Nineteenth Meeting of the First Session of the Thirteenth Anguilla House of Assembly, 2026

ANGUILLA HOUSE OF ASSEMBLY

OFFICIAL HANSARD REPORT

4 MARCH 2026

(House Meetings)

Hon. Speaker

Speaker

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PRAYERS

OPENING AND PRAYERS

Hon. Speaker Tara Cater:

Good morning, Honourable Members. I call upon the Honourable Member Hodge to open us in a word of prayer, please.

Hon.Kyle Hodge:

Thank you, Madam Speaker. Let us pray. Oh God, you are enthroned in the heavens. Yet you are never far from those who seek you in spirit and in truth. We approach your throne in humility as we invoke your blessing and seek your guidance upon this House of Assembly, now convened to deal with the people's business.

Let your Holy Spirit, the Spirit of wisdom and understanding, the spirit of counsel and might, the spirit of knowledge and of fear of the Lord be out poured upon this assembly, so that in all our endeavors, we may strive to promote justice and righteousness. Impress upon our minds that where justice and righteousness are lacking, peace and harmony will prevail. We entrust into your hands the agenda which has been prepared for today's sitting. May every decision that is made accord with your will for the populace. We pray this through Jesus our Lord.

Amen.

Hon. Speaker Tara Cater:

Amen. Thank you. Members you may be seated.

CONFIRMATION OF MINUTES

CONFIRMATION OF MINUTES

Clerk:

Confirmation of minutes. Minutes of proceedings of the 18th Meeting of the First Session of the 13th Anguilla House of Assembly.

Hon. Speaker Tara Cater:

Members, I know that you may not have had time to read because these would have been published later yesterday. There are minutes before you dated 3rd March.

Hon. Speaker Tara Cater:

Please indicate if there are any amendments or corrections to the minutes.

Hon. Speaker Tara Cater:

I do wish from my own position to indicate that member Jeison Bryan had indicated by e-mail prior that he would have been absent, and I inadvertently forgot to mention it. So, if the minutes can reflect that he was absent with apologies yesterday and also today.

Hon. Speaker Tara Cater:

Any amendments, any corrections?

Hon. Speaker Tara Cater:

Hearing no amendments or corrections, may I invite a mover to confirm the minutes and a seconder, please.

Hon.Kyle Hodge:

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

Hon. Speaker Tara Cater:

Thank you, honourable Member.

Hon.Mr. Haydn Hughes:

Madam Speaker, I rise to second.

Hon. Speaker Tara Cater:

Thank you, honourable Members, it has been moved and seconded that the minutes are confirmed. Those in favour say aye, those opposed say no. The ayes have it.

ANNOUNCEMENTS

OATH OF ALLEGIANCE AND ANNOUNCEMENTS

Clerk:

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

ANNOUNCEMENTS AND PROROGATION NOTICE

Hon. Speaker Tara Cater:

I crave your indulgence. I'm just pulling up a notice. I do have apologies from the Honourable Leader of Opposition in respect of his absence. I have continued apologies from the Honourable Member for West End and the Honourable Single Island Wide Electoral District Member Vanterpool, who are both on duty travel.

I have the apologies which I had indicated before in respect of Member Bryan. I do also confirm that as of this morning, I received a notice of an indication from the Honourable Premier, well I was copied and just to indicate to the public that there is an expressed intention and consultation with the Leader of Opposition in respect of prorogation of the House and just so that the public is aware by our constitutional requirements in advance of the one year anniversary, and it's hard to believe that it has been one year, March 11th will be the one year anniversary and constitutionally, we're required to prorogue this Honourable House.

There has been a notice of an indication from the Honourable Premier and a notice has been sent to the Honourable Leader of Opposition to consult on those dates. But just so that the public is aware, the request is likely to be that this Honourable House will be prorogued by Her Excellency subject to her agreement from March 11th, 2026 to April 14th, 2026.

