Fifteenth Meeting of the First Session of Thirteenth Assembly

ANGUILLA HOUSE OF ASSEMBLY

OFFICIAL HANSARD REPORT

10 FEBRUARY 2026

(House Meetings)

Hon. Speaker

Speaker

Disclaimer: The electronic version of the *Official Hansard Report* is for informational purposes only. The printed version remains the official record.

ANGUILLA HOUSE OF ASSEMBLY

OFFICIAL HANSARD REPORT

10 FEBRUARY 2026

House Meetings

PRAYERS

OPENING OF PROCEEDINGS

Hon. Speaker Tara Cater:

Good morning, Honourable Members. I call upon the Chaplain.

OPENING PRAYER

Chaplin:

Let us pray. Heavenly Father, the Creator of heaven and earth, the King of Kings and the Lord of Lords, the conquering land of the tribe of Judah the alpha and the Omega, the beginning and the ending. We humbly come to thee to seek your special blessing upon this House of Assembly. Father, we ask that the deliberations in this House be directed by you direct and prosper the deliberations to the advancement of Your glory and to the true welfare of the people of Anguilla grant us, we pray, the wisdom to discern right from wrong.

Grant us the courage to uphold justice, grant us the grace to serve with integrity. Heavenly Father, as we open this session, we acknowledge our need for your wisdom, give these elected leaders insight, give them patience, give them a spirit of cooperation. Have them to listen to each other, but not only to each other, but to listen to the needs of the people. Father, even though adversarial in nature times we pray that this assembly will be a place of harmony where solutions are found and where every decision serves the greater good guide our thoughts and actions this day.

Father, even in the midst of strenuous and lively debate we ask that we lay aside all private interests, that we lay aside all prejudices and we pray that we keep in mind our responsibility to serve our citizens with compassion and sound judgment. Heavenly Father may the proceedings today show us that we all desire a friendlier Nation, a nation where instead of shaking the fist at each other we can shake hands with each other. A nation where instead of spreading hate, we can share hope, a nation where instead of seeing each other as adversaries, we can feel and know that we are brothers and sisters. Lord, we know that in the midst of this time you have a Kingdom purpose nothing is happening as a surprise to you.

So, Lord, please guide the direction of our leaders and of our country as we look to you who is able to do exceedingly abundantly above anything we may ask or think. So, let the words of our mouths and the meditation of our hearts be acceptable in Thy sight, O Lord, my strength and my redeemer.

As we pray, believing that it is done in the name of Jesus, who taught us to pray by saying, Our Father, which art in heaven, hallowed be thy name, thy Kingdom come, thy will be done on earth as it is in heaven. Give us this day Our Daily Bread, and forgive us our debts, as we forgive our debtors, and lead us not into temptation, but deliver us from evil. For thine is the Kingdom, and the power, and the glory forever and ever. Amen.

So may the Lord bless thee and keep thee. May the Lord make his face to shine upon thee and be gracious unto thee. May the Lord lift the light of his countenance upon thee and give you, his peace. Both now and forevermore. Amen and Amen.

THANKS FOR PRAYER

Hon. Speaker Tara Cater:

Pastor, we are so grateful and heartened for your words of comfort, assurance and guidance today. Thank you for answering our call to pray and open the proceedings today. You may be seated members.

CONFIRMATION OF MINUTES

CONFIRMATION OF MINUTES

Clerk:

Confirmation of minutes. Minutes of Proceedings of the 13th Meeting of the First Session of the 13th Anguilla House of Assembly.

Hon. Speaker Tara Cater:

Good morning, Honourable Members, before you are the

minutes of the 13th Session. Are there any corrections or amendments to the minutes? Any amendments, hearing no amendments, may invite a member to move that the minutes be confirmed.

Hon.Mr. Haydn Hughes:

Madam Speaker I rise move that the minutes be accepted as circulated.

Hon. Speaker Tara Cater:

Thank you, member. Is there a seconder?

Hon S Rog-Webster:

Madam Speaker, I rise to second.

Hon. Speaker Tara Cater:

Thank you. It has been moved and seconded that the minutes that are circulated dated 13th January 2026 be confirmed. Those in favor say aye, those opposed say no. The ayes have it.

OATH OF ALLEGIANCE

OATH OF ALLEGIANCE AND ANNOUNCEMENTS

Clerk:

Oath of allegiance to new members. None. Announcements by the direction of the Speaker.

ANNOUNCEMENTS

ANNOUNCEMENTS

Hon. Speaker Tara Cater:

By way of announcements I have apologies from the Honourable Member for Island Harbour. He sends his apologies for his absence. I don't believe there are any other apologies. If none, you may proceed, Mr. Proctor.

QUESTIONS

QUESTIONS TO MINISTERS

Clerk:

Questions. The Honourable Member for North Hill asked the Honourable Member for Sandy Hill.

Hon. Speaker Tara Cater:

Honourable Member, you may proceed with your questions. Your questions have been put to the Honourable Member for Sandy Hill. Has the Honourable Member for Sandy Hill received the questions in advance? You may proceed.

GOVERNMENT PROPERTY PURCHASE IN UK

Hon.Premier Cora Richardson Hodge:

Sorry, Good morning again. Question one. Will the Honourable Premier state whether the Government has purchased a property in the United Kingdom; If so, the completion date; and if not, whether a site has been identified and the general location (subject to commercial confidentiality)?

Hon.Premier Cora Richardson Hodge:

Thank you. Good morning to you, Madam Speaker. Good morning to members of the House, Madam Speaker, I was curious as to whether the Member would have asks all of the questions at one time and I provide the answers. I don't know what's preferable. This Administration is firmly and unapologetically committed to Putting People First. That commitment does not stop at our shoreline. It does not expire when an Anguillian boards a plane.

It does not diminish with distance. An Anguillian abroad is still an Anguillian - deserving of recognition, support and representation. For generations, our people overseas have supported Anguilla through remittances, investments, knowledge transfer and advocacy. They have sustained families, built homes, funded education and strengthened our economy from afar. It would be both morally wrong and strategically unwise for any government to benefit from its diaspora while failing to recognize and appreciate it. We will not make that mistake. Madam Speaker, it is widely accepted that more Anguillians live outside of Anguilla than within it.

Relative to our population size, we have one of the largest diasporas in the United Kingdom among the Overseas Territories. Yet despite this reality - despite the historic ties, the migration patterns, and the ongoing movement of our people - Anguilla has no formal, permanent presence in the UK. That absence has real consequences. Our students - especially those not on government scholarship - arrive in the UK with little structured guidance or institutional support.

Our citizens who travel for medical treatment must navigate complex systems largely on their own. Families relocating for opportunity often do so without official channels of assistance or coordination. In moments when government presence could

make a difference, there is none. Every other British Overseas Territory maintains a representative office in the United Kingdom, not as a luxury, but as a necessity. These offices provide consular support, student services, trade and investment promotion, tourism marketing, cultural coordination and diplomatic engagement. They protect their people?s interests and advance their national priorities.

Anguilla, regrettably, is the exception, and not in a way that serves us well. Madam Speaker, representation matters. Presence matters. Visibility matters. If we expect Anguilla to be taken seriously in international circles, then we must show up - consistently, professionally, and strategically - where decisions are influenced and opportunities are created. London is one of the world?s foremost financial, diplomatic, and commercial centers.

Establishing a permanent office there is not symbolic, it is practical. It is strategic. It is overdue. We speak often about strengthening our autonomy and preparing for greater self-determination. But readiness requires infrastructure - not only roads and buildings at home, but institutional presence abroad. External affairs, international partnerships, investment promotion, security cooperation and diaspora engagement cannot be managed effectively from a distance alone. A nation - or aspiring nation - must have a footprint beyond its borders. Let me address directly what some may be wondering: Is this coming at the expense of development at home?

The answer is no. This Government is simultaneously making historic investments in Anguilla itself. The 2026 Budget clearly demonstrates that establishing a UK office does not displace domestic priorities ? it complements them. We are redeveloping our water infrastructure. We are constructing two new government buildings. We are advancing the airport runway expansion. We have funded public servant salary adjustments. We are strengthening healthcare capacity, equipment, staffing and medication access.

We have allocated six million dollars for scholarships. We are investing in education reform and youth development.

POINT OF ORDER ON RELEVANCE OF REPLY

Hon.Premier Cora Richardson Hodge:

Madam Speaker, on a point of order. Madam Speaker, I will like to draw our attention to Rule 24, Section 2. Where it states a reply shall be confined to the points contained in the question.

Hon. Speaker Tara Cater:

Beg your pardon, member, Which rule?

Hon.Premier Cora Richardson Hodge:

24. Point 2.

Hon. Speaker Tara Cater:

Okay, a reply should be confined to the points contained in the question, with such explanation only as will render the reply intelligible and may, with the consent of the Assembly, be taken as read. Okay, so Member for Sandy Hill, your response to the point of order? Yes.

Hon.Premier Cora Richardson Hodge:

Yes, thank you Madam Speaker. Madam Speaker, the response as I am going through is directly relevant to the question that is being asked. The question is whether the government has purchased a property; the completion date where the site has been identified and the general location is all pertinent to the response that I am giving. I am given the preambles that the people of Anguilla can understand the nature of the question that's being asked and so

Madam Speaker, in those circumstances I would suggest that I am within the confines of the provision identified by the Member of the Opposition.

Hon. Speaker Tara Cater:

Member for Road North, can you remind me at which part of the response that you found objectionable in terms of your point of order, what was the statement that was being made at the at the point?

Hon.Premier Cora Richardson Hodge:

Madam Speaker, it's a straightforward question and.

Hon. Speaker Tara Cater:

No, sorry. What was the point that you raised that point of order at, I was trying to figure out which point was objectionable?

Hon.Premier Cora Richardson Hodge:

Because, according to the rule, the reply shall be confined to the points contained in the question. It doesn't say anything about a preamble, Madam Speaker.

Hon. Speaker Tara Cater:

No, remember, it's actually that I don't remember. That's why, I don't remember at which what was being said at the moment that caused you to raise an objection.

Hon.Premier Cora Richardson Hodge:

It wasn't nothing. It wasn't not one thing, Madam Speaker, because I'm here sitting waiting on the answer to the question and there's a long preamble and according to the rules, Madam Speaker, and your stickler for the rules, a reply shall be confined to the points contained in the question and we we've got a long preamble, but we haven't had any answers to the question and it's a simple, straightforward question and I can repeat it if need be,

Madam Speaker.

Hon. Speaker Tara Cater:

I have it. Will the Premier state whether the government has purchased a property in the United Kingdom? If so, the completion date and if not, whether a site has been identified and the general location subject to commercial confidentiality.

Hon.Premier Cora Richardson Hodge:

Yeah, thank you, Madam Speaker, if I could respond, my response is directly related to the question as to whether or not the government of Anguilla has purchased property in the United Kingdom. I think the people of Anguilla deserve to understand whether or not the Government of Anguilla has purchased and the circumstances under which the government has purchased such property and in terms of the specific answer. If you may be able to allow me to finish my answer, Madam Speaker, because I will specifically address that portion, but I think that it would be a disservice to the people of Anguilla not to provide a wholesome response and I'm surprised that the Member of the Opposition would seek to limit my response so that the people of Anguilla would not have a fulsome understanding as to the circumstances behind the question,

Madam Speaker.

