the contract for the Configuration of the Ministry of Finance's Offices at RFG Place in the amount of two hundred and sixty thousand, seven hundred and twenty-one dollars and thirty-seven cents (\$260,721.37).
10. Granted exceptional approval to waive the tender process to allow the Government of the Virgin Islands to engage Mr. John Black, QC to provide specialist legal services to the Government of the Virgin Islands and approved a sum of no more than one hundred and twelve thousand dollars (\$112,000) to cover the legal services.
11. Endorsed the appointment of the following members to the Council on Special Education with effect from 1st April, 2021 for a period of two years:
 - i. Mr. Khalid Lewis - parent of child with special needs;
 - ii. Mrs. Simone Foster - parent of children with special needs;
 - iii. Miss Lorna Dawson - expert opinion on matters of special education;
 - iv. Dr. Natasha Frett - Representative from the Medical field - early years;
 - v. Mrs. Orlandette Crabbe - a person appointed by the Minister;
 - vi. Dr. Michelle Martin - one person for business - psychological practices;
 - vii. Dr Michael Turnbull - Licensed Psychologist;
 - viii. Ms Danika Stoutt - Special Education Professional - Ministry of Education representative;
 - ix. Mrs. Afiya Smith - Education Officer with responsibility for Special Education;
 - x. Ms. Ereia Smith- Speech and Language Pathologist;
 - xi. Dr. Thomas Alexander - Educational Psychologist;
 - xii. Ms. Janelle Rhymer - teacher;
 - xiii. Mrs. Vansittart Huggins - principal for Special Education;
 - xiv. Mr. Sylvester Smith - School Counsellor; and
 - xv. Ms. Marsha Flemming - Individual Education Plan (IEP) Coordinator.
12. Noted that the Minister for Transportation, Works and Utilities has approved a Commemorative Motor Vehicle Registration Plate to be used on motor vehicles for personal use to commemorate the 65th Anniversary of BVI Red Cross in May 2021 pursuant to regulation 6A(5) of the Road Traffic (Motor Vehicle Registration and Operation and Driver and Vehicle Licensing) Regulations.

13. Accepted the Bill entitled, Water and Sewerage Authority Act, 2021, to allow the transformation of the Water and Sewerage Department into a Statutory Authority under the Ministry of Transportation, Works and Utilities (TWU); agreed that the Ministry of TWU and the Water and Sewerage Department engage the appropriate expertise to develop a water policy for the Territory of the Virgin Islands and decided that the Ministry submit the Bill to the Attorney General's Chambers for review and vetting.

14. Reviewed and accepted the recommendations to grant, in principle, Certificates of Residence Status to eleven (11) persons on the basis that they have made substantial direct and economic investment into the Territory in accordance with Section 18(1) of the Immigration and Passport (Amendment) Act.

15. Reviewed and approved the updated Work in Paradise Programme (WIPP) policy; determined that the cost of the programme be based on the following:

i.	Individual	\$1,500
ii.	Couple	\$2,000
iii.	Family	\$2,750
iv.	Dependent	\$500
v.	Other (Nanny, Chef, etc)	\$250.00 and

a. agreed that any period of time a WIPP awardee is resident in the Territory, cannot be contributed to or considered as qualifying years for permanent status;

b. decided that the visa requirements for persons utilising the WIPP from countries requiring visas to enter the Territory be waived;

c. approved the waiver of the below listed taxes and fees:

- i. Social Security payments;
- ii. National Health Insurance payments (to be offset by mandatory private insurance for WIPP awardees and dependents while in BVI);
- iii. Work permit fees;
- iv. Customs duties (small personal items for use during the approved period); and

d. approved the introduction of a penalty of ten thousand dollars (\$10,000.00) for persons found to be in contravention of the work restrictions under the policy, and the barring of re-entry for the programme or to take up employment with any local entity for a period of ten (10) years;

- e. approved the barring of any WIPP awardee from taking up employment with a local entity or person, save for Government or Quasi-Government entities, for up to five (5) years after their departure from the programme;
- f. decided that the Ministry of Natural Resources, Labour and Immigration instruct the Attorney General's Chambers to make the necessary amendments to any legislation directly affected by the introduction of the programme and its policy; and
- g. noted the requirement for all those persons coming to the BVI under the Programme must comply with COVID-19 protocols.

Published by the Cabinet Office on 22nd April, 2021.

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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.