So, it'll be about a month, but I also want to indicate to public that that is a month that the members undertake several administrative functions of this House in respect of enacting laws that deal with the management of the House. So, while it appears that they will be on short leave from parliamentary business, that'll just be the face of it.

They'll really be doing lots of homework, especially in relation to the upcoming appointment of a Commissioner of Standards for this House. The upcoming enactment and full enactment of the Code of Conduct. In respect to members of this House, so there's going to be a lot of heavy lifting during that month.

So, I would urge your constituents to give you forbearance because you are going to be here, but not in the front facing public. I don't believe I have any other announcements.

Hon. Speaker Tara Cater:

Members, there was one announcement that I did omit inadvertently and it relates to the Honourable Member for Valley South who will be attending the 74th Westminster Seminar on Effective Parliaments which will be held from March 9th to 13th at the UK House of Parliament in Westminster. The seminar is concentrated and it's a weeklong program aimed at strengthening the capacity of newly elected parliamentarians and early career parliamentary staff. It focuses on enhancing skills, scrutiny, and representation and parliamentary oversight while exposing delegates to best practices from across the Commonwealth and the United Kingdom through interactive sessions and peer exchange. Participants gain practical tools to support more effective parliamentary work.

So that was one of the announcements and I would bid you farewell. We wish you the best in the sessions. Do take some advice from the Honourable Member for Road North that had attended earlier with Member Brian and also Member Jose Vanterpool and Member Shellya Rogers-Webster would have done this training as well in the past. So, take as much guidance.

Pack a coat. I believe it's cold, it's cold. Whoever has been there recently and then we wish you well. As it relates to my earlier announcement about prorogation, I just wanted again to remind those that might have joined a little late that the notice had been indicated to the learned Leader of Opposition in respect of the intent that the Leader of Government Business intends to put to the governor for prorogation just for the public under the Constitution.

It is an act by which the Governor brings a session of the House Assembly to an end on the advice and consultation with the Leader of Government Business. It only ends the current parliamentary session and I say that for the public domain. This is not a dissolution of the House. The House will be likely prorogued from March 11th based on the Constitution until April 14th.

Are there any other orders of the day? If there are no other orders, I invite a motion for adjournment. April 14th.

PRIVATE MEMBERS NOTICES

ORDER OF BUSINESS ANNOUNCEMENTS

Clerk:

Private members bills, none. Private bills none. Other orders of the day.

OTHER BUSINESS

SOCIAL SECURITY AMENDMENT ACT 2026 - SECOND READING

Clerk:

Questions, none. Government statements on recent developments, none. Papers, none. Reports from committees, none. Petitions, none. Government notices, none. Private members notices, none. Motions, none. Personal explanations, none. Other Business, Government Business, A bill for Social Security Amendment Act 2026 second reading.

Hon. Speaker Tara Cater:

I invite the mover of the bill.

Hon.Premier Cora Richardson Hodge:

Good morning to you Madam Speaker, good morning to members of this Honourable House and the listening and viewing public. Madam Speaker, I move that a bill shortly entitled the Social Security Amendment Act 2026 be read a second time.

Hon. Speaker Tara Cater:

Is there a seconder in respect of the bill being read a second time?

Hon.Kyle Hodge:

Speaker, I rise to second.

Hon. Speaker Tara Cater:

And I call upon the mover to outline the objects and reasons of the bill.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. Madam Speaker, this bill amends the Social Security Act to revise the process for appointing the director of the Social Security Board, renewing that appointment, and setting out how a director may cease to hold office or be removed. The amendments are intended to make these processes clearer, and more transparent. The director is the chief administrative officer responsible for managing the Social Security Fund and overseeing the day-to-day administration of the act. Because of the importance of that role, the amendments are aimed at strengthening accountability, improving transparency and building public confidence in the leadership of the Social Security system.