Hon. Speaker Tara Cater:

Wait, wait, wait, wait. Let me address what the Honourable Member has said. So, when the Honourable Member started, there was a point that she had asked if she should deal with all of the questions. Now I understand why because I'm now reading the questions and looking at the responses. The second question goes on to say what is the intended purpose of the property and which Minister is responsible for its management? I believe what the issue is going to be for these lines of questions is that they develop upon each other. So, while some of the comments that you're stating right now are not within the remit of this question.

It does answer some of your subsequent questions. So, the question is, do you want us to stand down to allow the Member to take out what's not relevant to this and inserting the other or would you allow her to just give the full response that will cover your subsequent questions?

MANAGEMENT OF PARLIAMENTARY QUESTIONS AND RESPONSES

Hon. Speaker Tara Cater:

Let me address what the Honourable Member has said. When the Honourable Member started, she asked if she should deal with all of the questions. Now I understand why, because I'm reading the questions and looking at the responses. The second question asks about the intended purpose of the property and which Minister is responsible for its management. The issue is that these questions develop upon each other.

Some comments being made are not within the remit of this question but do answer subsequent questions. So, do you want us to stand down to allow the Member to take out what's not relevant to this and insert the other, or would you allow her to give the full response that will cover your subsequent questions?

Hon.Premier Cora Richardson Hodge:

Madam Speaker, if we need to stand down for that, we can, because to answer the Member for Sandy Hill, there's a section in the order paper that says Government Statements on Recent Developments and Madam Speaker can have.

Hon. Speaker Tara Cater:

No, let's focus on, you're actually helping me manage this morning's process. What I'm saying is that your second question is about the intended purpose of the property. I agree that some parts of this answer are not relevant to this question, but they become relevant to subsequent questions. Perhaps we should go forward with the Honourable Member's initial suggestion to put all the questions and then answer them.

It's really about managing the process, because the answer being given now will come out subsequently anyway. From what I see on the paper, it's entirely a matter up to both of you.

Hon.Premier Cora Richardson Hodge:

Madam Speaker, you're absolutely correct. When I prepared the response, it was a wholesome response to all of the questions at the same time, which is why I raised the concern about whether they would be asked at the same time or in parts. If we have to stand down or the member can ask all questions at one time, I can continue with my answer. There's no harm in the Minister. I can assist by repeating the question as I answer each aspect because there are 10 questions and I can repeat them as I go through my answers.

Hon. Speaker Tara Cater:

The difficulty I'm having, Honourable Member for Road North, is that, for example, your question 5 was about whether a cost benefit analysis was conducted comparing purchase versus lease and rent options. Another question is about the total cost and where in the budget it will be financed. I've heard an answer related to the budget question, but it also pertains to your question 3. Are you opposed to the member completing the answer or do you wish to stand down and revisit how best to manage the process?

Hon.Premier Cora Richardson Hodge:

In the process, Madam Speaker, we have to be mindful that persons are following this and we have to do what's easiest for those following, not just for us here in the Honourable House. That's why the question was asked in this format one at a time, and the preferred answer would have been to answer each question individually rather than a long preamble.

Hon. Speaker Tara Cater:

When we ask questions and they're answered very narrowly, it's too narrow. Now we're asking questions and they're answered too broadly and it's too broad, and I have the task of balancing. Based on the questions that follow, there's no harm in the member completing her preamble because what I've heard so far is going to be relevant to subsequent questions.

You may proceed.

Hon.Premier Cora Richardson Hodge:

Thank you very much, Madam Speaker.

Hon.Premier Cora Richardson Hodge:

Before proceeding, Madam Speaker, if I may. Should we go through and answer all questions, or will I be asking questions and as she finishes with this one?

Hon. Speaker Tara Cater:

I think the way we were going is fine. What you've highlighted is important, but I'm conscious that the public would want to know and I don't want to limit the response if it's relevant information to subsequent questions.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. I would not have reminded. I don't think we have easy reference as to where we were so.

Hon.Premier Cora Richardson Hodge:

Just one more point of order, Madam Speaker. I know it's normal that we get the answers after the questions, but since it's going to be done in this way.

Hon. Speaker Tara Cater:

Proceed. You know why I laugh, right? Because this is the rules of both sides. I asked when I first came into this House if you wished to change the way you've done it in the past, where the answers are handed after the response, and the answer was we will continue the way we've always done.

Hon.Premier Cora Richardson Hodge:

It would have been fine, Madam Speaker, if they were getting the answers as we usually get them.

Hon. Speaker Tara Cater:

If they were short answers. I'm not changing the rules unless this House votes to change the rules.

Hon.Premier Cora Richardson Hodge:

But the Honourable Premier did say that she will be answering

all the questions.

Hon. Speaker Tara Cater:

Until both sides have a meet and greet and discuss how you will deal with questions and answers, I'm not changing how you've done it historically, which was you asked the question, the member answers it, and then they hand you thereafter. I don't agree with it, I need to see it, but this is what both sides said that you've done. I have the benefit of having the answers to follow.

Hon.Premier Cora Richardson Hodge:

Thank you again, Madam Speaker.

Hon. Speaker Tara Cater:

But I'm sure over coffee you can all agree that maybe this might be time to change it so that you can actually follow and we can see where you left off. Honourable member, proceed with your response to question #1.

UK OFFICE PROPERTY ACQUISITION - QUESTION 1

Hon.Premier Cora Richardson Hodge:

Madam Speaker, this Government is simultaneously making historic investments in Anguilla itself. The 2026 Budget clearly demonstrates that establishing a UK office does not displace domestic priorities; it complements them. We are redeveloping our water infrastructure, constructing two new government buildings, advancing the airport runway expansion, funding public servant salary adjustments, strengthening healthcare capacity, equipment, staffing and medication access, allocating six million dollars for scholarships, investing in education reform and youth development, building sports facilities and community recreational spaces, doubling support under the Medium and Small Enterprise Grant Programme, strengthening food security through agricultural investment, and supporting renewable energy expansion to reduce electricity costs. This is not an either-or choice. It is both: strengthening Anguilla at home while positioning Anguilla abroad.

No country or government ever reaches a point where every domestic need is fully satisfied before it acts strategically on the international stage. If we wait for perfection at home before establishing presence abroad, we will wait forever and fall further behind. Development is not sequential; it is parallel. We must build inward and outward at the same time.

A UK office will allow Anguilla to better support its people, attract investment, expand market access, promote tourism, strengthen our domain and financial services industries, and coordinate diaspora partnerships. It will create a permanent platform for engagement rather than episodic outreach. It will turn informal connections into structured opportunity. This is not an indulgence.

It is institution-building, people-focused, economically sound, and strategically necessary. Most importantly, it is an investment in Anguilla's global future. To answer the specific question: Government has not made an offer and has not completed the purchase of a property in the United Kingdom as of 10 February 2026. Government has, however, undertaken preparatory and exploratory work to identify suitable options, including engaging technical advice and preliminary market sounding.

As part of this work, Government engaged an experienced real estate agent with the requisite market knowledge to support the search and to help ensure that the options considered were aligned with Government's functional requirements and the realities of the London market. In addition, there have been preliminary discussions with UK legal counsel, in coordination with the Attorney General's Chambers, to ensure that Government's approach is properly informed by the UK conveyancing environment and that any future steps, should they be taken, are sequenced appropriately and protect the public interest. A number of properties have been viewed and considered. Government has examined multiple options and configurations, assessing them against practical criteria such as location, accessibility, suitability for official and administrative functions, security considerations, potential for efficient use of space, and the overall feasibility of the arrangements.

This has allowed Government to move beyond general concepts and to develop a clearer understanding of what is realistically available and suitable. In terms of location, Government can indicate only the general area as central London, given operational requirements and proximity to key UK institutions and partners. However, specific sites, addresses, and identifying details are not disclosed at this stage, as doing so could prejudice Government's position and distort negotiations.

Government will provide further information at the appropriate stage, once it can do so without undermining the public interest and subject always to the requirements of commercial confidentiality.

UK OFFICE PROPERTY ACQUISITION - QUESTION 2

Hon. Speaker Tara Cater:

Honourable Member, your question 2. I'm supposing you don't have any supplemental questions from the preamble. Proceeding to question 2.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker, thank you for your answer. Question 2: What is the intended purpose of the property and which Ministry will be responsible for its management?

Hon.Premier Cora Richardson Hodge:

The intended purpose is to establish a modest and functional Government of Anguilla presence in the United Kingdom ('Anguilla House') to support priority needs including: enhancing the regional and international presence and impact of Anguilla; strengthening the voice of Anguilla with His Majesty's Government; providing consular services (assistance in applying for passports and visas, support for persons seeking medical attention in the UK, etc.); supporting Anguillian students in the UK; meeting space for Government business and diaspora engagement; administrative support functions connected to UK-facing matters; and improved efficiency and continuity for visiting delegations and technical missions. The facility could also support tourism promotion, marketing of the domain name, and inward investment outreach either on a transient basis or, if justified over time, on a more permanent basis through dedicated functions or co-location arrangements.

Overall direction rests with the Office of the Premier, with operational arrangements and financial management through the Ministry of Finance in line with the Government's normal administrative framework. There would also be collaboration with the relevant entities responsible for tourism and investment promotion.

Hon. Speaker Tara Cater:

Any supplemental questions? Member.

Hon.Premier Cora Richardson Hodge:

No, Madam Speaker.

UK OFFICE PROPERTY ACQUISITION - QUESTION 3

Hon. Speaker Tara Cater:

OK, please proceed.

Hon.Premier Cora Richardson Hodge:

Question 3. What is the total cost of the purchase, including fees, taxes, and associated expenses? And from which budget lines will it be financed?

UK PROPERTY ACQUISITION - COST AND FINANCING

Hon.Premier Cora Richardson Hodge:

Question 3. What is the total cost of the purchase, including fees, taxes, and associated expenses? And from which budget lines will it be financed?

Hon.Premier Cora Richardson Hodge:

Madam Speaker, as of today, Government has not purchased any property in the United Kingdom and therefore no final purchase price has been incurred. For the avoidance of doubt, any proposed acquisition would be subject to a rigorous due diligence process designed to protect the public interest and ensure value for money. This will include independent valuation(s) to confirm market value; legal due diligence on title, encumbrances, restrictive covenants and contractual terms; structural and building condition surveys and, where necessary, confirmation of planning and permitted use, including any requirements for change of use; assessment of service charges, sinking funds and lease obligations. Additionally, there will be a review of operational suitability for Government’s intended functions.

In parallel, Government would assess the total lifecycle cost so that the one-off acquisition costs and the recurring operating costs are clearly understood before any commitment is made. There is no specific allocation within the 2026 Budget for the acquisition of a United Kingdom property and savings in the capital budget have not been identified this early in the financial year. At the end of 2025, Executive Council authorised the transfer of funds identified in capital expenditure savings in the 2025 budget to escrow. Due to the short time frame, escrow was not established. Should Government determine that it is in the national interest to proceed, a Supplementary Appropriation will be brought before this Honourable House to authorise the expenditure, consistent with the Financial Administration Act and sound public financial management.

At that time, the House will be furnished with fuller details including the way the fiscal framework supports the transaction, together with the total cost over time. This will include the one-off acquisition and establishment costs, and the projected recurring costs associated with operating and maintaining the property. This is what transparency, accountability and good governance looks like – progressing Anguilla for the benefit of Anguillians in a clear and deliberate manner.

Hon. Speaker Tara Cater:

Proceed.

UK PROPERTY ACQUISITION - EXECUTIVE

COUNCIL APPROVAL AND DOCUMENTATION

Hon.Premier Cora Richardson Hodge:

Thank you, member. Madam Speaker, Question 4, was answered just now. But I'll read it for the benefit of the public, and then I'll ask question 5. That's okay? Okay, so Question 4, has Executive Council approved the purchase, and if so, will any documents relating to the purchase be laid before this House pursuant to the Financial Administration and Audit Act?

Hon. Speaker Tara Cater:

Yeah, sure. Proceed.

UK PROPERTY ACQUISITION - COST BENEFIT ANALYSIS

Hon.Premier Cora Richardson Hodge:

Question 5 was a cost benefit analysis conducted comparing purchase versus lease or rent options? And if so, on what date was it completed?

Hon.Premier Cora Richardson Hodge:

Madam Speaker, Government's approach to this matter has been guided by a clear strategic preference for acquisition rather than long-term lease or rent, given the objective of establishing a stable and enduring presence in the United Kingdom and avoiding ongoing exposure to escalating rental costs and lease constraints over time.

While Government has considered at a high level the relative implications of lease or rent versus purchase, the work to date has focused primarily on identifying options that would be suitable for Government's intended purposes and capable of meeting operational requirements. As the matter progresses, Government's emphasis will be on ensuring that any proposed acquisition is affordable, fit for purpose, and supported by appropriate due diligence and governance, so that the House can be satisfied that the public interest is protected.

Any further details will be provided at the appropriate stage, mindful of commercial confidentiality while negotiations and vetting remain ongoing.

UK PROPERTY ACQUISITION - LEGAL ADVICE

Hon.Premier Cora Richardson Hodge:

Thank you, Member. Question 6. Was legal advice sought from the Attorney General's Chambers regarding this purchase?

Hon.Premier Cora Richardson Hodge:

Madam Speaker, legal advice has been sought throughout from the Attorney General's Chambers in relation to the proposed establishment of a United Kingdom property arrangement, and the matter has been approached with the level of legal care and diligence that one would expect for any overseas asset contemplated for the Government of Anguilla.

From the outset, the Attorney General's Chambers has been engaged to ensure that Government's approach is lawful, properly authorised, and structured to protect the public interest. In addition, recognising that a UK-based transaction must be navigated within the relevant UK legal and conveyancing framework, the Attorney General's Chambers has also ensured that Government is supported by United Kingdom legal counsel. UK counsel is being engaged to provide jurisdiction-specific advice and support, including, where necessary, advice on property law and conveyancing practice; title and ownership verification; identification of any encumbrances, restrictive covenants, easements; review of contractual terms and conditions; and guidance on the implications of any planning, use, or compliance issues that may be relevant to Government's intended functions.

This dual-layer arrangement, local legal oversight through the Attorney General's Chambers alongside UK counsel for UK-specific matters, ensures that Government's decision-making is not only commercially sensible, but legally sound and properly risk-managed. It also supports the principle that any acquisition, if pursued, will be undertaken with appropriate protections built in, including the ability to withdraw should the legal or technical findings not support proceeding. Government will continue to be guided by the Attorney General's Chambers and UK counsel as the matter progresses and will ensure that the House can be assured that the proper legal checks, safeguards, and approvals have been observed.

UK PROPERTY ACQUISITION - POLICIES AND INTERNAL CONTROLS

Hon.Premier Cora Richardson Hodge:

Thank you, Member. Question 7. What policies will govern the property and what internal controls will be implemented to ensure proper management and accountability?

Hon.Premier Cora Richardson Hodge:

Madam Speaker, Government is clear that any United Kingdom property acquired for the purpose of a permanent Anguilla office must be governed by policies and controls that reflect and fully comply with our established public sector administrative and financial management framework. This is public business, and it must be treated with the discipline, transparency and accountability that the people of Anguilla rightly expect. The property will be managed through the Ministry of Finance, consistent with the arrangements by

which Government assets are safeguarded and public resources are administered. At this stage, Government's expectations are straightforward and in line with expected principles of use of public assets: clear lines of authority and accountability, including defined approvals and documented decision-making; appropriate administrative controls over access, use, safeguarding of Government property and records, and day-to-day stewardship; strong financial controls, including proper approvals, procurement discipline, contract management and an auditable trail of expenditure; and regular reporting and oversight, at a level proportionate to the scale and nature of the operation.

We are also being realistic. This would be an asset located miles away in a different jurisdiction, and so the controls must not only be robust but they must be practical and workable. The framework must ensure proper stewardship from Anguilla while recognizing the operational realities of managing an overseas facility. To that end, Government will actively consult colleagues across other Overseas Territories to learn from their experience; what works, what does not, and what governance arrangements best support effective overseas operations. We intend to apply those lessons so that Anguilla adopts a model that is sensible, modern, and fit for purpose.

As the operating model is settled and the matter progresses, further information will be provided to this Honourable House at the appropriate stage, mindful of the need for transparency while also respecting the requirements of commercial confidentiality during ongoing processes.

UK PROPERTY ACQUISITION - RECURRING COSTS AND FINANCIAL YEAR

Hon.Premier Cora Richardson Hodge:

Thank you, Member. Question 8. What is the estimated annual recurring costs, maintenance, insurance, security, property taxes, parking charges, and utilities, and for which financial year do these estimates apply?

Hon.Premier Cora Richardson Hodge:

Madam Speaker, while it would be premature to state a firm figure, Government anticipates that the principal recurring costs will fall within the standard categories for a modest London office footprint, namely property management fees, utilities, insurance, routine maintenance, and proportionate security arrangements. The level of these costs is highly sensitive to the preferred option and the operating model. For that reason, Government will provide the House with a validated annual estimate once the preferred option is sufficiently advanced and those obligations are confirmed through due diligence.

UK PROPERTY ACQUISITION - INDEPENDENT VALUATIONS

Hon.Premier Cora Richardson Hodge:

Thank you. Member question 9. Were independent valuations commissioned and if so, on what dates and by which firms?

Hon.Premier Cora Richardson Hodge:

Madam Speaker, Government intends to proceed in a prudent and properly controlled manner, and that includes the use of independent professional valuation advice as part of the overall due diligence process. At this stage, as no acquisition process has started, I am not in a position to provide final dates and firm name for the valuation. However, once a preferred property is confirmed and Executive Council authorises the submission of a non-binding offer, Government will ensure that the necessary professional due diligence commences, which would include commissioning an independent valuation and, where appropriate given the nature of the asset and the level of investment, additional valuation input to provide further assurance.

Consistent with commercial confidentiality and the need to avoid prejudicing negotiations, Government will provide further information at the appropriate stage. Once the matter progresses beyond negotiations and due diligence to final decision-making and the requisite approvals, Government will be in a position to confirm what was the outcome of the valuations that were commissioned, and to provide the relevant details in a manner that protects the public interest while maintaining appropriate transparency.

UK PROPERTY ACQUISITION - PROJECTED ANNUAL INCOME

Hon.Premier Cora Richardson Hodge:

Final Question. What annual income, if any, is projected to arise from the property, and on what assumptions are these projections based?

Hon.Premier Cora Richardson Hodge:

Madam Speaker, Government's primary objective in considering a United Kingdom property is strategic and operational to support official engagement, Government business, and, where appropriate, tourism and inward investment outreach. It is not being pursued as a commercial venture. That said, Government is mindful of the need to manage the public purse responsibly and, in examining options, has considered configurations that could include space in excess of Government's core operational requirements.

Where the preferred option provides additional space of that nature, Government's intention would be to explore rental arrangements so that the property is efficiently utilised and so that there is an opportunity to offset a portion of the ongoing

operating costs. At this stage, however, Government is not in a position to present a specific annual income figure, and the income potential will depend on the final option selected and the terms that can reasonably be achieved in the market.

Any projections would require verified information such as the amount of space available for lease; prevailing rental rates for comparable space; expected occupancy and lease terms; fit-out and compliance requirements; service charges and operating costs attributable to the lettable area; and the timeframe over which rental could realistically commence. Should Government proceed to the point where the acquisition is sufficiently advanced and due diligence is underway, the House will be provided with further information on the anticipated rental approach and the assumptions underpinning any projections, consistent with the need for transparency and proper accountability, while remaining mindful of commercial confidentiality during live processes.

UK PROPERTY ACQUISITION - SUPPLEMENTAL QUESTIONS

Hon. Speaker Tara Cater:

Any supplemental questions? Member. You may proceed.

PORT NIMARA BERTH SLIPS ACT - LEGAL STATUS OF BERTH SLIPS

Chief Parliamentary Counsel:

The simple answer to your question is yes, berth slips will be treated as property. If you go into the legislation itself under Section 1, under the definition of property, you will see where berth slips are included, and also section 1/3. It specifically states that berth slips constitute immovable property within the meaning of the Registered Land Act and may be the subject of ownership, lease agreements, mortgages, charges, and shall be treated in the same manner as a parcel of land.

PORT NIMARA BERTH SLIPS ACT - ENFORCEMENT MECHANISMS

Hon.Premier Cora Richardson Hodge:

Next question. What enforcement mechanisms or protective legal provisions exist if a berth slip owner violates the environmental, customs or immigration regulations while using the Marina?

Chief Parliamentary Counsel:

Customs procedures are governed by the Customs Act and immigration procedures are governed by the Immigration Act. Under each framework, there are already built-in procedures to determine how each subject will be treated. In relation to the environment, we do not have a standalone or comprehensive piece of legislation as yet governing environmental matters, but you do have different aspects of the environment or matters pertaining to the environment under different pieces of legislation, like the Beach Act and the Ports, Harbour and Piers Act. That is a key piece of legislation that would help in the regulation of ports, piers, marinas.

So, yes, if I answered your question.

PORT NIMARA BERTH SLIPS ACT - RATIONALE FOR NAMING

Hon.Premier Cora Richardson Hodge:

Thank you so much. My final question to you is, because we had a little back and forth here in this House trying to understand, I just want to get your input as to what was the rationale for naming the legislation specifically as the Port Nimara Anguilla Berth Slip Act instead of using a broader, territory-wide title such as Anguilla Berth Slip Act 2025?

Chief Parliamentary Counsel:

There were a lot of considerations and debate in determining the name of this legislation. We settled on the Port Nimara Berth Slips Act as opposed to a more general name for marketing purposes. We have to put this in the context of what is happening in Anguilla. As a jurisdiction, we are new to the development of marinas, so we wanted to give the investor and Anguilla a marketing edge.

This was a good way to do this; it doesn't cost the government or the state anything to put this marketing tool in place. The primary reason for adding Port Nimara Anguilla was to position Anguilla as a leader and give us the edge in marketing to sell berth slips for Anguilla, since this is a new concept for us.

PORT NIMARA BERTH SLIPS ACT - NAMING IMPLICATIONS FOR FUTURE MARINAS

Hon.Mr. Haydn Hughes:

I don't agree with the concept of marketing because it benefits Port Nimara, and I don't think anybody here in this Honourable House opposed the legislation. I think we all support the legislation and the marina development. But I don't think this is going to be the only marina in Anguilla. Does it suggest that every marina that comes to Anguilla will have legislation that specifically speaks to the name of that particular marina?

Chief Parliamentary Counsel:

It doesn't necessarily suggest that. Remember, this is the first marina. If we have another request to develop a marina, the

Minister and the Permanent Secretary would have to meet to determine how to deal with that request. There are no hard and fast rules for handling future requests. At that point in time, based on the facts, we would develop legislation or policy to drive the process forward in the best manner. We have to make decisions based on the circumstances at that time.

PORT NIMARA BERTH SLIPS ACT - LEGISLATIVE APPROACH FOR FUTURE MARINAS

Hon.Mr. Haydn Hughes:

This particular marina is on freehold land, which is separate from, say, a marina being developed in Rendezvous Bay, which is owned by the Crown. If this marina has legislation attached to its name, any future marina would want the name attached to their legislation as well. The legislation will be different if a new developer for a marina in Rendezvous Pond comes forward, especially regarding ownership and securing loans, even on a freehold basis?

Chief Parliamentary Counsel:

Ultimately, we need to develop general marina legislation. Over time, we hope to complete that process so different investors would fall under such legislation, but that doesn't mean we can't also follow this approach. You cannot prejudge what you'll do at that point in time. It depends on the facts before the ministry and how we think best to accomplish the objectives at that time. This legislation was drafted in this manner because of the timeframe; we had about two months to produce it, so several factors had to be weighed before producing what you have before you.

Hon.Mr. Haydn Hughes:

We have no objection to the legislation. We have some concerns, but I think all of us in this House unanimously support the legislation. We also have to consider that this legislation may bring undue pressures for future governments. Developers for other marina projects may come forward and request similar legislation.

From a marketing standpoint, it helps the marina, but it doesn't necessarily help Anguilla. The legislation helps the marina developer, which is fine; we support it.

Chief Parliamentary Counsel:

Exactly.

Hon.Mr. Haydn Hughes:

Sorry.

Chief Parliamentary Counsel:

No, I said exactly and I'm sorry, Madam Speaker.

Hon. Speaker Tara Cater:

No, I looked up too. I heard something and didn't know where it came from. I want to at least safeguard the CPC. These are hypotheticals. Remember our question. But still good dialogue. The questions are based on what is before us. I see that the CPC agrees with you because she said exactly.

Hon.Mr. Haydn Hughes:

Maybe this conversation is worth more offline rather than in this context. We all support the marina development and the legislation. I think it's a good thing and we have no objection whatsoever. A conversation on how we move forward should be held offline, not to say we are not being transparent, but I don't think—

Hon. Speaker Tara Cater:

No, it's actually fine. I didn't curtail that on any strict thing because I recognize that people appreciate and are listening and appreciate understanding. I'm learning things. Everybody's learning things. That is the purpose of the process. So, you can develop your question.

Hon.Mr. Haydn Hughes:

I understand, Madam Speaker, but when I think about it, a lot of the things I would like to say and ask aren't necessary for committee.

Chief Parliamentary Counsel:

Road South, Member for Road South, nothing is wrong with crafting legislation to suit another investor. We are all concerned about giving Anguilla that competitive advantage. We want to do the best for developing Anguilla at that point in time. Once the ministry brings a request, we sit, do our research, engage with one another, sometimes have robust policy discussions, and take a decision that best helps us accomplish our goals at that time.

Nothing is off the table and nothing is automatic. It's a matter of finding a solution for what is presented at that time.

PORT NIMARA BERTH SLIPS ACT - REGISTRATION PROCEDURES FOR BERTH SLIPS

Hon.Premier Cora Richardson Hodge:

Thank you, Miss Richardson, you've answered well. I will now ask the acting Director for Lands and Survey, Mrs. Hughes. My first question: What procedures will the Department of Lands and Surveys follow to register individual berth slips under the new Act?

Director of Lands and Surveys:

Good morning to all Members and Madam Speaker. The procedure to register berth slips will be very similar to those we currently adopt for any parcel of land in Anguilla and will follow the requirements of the Registered Land Act. The bill at Section 3 establishes a dedicated berth slips register within the land registration system. Each slip will be registered individually, and the details of ownership will be publicly searchable, just like any other registered land. There will be clarity for owners, lenders, and regulators while maintaining the integrity of the system.

As per Section 3 of the bill, similar to provisions in the Registered Land Act, there will be a land register page for each berth slip, recording the property, its unique number, and detailing the appurtenances, the name and address of the owner, and the incumbency section noting every right that adversely affects the land. Each slip will be identifiable by reference to a map, with a registration section, block, and parcel number matching the Port Nimara Marina plan. The plan must show each berth slip, its unique number, the size vessel it can accommodate, and details of common property or land not demised as a particular slip, which will remain under the developer's control. Regulations can be prepared to support the bill, and if amendments are needed to the forms we use, that's an opportunity to make those amendments.

PORT NIMARA BERTH SLIPS ACT - SURVEY METHODOLOGY AND TECHNICAL STANDARDS

Hon.Premier Cora Richardson Hodge:

Thank you. My next question: Can you outline the survey methodology and technical standards that will be used to delineate, measure, and formally describe each berth slip?

Director of Lands and Surveys:

To an extent, because the developer or owner is the entity that will undertake the surveying and provide the data to the department for the berth descriptions detailed in the Bill. The standards adopted and technical standards are within the control of the developer, who will share that information with us to follow through with registration. Our surveillance section indicates that global navigation satellite systems, real-time kinetic systems, and total stations can be used to survey and collate the data needed to measure the berth slips. More sophisticated hydro equipment can be used to map out the berth slips and the marina basin profile.

Standard methodology accepted internationally requires a surveyor to consider the berth width to accommodate the vessel, with allowances for fenders and manoeuvring, and berth length measured as the overall length of the design vessel, with spacing for navigation, mooring, and floating docks. There are specific technical standards used and accepted internationally relating to marina layouts.

PORT NIMARA BERTH SLIPS BILL - TECHNICAL STANDARDS AND SURVEYING

Director of Lands and Surveys:

To an extent, because the developer, the owner, is the entity that will undertake the surveying and then provide the data to the department for the berth descriptions which are detailed in the Bill. The standards adopted in technical standards are within the control of the developer who will then share that information with us to follow through with the registration. Our surveillance section indicates that global navigation satellite systems, real-time kinetic systems and total stations, which is the equipment that can be used to survey and collate the data that will be needed to measure the berth slips. More sophisticated hydro equipment can be used to map out the berth slips and the Marina basin profile.

Standard methodology that's used and accepted internationally would require a surveyor to consider the berth width to accommodate the vessel, the beam, with certain allowances for fenders and manoeuvring. Berth length is generally measured as the overall length of the design vessel and spacing requires adequate space for navigation, mooring, and full floating docks. There are specific technical standards that are used and accepted internationally and they relate specifically to Marina layouts.

PORT NIMARA BERTH SLIPS BILL - FEES AND CHARGES

Hon.Premier Cora Richardson Hodge:

Next question. Will transactions involving berth slips, such as sales, transfers, leases, be subject to stamp duties, registration fees or other government charges?

Director of Lands and Surveys:

Yes, transactions will be subject to fees. There will be government charges and those are to be determined. Within the regulations, Section 7 allows for regulations to be prepared and they can provide for government fees if required, so a fee schedule will be needed as it relates to the

lodging of the documentation, the plan and the creation of the registers.

It may operate similarly to what we do for condominiums. We need to have a structure in place with the fees that will be charged for all the activities that pertain to creation of these slips. The registration fees for transactions are usually 100 to 120 EC and they will apply and stamp duties will apply on sale, transfer and on leases.

PORT NIMARA BERTH SLIPS BILL - OWNERSHIP AND ABANDONMENT

Hon.Premier Cora Richardson Hodge:

Next question, what administrative or legal process will apply if a berth slip owner reaches the term of ownership or abandons a designated berth?

Director of Lands and Surveys:

Before any slips are divested, there has to be a Port Nimara Berth Slips Master Declaration as per Section 4 of the bill. Within that declaration, it should contain the rights and responsibilities of the berth slip owners and the developer should detail the outcomes for breach of any obligations. Section 42E requires that the declaration states how disputes will be handled, with an emphasis on alternative dispute resolution methods. There may be recourse to remedies in civil law, such as damages or other remedies.

The owner may face legal action for breach of contract and its specific contractual obligations. The developer has indicated that the berth slip is and will continue to be privately held property of a fee simple ownership nature. The contractual obligations between the seller, buyer and the management will apply. Ultimately, if an owner abandons their slip, the managers can pursue contractual enforcement through non-litigation and court processes, possibly including registering a charge against the title, obtaining court orders for injunctive relief, specific performance, or appointment of a receiver or manager.

PORT NIMARA BERTH SLIPS BILL - FORCE MAJEURE AND REMEDIES

Hon.Mr. Haydn Hughes:

I have a question for clarity. In the case of an act of God, I didn't see any legislation that spoke to a situation where, for example, a hurricane or earthquake destroys the slips and leaves owners without remedy. Do we have anything to enforce that it will be remedied after an act of God?

Director of Lands and Surveys:

Government has a right, especially if the alien land holding license is granted, to put conditions to Executive Council on the license, including a bond if that is deemed necessary.

Hon.Mr. Haydn Hughes:

I think we can learn from the dolphin discovery in Blowing Point, where the slips were built and hurricane Irma destroyed the facility and since then it has been left in a state of disrepair, causing havoc. That could be instructive as it relates to how we move forward and how we can remedy such situations.

Director of Lands and Surveys:

As I said before, if Executive Council so desires, for each alien land holding license granted for a berth slip, it can apply a bond condition.

Hon.Mr. Haydn Hughes:

With that bond, you could possibly have funds in escrow that you can raise in this situation if it occurs.

PORT NIMARA BERTH SLIPS BILL - DERELICT VESSELS AND RESPONSIBILITY

Hon.Premier Cora Richardson Hodge:

And my last question is a similar question for you, Mrs. Hughes. In cases where a vessel becomes derelict while secured to a berth slip, which entity will be responsible for removal and related actions?

Director of Lands and Surveys:

This will go back to the declaration. In that declaration, we can see how the rights and responsibilities of the berth slip owner and the developer work, and there's discretion for the Registrar of Lands at section 42G to have included in that declaration any other matter which is desirable or relevant. It's possible that something like that could be included within the declaration if required and could be made mandatory. The responsibility should lie with the berth owner, and if they don't do what's required, the developer or Marina would then have to undertake that obligation.

Additionally, the Ports, Harbour and Piers Act Sections 23 and 24 give powers to the Superintendent of Ports to manage wrecks and abandoned vessels. The license can also have conditions concerning what should happen in this situation.

PORT NIMARA BERTH SLIPS BILL - CONCLUSION OF LANDS AND SURVEYS QUESTIONS

Hon.Premier Cora Richardson Hodge:

Thank you, Mrs. Hughes.

Director of Lands and Surveys:

You're welcome.

PORT NIMARA BERTH SLIPS BILL - PLANNING APPROVAL PROCESS

Hon.Premier Cora Richardson Hodge:

We'll now ask Principal Planning Officer Mrs. Robert Saj. Good morning and welcome. My first question is, once the legislation is enacted, how will the planning approval process for the Marina and its associated infrastructure be administered?

Principal Planning Officer:

Good morning, everyone. All development on the island is regulated through the Land Development Control Act 2000 as well as the Building Act 2000 and their respective Regulations. Nothing changes in this case. Those two acts will have jurisdiction over the Marina. To date, the Marina has permission in full for the seaward part of it and all approved development is required to be carried out strictly in accordance with approved plans and associated Regulations. Ongoing development of any kind in further phases would have to go through the same process and would need planning approval.

Hon.Premier Cora Richardson Hodge:

Thank you.

PORT NIMARA BERTH SLIPS BILL - SUPERINTENDENT OF PORTS ENFORCEMENT ROLE

Hon.Mr. Haydn Hughes:

Just a question as it relates to the Superintendent of Ports, what role does the Superintendent of Ports have as it relates to enforcement and policing this?

Director of Marine Time Affairs:

Good morning, everyone. The Superintendent of Ports, pursuant to the Ports, Piers and Harbours Act, has key regulatory functions to execute in relation to the Marina. These include ensuring safe navigation and implementing a system to govern the procedures and processes to ensure that operations at the berths are done to an acceptable standard.

PORT NIMARA BERTH SLIPS BILL - SUPERINTENDENT OF PORTS VACANCY

Hon.Mr. Haydn Hughes:

It is my understanding that we are without a Superintendent of Ports. If this is a key role for safety, when do we expect to have this role filled?

Director of Marine Time Affairs:

I am unable to state exactly when the role will be filled, but I know that work is in progress to have the role filled. In the interim, the Maritime Administration will work collaboratively with the Department of Infrastructure to support the process in terms of assessing the berth slips.

Hon.Mr. Haydn Hughes:

Do you have a time frame, such as a year, six months, three months?

Director of Marine Time Affairs:

That is a decision above me, so I can't say exactly if it would be done within the next 6 months or 12 months, but I know that it is work in progress.

Hon.Mr. Haydn Hughes:

Thank you.

PORT NIMARA BERTH SLIPS BILL - CONFLICTS WITH PLANNING REGULATIONS

Hon.Premier Cora Richardson Hodge:

Miss Roberts, my next question. Are there any areas where the Port Nimara Act may conflict with existing planning regulations or national development policies, and if so, how will such conflicts be resolved?

Principal Planning Officer:

In short, no, there are no areas that we foresee where there should be any conflict. All development is controlled via the Land Development Control Act and the Building Act. Although this is a special development area, there have been no special allowances or exemptions as far as development control is concerned. Our laws are there to ensure transparency, legal certainty and consistency.

PORT NIMARA BERTH SLIPS BILL - MONITORING AND COMPLIANCE

Hon.Premier Cora Richardson Hodge:

Thank you, and my final question for you is what monitoring and compliance mechanisms will the Department implement to ensure adherence to planning conditions after permission is granted?

Principal Planning Officer:

Our act speaks to enforcement measures that are clearly stated. It will be followed through the same process; it's no different. We do have not very strong enforcement measures, but that is something that has to be taken care of through more robust legislation. It will be business as usual and the development will be expected to be built in accordance with approved plans and any subsequent changes would have to come back to the Land Development Control Committee for consideration and approval.

Hon.Premier Cora Richardson Hodge:

Thank you very much.

Principal Planning Officer:

Thank you.

PORT NIMARA BERTH SLIPS BILL - MARITIME AFFAIRS REGULATORY RESPONSIBILITIES

Hon.Premier Cora Richardson Hodge:

Director of Maritime Affairs, just a couple questions for you. What regulatory responsibilities will the Department of Maritime Affairs assume during both the construction phase and the operational phase of the berth slips?

Director of Marine Time Affairs:

The Anguilla Maritime Administration and Shipping Registry, acting through the Superintendent of Ports, will assume key regulatory functions pursuant to the Ports, Piers and Harbors Act during both construction and operational phases of the berth slips. During the construction phase, periodic inspections of the berth slips work will be conducted in collaboration with the Department of Infrastructure. We will ensure the placement and maintenance of lights and signage to safeguard mariners operating within the area. Under Section 3 of the Ports, Piers and Harbour Act, the Superintendent of Ports is responsible for administering and enforcing the Act and its Regulations and managing marine navigational aids to support vessel movement.

Section 4 further empowers the Superintendent of Ports to regulate and control navigation of vessels within the limits of any Marina, port or harbour and the approaches thereto, and regulate the use of any Marina. During the operational phase, the company will be required to implement a marine safety management system as approved by the Anguilla Maritime Administration. The Marine Safety Management System provides a comprehensive framework which includes policies and procedures, including berth operations, and clearly defines responsibilities pertinent to the management and implementation of the system. This system ensures that Marina operations are safe, maintained to an appropriate standard, and that the marine environment is protected from ship-source pollution.

Oversight for compliance will be managed by conducting periodic inspections and audits against that framework by the Superintendent of Ports.

PORT NIMARA BERTH SLIPS BILL - SUPERINTENDENT OF PORTS RECRUITMENT URGENCY

Hon.Mr. Haydn Hughes:

It seems to me the Superintendent of Ports has a very important role as it relates to this. Miss Richardson said earlier that we were able to turn around this very important piece of legislation in a matter of two months. I find it difficult to understand why it's going to take two months, six months, or a year to recruit a Superintendent of Ports. In fact, we need to recruit at least two Superintendents of Ports because someone will be on vacation at some point.

That recruitment needs to happen now. We have the Honourable Deputy Governor here and I know the question is not directed to the Deputy Governor, but I would assume that immediately following this meeting, the Deputy Governor and yourself would get together to discuss the rapid recruitment of two Superintendents of Ports. You will not get opposition from the opposition, and not speaking for the government, you will not get opposition from the government. This very important role needs to be filled expeditiously.

GOVERNMENT STATEMENTS

ORDER OF BUSINESS TRANSITIONS: GOVERNMENT STATEMENTS, PAPERS, REPORTS FROM COMMITTEES, PETITIONS, GOVERNMENT NOTICES, PRIVATE MEMBERS NOTICES, MOTIONS

Clerk:

Government statements and recent developments. None. Papers. None. Reports from committees None. Petitions None. Government notices None. Private members notices None. Motions- Motion 1 of 2026-1/13/HOA. Customs duty and tax exemption motion Regulations, 2026.

MOTIONS

CUSTOMS DUTY AND TAX EXEMPTION MOTION 1/2026 - INTRODUCTION

Hon. Speaker Tara Cater:

I invite the Member, the mover of this motion, Motion 1 of 2026. I recognize the Honourable Member for Sandy Hill.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. Madam Speaker, I beg to move the following motion, Customs Duty and Tax Exemption Motion 1/2026 -1/13 HOA Regulations 2026.

CUSTOMS DUTY AND TAX EXEMPTION MOTION 1/2026 - SECONDING

Hon. Speaker Tara Cater:

Is there a seconder?

Hon.Cardigan Connor:

Madam Speaker I rise to second.

CUSTOMS DUTY AND TAX EXEMPTION MOTION 1/2026 - DEBATE

Hon. Speaker Tara Cater:

Thank you, Honourable Members. Honourable Member, do you wish to speak to the resolution?

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. Madam Speaker, resolution made by the House of Assembly under section 77, (1) of the Customs Act, Revised Statutes of Anguilla, Chapter 169 and Section 3 of the Excise Tax (Amendment) Act, 2020 was proposed and seconded in the House of Assembly on the 10th day of February 2026. Whereas a certificate of good standing that had not expired or been cancelled was produced. A Minister of finance in relation to the importers; Be it resolved that under the powers contained In section 77, one of the Customs Act, Revised Statutes of Anguilla, Chapter 169 and Section 3 of the Excise Tax (Amendment) Act, 2020; the House of Assembly exempts from customs duty and excise tax the goods imported into Anguilla specified in the Schedule. The following conditions apply in respect of all goods exempted by virtue of this Resolution. (a) The goods shall not, within five years of the date of importation, be sold exchanged, given away, or applied to any use other than the youth specified in the Schedule; (b) On the expiry of six months from the date of importation and each successive 6-month period within the 5 year period after the date of importation, the importer shall certify to the Comptroller of Customs, in a form acceptable to the Comptroller of Customs that he has complied with the conditions set out in paragraph (a); (c) Upon demand made by a customs officer, the goods exempted under this Resolution shall be produced or otherwise accounted for to the customs officer; (d) In accordance with the Customs Administrative Cost Recovery Act, Revised Statutes of Anguilla, Chapter 170, at the time of import, the importer shall pay the Customs Administrative Charge at the rate specified in the schedule.

In accordance with Section 71 of the Customs Act, Revised Statutes of Anguilla, Chapter 169, the following apply in the event that the condition referred to in Section 1 of this Resolution is contravened or not complied with: (a) If any of the goods exempted under this Resolution are sold, exchanged, given away or applied to any use other than the use specified in the Schedule within five years of the date of importation; The importer shall pay the customs duty and excise tax on the value of such goods at the rates specified in the integrated customs tariff at the date of importation. (2) The importer and any person knowingly concerned in such sale, exchange, gift or unsanctioned uses guilty of an offense and may be arrested and is liable to a fine of $20,000 or three times the customs duty, excise tax relieved whichever is the greater, or to imprisonment for a term of two years or to both; and the goods and respect of which the exemption was granted are liable to forfeiture. (b) If the importer fails to certify that he has not sold, exchanged, given away, or applied the goods to any use other than the use specified in the Schedule, the importer shall produce or account for the goods exempted under this Resolution to the Comptroller of Customs; any goods not produced or accounted for will be deemed to have been sold, exchanged, given away, or applied to some use other than the use specified in the schedule and the paragraph (a)(1) applied; and if any goods not produced or accounted for are subsequently found, they are liable to forfeiture. (c) if the importer fails to produce or account for the goods exempted under this Resolution upon demand by a customs officer – the importer and any person knowingly concerned in such failure are guilty of an offence and may be arrested, and are liable to a fine of $20,000 or three times the value of the goods, whichever is the greater, or to imprisonment for a term of two years, or to both and (2)if any

goods not produced or accounted for are subsequently found they are liable to forfeiture. (d) If the importer fails to pay the Customs Administrative Fee at the rate specified in the Schedule, at the expiry of 30 days from the date of delivery of a demand for payment made by the Comptroller of Customs or such longer period as may be designated by the Comptroller of Customs – the importer shall pay the customs duty, and the excise tax on the value of such goods at the rates specified in the Integrated Customs Tariff at the date of importation; the important and any person knowingly concerned in such failure are guilty of an offence and may be arrested and or liable to a fine of $20,000 or three times the value of the goods, whichever is the greater, or to imprisonment for a term of two years or to both and the goods exempted under this Resolution are liable to forfeiture.

Attached is the motion 1 Schedule and is the importance the Anguilla Cricket Association/Leon Lake and the purposes are raffle. The period during which the importation is allowed is from November 5th, 2025 through 4th of November 2026. The goods that may be imported: a vehicle, Rate of Customs Administrative Charge 5%, Administrative Charge of the value of the goods in respect of which customs duty exemption is granted and the Duty and Tax Laws Loss is EC $18,675.34.

Thank you, Madam Speaker.

CUSTOMS DUTY AND TAX EXEMPTION MOTION FOR ANGUILLA CRICKET ASSOCIATION

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. Madam Speaker, a resolution made by the House of Assembly under section 77(1) of the Customs Act, Revised Statutes of Anguilla, Chapter 169 and Section 3 of the Excise Tax (Amendment) Act, 2020 was proposed and seconded in the House of Assembly on the 10th day of February 2026. Whereas a certificate of good standing that had not expired or been cancelled was produced. A Minister of Finance in relation to the importers; Be it resolved that under the powers contained in section 77(1) of the Customs Act, Revised Statutes of Anguilla, Chapter 169 and Section 3 of the Excise Tax (Amendment) Act, 2020; the House of Assembly exempts from customs duty and excise tax the goods imported into Anguilla specified in the Schedule. The following conditions apply in respect of all goods exempted by virtue of this Resolution: (a) The goods shall not, within five years of the date of importation, be sold, exchanged, given away, or applied to any use other than the use specified in the Schedule; (b) On the expiry of six months from the date of importation and each successive six-month period within the five-year period after the date of importation, the importer shall certify to the Comptroller of Customs, in a form acceptable to the Comptroller of Customs, that he has complied with the conditions set out in paragraph (a); (c) Upon demand made by a customs officer, the goods exempted under this Resolution shall be produced or otherwise accounted for to the customs officer; (d) In accordance with the Customs Administrative Cost Recovery Act, Revised Statutes of Anguilla, Chapter 170, at the time of import, the importer shall pay the Customs Administrative Charge at the rate specified in the schedule.

In accordance with Section 71 of the Customs Act, Revised Statutes of Anguilla, Chapter 169, the following apply in the event that the condition referred to in Section 1 of this Resolution is contravened or not complied with: (a) If any of the goods exempted under this Resolution are sold, exchanged, given away or applied to any use other than the use specified in the Schedule within five years of the date of importation, the importer shall pay the customs duty and excise tax on the value of such goods at the rates specified in the integrated customs tariff at the date of importation. The importer and any person knowingly concerned in such sale, exchange, gift or unsanctioned use is guilty of an offence and may be arrested and is liable to a fine of $20,000 or three times the customs duty, excise tax relieved, whichever is the greater, or to imprisonment for a term of two years or to both; and the goods in respect of which the exemption was granted are liable to forfeiture. (b) If the importer fails to certify that he has not sold, exchanged, given away, or applied the goods to any use other than the use specified in the Schedule, the importer shall produce or account for the goods exempted under this Resolution to the Comptroller of Customs; any goods not produced or accounted for will be deemed to have been sold, exchanged, given away, or applied to some use other than the use specified in the schedule and paragraph (a)(1) applies; and if any goods not produced or accounted for are subsequently found, they are liable to forfeiture. (c) If the importer fails to produce or account for the goods exempted under this Resolution upon demand by a customs officer, the importer and any person knowingly concerned in such failure are guilty of an offence and may be arrested, and are liable to a fine of $20,000 or three times the value of the goods, whichever is the greater, or to imprisonment for a term of two years, or to both; and if any goods not produced or accounted for are subsequently found, they are liable to forfeiture. (d) If the importer fails to pay the Customs Administrative Fee at the rate specified in the Schedule, at the expiry of 30 days from the date of delivery of a demand for payment made by the Comptroller of Customs or such longer period as may be designated by the Comptroller of Customs, the importer shall pay the customs duty and the excise tax on the value of such goods at the rates specified in the Integrated Customs Tariff at the date of importation; the importer and any person knowingly concerned in such failure are guilty of an offence and may be arrested and are liable to a fine of $20,000 or three times the value of the goods, whichever is the greater, or to imprisonment for a term of two years or to both, and the goods exempted under this Resolution are liable to forfeiture.

Madam Speaker, attached is the motion #1 Schedule and its importance to the Anguilla Cricket Association/Leon Lake, and the purposes are for a raffle. The period during which the importation is allowed is from November 5th, 2025 through 4th of November 2026. The goods that may be imported: a vehicle. Rate of Customs Administrative Charge 5%, Administrative Charge of the value of the goods in respect of which customs duty exemption is granted, and the Duty and Tax Laws Loss is EC $18,675.34.

Thank you, Madam Speaker.

Hon. Speaker Tara Cater:

Thank you, Honourable Member. Does any Member wish to speak to the motion that is on the floor? I recognize the Honourable Member from West End.

Hon.Cardigan Connor:

Thank you, Madam Speaker. Madam Speaker, of course I stand in support of this Motion. Cricket is a very expensive sport. Cricket is also a sport that bonds us as a people, not just in Anguilla but the Leewards and further afield, the West Indies, and not just in the West Indies but West Indies around the world. The Anguilla Cricket Association for a number of years has struggled with fundraising. It is very difficult these days to get sponsorship as we've had in the past.

So, I must commend the members of Anguilla Cricket Association with this initiative of going out there and finding ways to raise funds and I know it's easy to criticize associations to say they should be doing this, they should be doing that, but they're volunteers, Madam Speaker, and for those persons out there who remember the great days when the West Indies were the kings of cricket, remember the days when Omari Banks, at the age of 20, batting against Australia in Antigua for three hours and 25 minutes to help the West Indies win, it was because of the cricket development in Anguilla, it is because a number of persons would have given up their time and their donations to help make it possible.

In recent times, we have struggled with that support but again I stand to support the Anguilla Cricket Association in this venture but also to challenge all Anguillians to go out and give support. Sure, you've got a chance of winning a new Jeep, but also it's not just about what you'll win, it's about the investment that you're making in the youth of our island. I thank you, Madam Speaker.

Hon. Speaker Tara Cater:

Thank you, Honourable Member. Does any other Member wish to speak? I recognise the Single Island Wide Electoral District Member Brian.

Hon.Jeison Jose Bryan:

Thank you Madam Speaker. Good morning to all the Honourable Members of the House, the members in the gallery. Madam Speaker, I rise in strong support of this motion. Because besides cricket having struggles to raise funds, cricket is also youth development, cricket is also community engagement, cricket is also a national pride and an economic pillar, and the aim behind this administration, when it comes to sports, is also sports tourism. If we're talking of sports tourism, this is an avenue which cricket is creating to find funds for them to support their development into the youth, into the sports in general, and this is the way we as a government can stand strong and support them so that they can be encouraged to continue to grow and always be there behind them as a government that's willing to see them strive as the years come along.

So, our youth deserve this, the Cricket Association deserves this, and we will continue to support them as they continue to grow. Thank you, Madam Speaker.

Hon. Speaker Tara Cater:

Does any other member wish to speak? If not, I invite the mover to reply and then I will put the question.

Hon.Premier Cora Richardson Hodge:

Yes, thank you, Madam Speaker. Madam Speaker, I would like to thank the Honourable Members of this House for supporting this motion that has come before the House today. Given that there's been no objection from the opposition, I take it that they are in support as well, and so I thank them as well for their support.

No further comments, Madam Speaker, on this.

Hon. Speaker Tara Cater:

Thank you, Honourable member. It has been moved and seconded that a motion, Motion 1/2026-1/13 House of Assembly, Customs Duty and Tax Exemption Motion Regulations, 2026 be passed as a resolution of this House. Those in favor say aye, those opposed say no. The ayes have it. The motion has become a resolution of the House.

PERSONAL EXPLANATIONS

ORDER OF BUSINESS ANNOUNCEMENTS AND PORT NIMARA MARINA ANGUILLA BETH SLIPS ACT 2025 - BILL INTRODUCTION

Clerk:

Personal explanations, none. Other business. Government business; A Bill for Port Nimara Marina Anguilla Beth Slips Act 2025.

OTHER BUSINESS

COMMITTEE OF THE WHOLE AND STRATEGIC PLAN FOR BILL CONSIDERATION

Hon. Speaker Tara Cater:

Honourable Members, you will recall on the last occasion this House did resolve itself into the Committee of the Whole and

we continue in the Committee of the Whole House. I, however, wanted to place on record my appreciation for the public officers that are in the gallery and I wanted to also remind the Honourable Members and our visiting public officers that on the 14th of October 2025, this House passed a motion to adopt and endorse a strategic plan as it relates to modernizing the approach that the House takes, particularly as it relates to the committee phase of bills.

The House, both sides, approved in their resolution that the strategic goal indicator 1-1/2 was such that the House would move in a direction where it would enhance the process for progressing bills through the House of Assembly. It states that the opportunities for public consultations, including at the committee, shall be provided for all new bills as well as amendments at the Speaker's discretion. The House also endorsed in their strategic plan that this provision allows the House or the Speaker's position to bring in outside experts as we consider you in your fields, just for the purpose of assisting the Members, but also primarily for the purpose of assisting the public in understanding the bill that is before the House at any particular time.

There's also Goal 9, Strategic Goal 9.5, where the House endorsed in their strategic plan that the modernization of the House would ensure that the public had access to the House of Assembly and that is recognizing that we are all here to serve the public and do the work of the public and for that reason you have been invited. This as well specifically describes the types of expertise that would be summoned, stating in the goals that the public shall be engaged directly with Committee through, inter alia, public meetings, expert advisors, wide range of witnesses, calls for evidence on an ongoing but expanding basis. So, we've started the practice, as you'll recall, during the budgets estimates period and it was quite a new process, but well received and I think both sides and all participants were actually happy and enlightened for participating in that level of review.

I did, before convening today, receive some concern from the Attorney General's office, and I wish to acknowledge those concerns, and those concerns are in relation to the role of the Attorney General's chambers as it relates to their role in terms of this process. I wanted to place on record, because I hadn't had an opportunity to respond formally, that I am guided by the principles of legal privilege at all times. Privilege and confidentiality will be respected and honored, but it does not mean that those officers aren't allowed to participate in the process, which the House as a whole has recognized as an educational and a process that ensures transparency and collaboration with the public as well. So, we honor and respect those values, and I recognize those as well.

At this stage, I'm going to stand down for about three minutes and it's really just to allow the officers to take their place. They're becoming familiar with this new approach. I'll recite the procedure when we reconvene if that is convenient. Stand down for two minutes, three minutes.

COMMITTEE OF THE WHOLE - MODERNIZATION AND PUBLIC ENGAGEMENT

Hon. Speaker Tara Cater:

Honourable Members, you will recall on the last occasion this House did resolve itself into the Committee of the Whole and we continue in the Committee of the whole House. I, however, wanted to place on record my appreciation for the public officers that are in the gallery and I wanted to also remind the Honourable Members and our visiting public officers that on the 14th of October 2025, this House passed a motion to adopt and endorse a strategic plan as it relates to modernizing the approach that the House takes, particularly as it relates to the committee phase of bills.

The House, both sides approved in their resolution that the strategic goal indicator 1-1/2 was such that the House would move in a direction where it would enhance the process for progressing bills through the House of Assembly. It states that the opportunities for public consultations, including at the committee, shall be provided for all new bills as well as amendments at the Speaker's discretion. The House also endorsed in their strategic plan that this provision allows the House or the Speaker's position to bring in outside experts as we consider you in your fields, just for the purpose of assisting the Members, but also primarily for the purpose of assisting the public in understanding the bill that is before the House at any particular time.

There's also Strategic Goal 9.5, where the House endorsed in their strategic plan that the modernization of the House would ensure that the public had access to the House of Assembly and that is recognizing that we are all here to serve the public and do the work of the public and for that reason you have been invited. This as well specifically describes the types of expertise that would be summoned stating in the goals that the public shall be engaged directly with Committee through inter alia public meetings, expert advisors, wide range of witnesses, calls for evidence on an ongoing but expanding basis. So, we've started the practice as you'll recall during the budgets estimates period and it was a quite a new process, but well received and I think both sides and all participants were actually happy and enlightened for participating in that level of review.

I did before convening today, receive some concern from the Attorney General's office, and I wish to acknowledge those concerns and those concerns are in relation to the role of the Attorney General's chambers as it relates to their role in terms of this process and I wanted to place on record, because I hadn't had an opportunity to respond formally, that I am guided by the principles of legal privilege at all times.

Privilege and confidentiality will be respected and honored, but it does not mean that those officers aren't allowed to participate in the process, which the House as a whole has recognized as an educational and a process that ensures transparency and collaboration with the public as well. So, we honor and respect those values, and I recognize those as well.

At this stage, I'm going to stand down for about 3 minutes and it's really just to allow the officers to take their place. They're becoming familiar with this new approach. And I'll recite the procedure when we reconvene if that is convenient. OK. Stand down for two minutes, 3 minutes.

COMMITTEE OF THE WHOLE - INTRODUCTION OF PUBLIC OFFICERS AND QUESTIONS

Hon. Speaker Tara Cater:

You may be seated. This House resumes its committee. I welcome our public officers, and just so that we are informed as to who is with us today I'd like to welcome the Registrar of Lands, Miss Angela Hughes, who is attending on behalf of the director, who sends his apologies for being out of the jurisdiction.

I welcome the Permanent Secretary, Mr. Franklin and your public portfolio relates to the Economic Development Department? That's correct. I welcome our Principal Planning Officer. I also welcome our Chief Parliamentary Counsel from the Attorney General's Chambers and the Director of Maritime Affairs. Thank you for attending. We are in committee. The House has the opportunity to ask questions. You have opportunity to share any points that you wish to raise or to highlight. What I recognize and most of you would have participated the last time that we had committee.

What I recognize that in going through and it's not a formal process even though we're in committee. You can ask questions on either side. You just indicate what I recognize is that as the questions developed we realized that there were some persons that benefited from it even though they're within the same department or office, there were things that were able to be shared that benefited not just who was in the room but for public, so I invite any members to put any questions to the panel that has taken the time to attend.

I am aware that there were some questions circulated in advance, so I will open the floor for that process to take away. I recognize the Honourable Member for Road North.

PORT NIMARA BILL - ALIGNMENT WITH GOVERNMENT POLICY

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Chair, Good morning and welcome again. I'll start with the Permanent Secretary; my first question will be to you. How does this Port Nimara Bill align with existing government policy?

Permanent Secretary:

Good morning, Members, Madam Chair. The primary purpose of the Bill is to establish a clear public law framework for the regulation, administration and recording of certain marine related property interests in Anguilla. From a policy standpoint, the government has an obligation to ensure that any interests capable of recognition or registration are administered within a transparent, orderly and enforceable system. This is consistent with government policy and land administration, ports oversight and the protection of purchasers and the wider public interest.

The bill aligns with existing government policy as set out in the Medium Term Economic and Fiscal Plan 2026 to 2028, the 2026 Budget Address, and the People's Plan, which has been adopted as the government's policy in so far as the bill strengthens governance, regulatory clarity, and public administration. At a broader policy level, the government has committed to the diversification of the economy, strengthening high value tourism and marine services, and encouraging responsible private sector investment within a framework that is fiscally sustainable and properly regulated. Those objectives, however, are pursued through regulation, oversight and the fostering of an environment for local and foreign direct investment.

Accordingly the alignment is with governance, public administration and macro level investment policy, not with any specific private activity.

Hon.Premier Cora Richardson Hodge:

Thank you, Mr. Franklin.

COMMITTEE OF THE WHOLE - QUESTIONS TO PANEL

Hon. Speaker Tara Cater:

Are there any questions that any Member would wish to direct and respond in relation to the response?

PORT NIMARA BILL - ECONOMIC IMPACTS

Hon.Premier Cora Richardson Hodge:

OK. That's my next question. What are the anticipated economic impacts of the Port Nimara Marina, on employment opportunities for local contractors and other businesses across Anguilla.

Permanent Secretary:

Thank you, member. I will try to answer that question in a broader concept. I wish to emphasize at the onset that the bill is being advanced to create a regulated framework for the administration and management of certain marine related property interests, not on the basis of anticipated economic impact from any individual development perspective.

In general, regulated marine and tourism activities, including marinas, can create opportunities for local contractors, suppliers and service providers. The government interest is that such activity, wherever it occurs, takes place within a framework that supports stability, legal certainty and effective public oversight. Rare developments, including marina

developments, proceed under existing approvals and agreements. Those standard instruments usually include provisions on local participation, training, and the use of local labor and machinery.

These provisions operate independently of this bill and do not determine its purpose. In general, marinas can and usually do support employment in marine services, hospitality, maintenance, retail and port related activities and may give rise to wider spillovers. Spillover effects cross transportation, provisioning and tourism services. Marinas usually have multiplier and ripple effects on local economies.

Businesses around a marina tend to benefit from the services that are going inside of the marina. Any such economic effects are secondary economy-wide outcomes and do not inform the basis on which government advances legislation. The primary objectives remain sound regulation in the public interest.

PORT NIMARA BILL - ECONOMIC ASSESSMENT AND RISKS

Hon.Premier Cora Richardson Hodge:

I'll ask another question to you, Mr. Franklin. Has the Ministry conducted an economic assessment to determine whether the projected benefits of the development outweigh potential environmental, social or regulatory risk?

Permanent Secretary:

Yes, there was an environmental impact assessment. This was in the early 2000s, 2006, and was conducted in accordance with government's approved terms and informed by approvals granted for the marina component. Development will proceed and has been proceeding in phases, subject to continued compliance with planning, beach control, ports and harbors legislation, environmental standards, alien landholding license, and regulatory oversight. Importantly, the land site developments remain subject to further review and planning.

In totality, the benefits as assessed by the EIA outweigh the environmental, social and regulatory risk.

PORT NIMARA BILL - LEGISLATIVE APPROACH

Hon.Premier Cora Richardson Hodge:

Thank you, Mr. Franklin. I now have some questions for Miss Richardson. What considerations led to the decision to introduce a new standalone piece of legislation rather than amending existing laws governing land registration, marine infrastructure or property rights?

Chief Parliamentary Counsel:

We did consider amendments to different pieces of legislation, but because this is a new concept and the amount of amendments that would have been needed to be able to clearly articulate the policy, we thought that process would have been too cumbersome. Ultimately, when you prepare legislation, you have to think about user friendliness, the ability of the public or the particular persons that the legislation is targeting, their ability to follow what is being done clearly. So, when we looked at it, we thought that a standalone piece of legislation would have allowed us to translate government's policy in a more efficient, structured and clear manner.

That was the main reason why we chose standalone legislation over amending one of the different pieces of legislation that this concept could have fallen under.

PORT NIMARA BILL - LEGISLATIVE PRECEDENT

Hon.Premier Cora Richardson Hodge:

Next question. Does this bill establish a legislative precedent for future privately led developments in Anguilla, whether it be marinas or other forms of real estate infrastructure?

Chief Parliamentary Counsel:

I do not think that this piece of legislation creates any legislative precedent. A one-off piece of legislation or doing something for the first time doesn't necessarily in itself establish precedent. You would have to develop a pattern of conduct over time to say that something actually establishes precedent. So, I don't think so, Honourable Member.

Hon.Premier Cora Richardson Hodge:

But the fact that it's there now, that we are about to pass this bill. Doesn't that open up the doors?

Chief Parliamentary Counsel:

Not necessarily. If an investor comes forward and they would like to use this as a guide, they could ask. You have to follow the various procedures already established by government in order for anything to happen. You could use it as a guide, but to say that you have established precedent is a different process.

It's a more detailed, a more long-winded process to say that you have come to the point where you have established legal. Yes, something could be done. So, you could use it and say yes, this happened, may I also have this privilege? But that is a different manner from saying you have established precedent. This is the first time that this is being done. It's a one-time matter as of now, it is not precedent.

PORT NIMARA BILL - LEGAL STATUS OF BERTH SLIPS

Hon.Premier Cora Richardson Hodge:

Thank you. I'll ask a next question. Under the legislation, will berth slips have the same legal status as immovable property, thereby allowing them to be sold, mortgaged or transferred through inheritance?

Chief Parliamentary Counsel:

The simple answer to your question is yes, berth slips will be treated as property. If you go into the legislation itself under Section 1, under the definition of property you would see where berth slips is included and also section 1/3. It specifically states that berth slips constitute immovable property within the meaning of the Registered Land Act and may be the subject of ownership, lease agreements, mortgages, charges and shall be treated in the same manner as a parcel of land.

PORT NIMARA MARINA ANGUILLA BERTH SLIPS BILL - COMMITTEE STAGE

Hon.Mr. Haydn Hughes:

With all due respect to everyone, it seems to me as if the Superintendent of Ports has a very important role as it relates to this. Miss Richardson said earlier that we were able to turn around this very important piece of legislation in a matter of two months. I find it difficult to understand why it's going to take two months, six months, or a year to recruit a Superintendent of Ports. As a matter of fact, we need to recruit at least two Superintendents of Ports because someone will be on vacation at some point, so that recruitment needs to happen now.

We have the Honourable Deputy Governor here and I know the question is not directed to the Honourable Deputy Governor, but I would assume that immediately following this meeting, the Honourable Deputy Governor and yourself would get together to discuss the rapid recruitment of two Superintendents of Ports. You will not get opposition from the opposition, and not speaking for the government, you will not get opposition from the government. As it relates to this very important role, it needs to be done expeditiously and quickly, rapidly, and any other objective we could find to describe the way we recruit these two persons.

Director of Marine Time Affairs:

Thank you, Mr. Hughes. In 2024, the Superintendent of Ports position was advertised, recommendations were submitted following the process in which we completed the review of the applications. As of now, I cannot state where we are, but I was informed that it is a work in progress. I cannot state if it's going to be completed in the next three months, six months, or within 12 months, but that's just where I am in knowing the status of that.

As you have correctly stated, it is an important position to be filled, and I believe that our ministry will engage in promoting or taking the necessary steps to facilitate a quick turnaround in the process.

Hon.Mr. Haydn Hughes:

What process?

Director of Marine Time Affairs:

In the process of trying to recruit the Superintendent of Ports.

Hon.Mr. Haydn Hughes:

Maybe this question is to the Deputy Governor. Because Miss Hodge said that the process was done in 2024. 2024 interviews occurred?

Director of Marine Time Affairs:

The process did not reach the stage at which interviews were conducted. Recommendations were made for it to be readvertised.

Hon.Mr. Haydn Hughes:

Recommendations were made for it to be readvertised. 2024. We are in what year? 2026. In 2026 and here we are in committee stage speaking about a very important regulatory aspect of the enforcement of this bill and the enforcement of our territorial waters and land and we still can't have two Superintendents of Ports, at least one to begin with, being hired.

So, I would like to know, and I don't think any of us want to hear six months, eight months. When will we recruit a Superintendent of Ports, at least one in the first instance and another person to ensure that this is carried out?

Hon. Speaker Tara Cater:

Member, we're in committee on the bill. After we go on coffee break, let's talk about that point. I think it was Miss Fleming that I was speaking about the rule and the importance of the

rule in your understanding that it's relevant to this bill. OK. Is there a question there? I see you're looking over at the government side.

Hon.Mr. Haydn Hughes:

Sorry, sorry. The question is to the Deputy Governor. Yes, the deputy. Yes. Right. It is important, very relevant to this bill.

Hon. Speaker Tara Cater:

OK, but I don't think anyone on the panel is able to speak to that.

Hon.Mr. Haydn Hughes:

And that is why we are putting the question to the Honourable Deputy Governor.

Hon. Speaker Tara Cater:

Oh, the question is put to the Honourable Deputy Governor?

Hon.Mr. Haydn Hughes:

Yes, yes. The question is, please, and the foot of my good cousin from South Hill.

Hon. Speaker Tara Cater:

Honourable Deputy, do you need to be rescued or will you answer your cousin? Answer your cousin.

Hon Deputy Governor:

Thank you, Madam Speaker. To my dear cousin, Member from Road South, I can give you every assurance that every effort will be made to expedite the recruitment of a Superintendent of Ports. I cannot sit here and give you an exact timeline. However, I can give you every assurance that the effort will be made to get it done sooner rather than later.

I hope that is satisfactory to you, my dear cousin. Thank you.

Hon.Mr. Haydn Hughes:

Well, Minister Hodge, if it doesn't happen, just give me a shout.

Hon. Speaker Tara Cater:

Well, you know you'll have him here again. You can put the question to him again. I'll allow it since it's on record now, but I recognize it's connected to the bill. That's what you're saying. OK, proceed.

Hon.Premier Cora Richardson Hodge:

It's still to the Director of Maritime Affairs. How will waste management, including sewage, bilge water, and solid waste, be regulated for vessels moored within the Marina?

Director of Marine Time Affairs:

Waste management for vessels moored within the Marina will be regulated through the requirement for the operator to implement an approved waste management plan and provide adequate waste reception facilities for the collection and disposal of sewage and solid waste in accordance with applicable standards. Bilge water will be managed to the extent that is practical given the absence of a local final disposal treatment facility. Accordingly, it will be addressed through operational controls, including the provision of oil absorbent pads and procedures to prevent discharge into the marine environment where feasible. The operator may also be required to construct an approved water treatment plant consistent with regulatory requirements that allows one to treat that wastewater on the property.

Oversight of waste management systems will be coordinated with key authorities, including the Department of Health Protection, and compliance will be monitored through inspections and interagency coordination to ensure protection of public health and the marine environment.

Hon.Premier Cora Richardson Hodge:

Thank you, and my final question. If pollution occurs while a vessel is moored to a berth slip, how will liability be assigned, and which authority will lead a response and enforcement actions?

Director of Marine Time Affairs:

If pollution should occur while a vessel is moored at a berth slip, liability will be assigned in accordance with the applicable legislation, with primary responsibility resting with the vessel owner or the operator responsible for the discharge in keeping

with the Polluter Pays Principle. Where pollution results from failures in Marina infrastructure or operations, liability may also be extended to the Marina operator. The authority responsible for leading a response and enforcement actions will depend on the type of pollution that occurs. For example, in the event of an oil spill, the Department of Natural Resources will be notified in accordance with established notification procedures and will lead the response.

If the spill exceeds the response capacity of the vessel or the Marina operator, the National Oil Spill Contingency Plan will be activated. Enforcement actions will be undertaken by the relevant authorities as prescribed under those plans.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Chair. I don't know if anyone else had any other questions, but that's it for me.

Hon. Speaker Tara Cater:

Thank you for your questions. Are there any other questions?

Hon.Mr. Haydn Hughes:

I just have a question as it relates to spills. What piece of legislation do we have that deals with spills? And who's responsible for cleaning up the spills if they happen?

Director of Marine Time Affairs:

The legislation in place is across different pieces of legislation; it is not one specific legislation. However, we are currently working on a Marine Pollution legislation to support this further. There are orders as well that have been extended to Anguilla through the United Kingdom that enable us to develop plans specifically for an oil spill incident. The authority for an oil spill response lies with the Department of Natural Resources; however, it is a coordinated effort involving other agencies such as the Anguilla Fire and Rescue Service, the Department of Infrastructure, Fisheries, Department of Health Protection, and others.

We have also had community members trained to assist in response, as incidents may exceed the capacity that government has.

Hon. Speaker Tara Cater:

Thank you. Does any other Member wish to put any questions? If not, we can proceed with considering the bill. Any other questions? Does the panel wish to share anything else? If not, I will speak on behalf of the members on both sides and the staff to thank you for being open and willing. It was not that bad and it's very helpful.

I can assure you, when you leave, you'll know that the public does accept, appreciate and are grateful for the clarity on these things. I learned things, we all learned things, and legislation isn't static. We've also highlighted things that have to be looked at again and I appreciate that.

Hon. Speaker Tara Cater:

At this stage, I call upon the Clerk to proceed.

Clerk:

Clauses one through nine.

Hon. Speaker Tara Cater:

Members, I put the question that clauses 1 to 9 do stand part of this bill. Those in favor say aye. Those opposed say no. The ayes have it.

Clerk:

Schedule 1.

Hon. Speaker Tara Cater:

I put the question that Schedule 1 stands part of this bill. Those in favor say aye, those opposed say no. The ayes have it.

Clerk:

Schedule 2.

Hon. Speaker Tara Cater:

Before you Members is a bill with a second schedule. Schedule 2, it is the Port Nimara Berth Slips site plan. I put the question that this forms part of the Bill. Those in favour say aye, those opposed say no. The ayes have it.

Clerk:

The title.

Hon. Speaker Tara Cater:

Members.

Hon.Kyle Hodge:

Madam Chair, I would like to move that the title be amended by removing 2025 and replacing it with 2026.

Hon. Speaker Tara Cater:

Do we have a seconder in respect of the motion before us to amend the title to reflect Port Nimara Marina Anguilla Berth Slips Act 2026 as opposed to 2025?

Hon.Mr. Haydn Hughes:

Madam Speaker, I rise to second.

Hon. Speaker Tara Cater:

Thank you for seconding. It has been moved and seconded that the title be amended to reflect 2026 as opposed to 2025. Those in favor say aye, those opposed say no, the ayes have it. I therefore put the question that the title now shall stand as part of the Bill Port Nimara Marina Anguilla Berth Slips Act, 2026.

Those in favor say aye, those opposed say no. The ayes have it.

Clerk:

The enacting clause.

Hon. Speaker Tara Cater:

I put the question that the enacting clause at Page 1 of this bill stands part of the bill. Those in favor say aye, those opposed say no. The ayes have it. The house now resumes its sitting. I will allow our panel to discharge. They can stay in the gallery if you wish to be present for the third reading. I'll just allow a few minutes for them to be comfortable. This House now resumes its sitting from the committee stage.

I call upon the Minister as the mover of this Bill to report on the committee stage.

PORT NIMARA MARINA ANGUILLA BERTH SLIPS BILL - COMMITTEE REPORT

Hon.Kyle Hodge:

Thank you, Madam Speaker. Madam Speaker, I beg to report that the bill shortly entitled Port Nimara Marina Anguilla Berth Slips Act 2026 has passed through committee stage with amendment and is ready for its third reading.

PORT NIMARA MARINA ANGUILLA BERTH SLIPS BILL - THIRD READING

Hon. Speaker Tara Cater:

Thank you, Honourable Member. It has been reported that the Bill has passed through the committee stage with one amendment, that the name now reflects 2026. I call upon the Clerk to read the Bill.

Clerk:

Port Nimara Marina Anguilla Berth Slips Act 2025, third reading.

Hon.Kyle Hodge:

Thank you Madam Speaker, I beg to move that the bill shortly entitled Port Nimara Marina Anguilla Berth Slips Act 2026 be read a third time and passed.

Hon. Speaker Tara Cater:

Seconder.

Hon.Mr. Haydn Hughes:

Madam Speaker, I rise to second.

Hon. Speaker Tara Cater:

I put the question; it has been moved and seconded that the bill shortly entitled Port Nimara Marina Anguilla Berth Slips Act 2026 be read a third time and passed. Those in favor say aye,

those opposed say no. The ayes have it.

PORT NIMARA MARINA ANGUILLA BERTH SLIPS ACT 2026 - THIRD READING AND PASSAGE

Hon. Speaker Tara Cater:

I put the question; it has been moved and seconded that the bill shortly entitled Port Nimara Marina Anguilla Berth Slips Act 2026 be read a third time and passed. Those in favor say aye, those opposed say no. The ayes have it.

PORT NIMARA MARINA ANGUILLA BERTH SLIPS ACT 2026 - EXPLANATORY NOTE

Clerk:

The purpose of this Act is to establish a legislative framework to provide for the registration of berth slips in Port Nimara Marina and to provide for related matters.

PORT NIMARA MARINA ANGUILLA BERTH SLIPS ACT 2026 - PASSAGE

Hon. Speaker Tara Cater:

I hereby declare that the bill has been read a third time and passed and that it shall be titled a Bill for Port Nimara Anguilla Berth Slips Act 2026. Thank you, Members, Thank you to the officers and the clerk may proceed.

OTHER ORDERS OF THE DAY

Clerk:

Private members Bills None. Private bills None. Other Orders of the day.

ADJOURNMENT

ADJOURNMENT MOTION

Hon. Speaker Tara Cater:

I do invite members to make any submissions or representations in respect of any other orders of the day, If there are none, then I invite a Member to move that this Honourable House stands adjourned to its next sitting.

Hon.Mr. Haydn Hughes:

Madam Speaker, well, sorry.

Hon. Speaker Tara Cater:

OK. Well, You'll second, I'm sure, Honourable Premier.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. Madam Speaker, I rise to request an adjournment or rise on a motion for adjournment of this Honourable House until. 24th. 24th of February? On the, we can adjust that on the 24th of February, Yeah, 24th of February 2026. Thank you, Madam Speaker.

Hon. Speaker Tara Cater:

We'll adjourn and then we'll address the date. Do I have a seconder to adjourn to the 24th of February?

Hon.Mr. Haydn Hughes:

Madam Speaker, it just underscores that we align in the many things. Madam Speaker, I rise a second. Thank you.

Hon. Speaker Tara Cater:

Thank you. It has been moved and seconded that this Honourable House stands adjourned until the 24th of February, 2026, at 10 AM. Those in favor say aye, those opposed say no. The ayes have it. This Honourable House stands adjourned.