Clause one is the interpretation section. This clause defines the principal act as the Social Security Act for ease of reference throughout the Bill. Clause 2 is an amendment to Section 5. This clause replaces references to the Governing Council with Executive Council. Clause 3 is the replacement of Section 6, appointment and tenure of Director. This clause deletes the existing section 6 and replaces it with a new section setting out a clear and structured process for the appointment and renewal of the director. The new section confirms that the director must be a fit and proper person. Places responsibility for identifying and recommending the candidate with the Board, requires ministerial approval of the board's recommendation, requires Executive Council's approval of the appointment and the terms and conditions of employment.

Confirms that the Board makes the appointment once the Executive Council has approved the appointment and the terms and conditions of employment and requires publication of the appointment in The Gazette. This clause also provides for renewal of appointment with renewals to follow the same process as a new appointment and with a term cap of five years. Clause 4 is the insertion of new sections 6A, 6B and 6C. New section 6A is in relation to a fit and proper person.

This section introduces a minimum statutory criteria for determining whether a person is fit and proper to be appointed as director or deputy director. The criteria are principles based and require consideration of matters such as integrity, competence, experience, diligence, financial soundness and past conduct as well as the potential impact of an appointment on contributors, beneficiaries and the proper administration of the Social Security Fund. The purpose of this section is to strengthen governance safeguards and promote consistent, defensible decision-making in relation to senior leadership appointments. Section B, New Section Removal of Director, introduces a clear removal framework regime that protects contributors and beneficiaries and supports public confidence in the administration of the Fund.

It provides for immediate vacation of office in objective disqualification circumstances, including bankruptcy or conviction for serious offenses involving dishonesty, fraud, corruption or violence. It also provides for removal where the Executive Council is satisfied, following notice to the director and a reasonable opportunity to make representations, that

the director is no longer fit and proper, has committed serious misconduct or serious neglect in office, or is incapable of performing the functions of the office. The bill further establishes a pathway requiring the minister, after consultation with the board, to make a recommendation for removal, subject to Executive Council approval. Finally, the section makes clear that the statutory removal framework does not prevent the director's appointment from being terminated or otherwise coming to an end in accordance with the terms and conditions of the contract of employment.

New section C. Duties of Director. This section restates, without substantive change, the duties of the director that previously appeared in section 6(2) of the Principal Act. It is reflective of Governor's practices and clarifies that the Director is responsible for the administration and control of staff, the management of the fund, the collection of contributions and payment of benefits, the investment of surplus funds and the proper accounting for all monies.

Clause Six Amendment to section 29. This clause replaces references to the Governor with Minister. It is a consequential amendment to reflect current ministerial responsibility. Clause Six Amendment to section 34. This clause similarly replaces references to the Governor with the Minister. It is a consequential amendment intended to maintain consistency across the Act following changes to executive responsibility. Clause seven, amendment to the schedule removal of board members. This clause inserts a new provision into the schedule empowering the Minister to remove a member of the board where the Minister determines that removal is in the public interest.

The requirement for notice and publication in The Gazette promotes transparency and accountability in the exercise of this power. In clause 8 citation, this clause provides for the short title of the Act. Thank you, Madam Speaker.

Hon. Speaker Tara Cater:

I apologize, my mic was off. The floor is now open for any contributions of any Members in respect to the general merits and principles of the Social Security Amendment Act 2026. Does any Member wish to speak?

Hon. Speaker Tara Cater:

The Chair recognizes the Honourable Member for Valley North.

Hon.Shellya Rogers-Webster:

Thank you very much, Madam Speaker. Madam Speaker, I rise in support of this very necessary amendment and I wish to thank the Premier for the work that she has undertaken to ensure that this is adjusted. Oftentimes, Madam Speaker, we often hear that elected Members can't do certain things because the law doesn't allow us to.

We operate in a unique position where we are also legislators, and this is an example of where we recognize that there were particular shortcomings as a result of the existing law and we needed to make the necessary changes to be able to empower the minister to be able to make certain decisions and so, I support this amendment and it is our hope that once the amendment is made, we will quickly progress towards the appointment of a capable individual for the Anguilla

Social Security. Additionally, Madam Speaker, it's important to note that these amendments also gave the opportunity for additional scrutiny in the process of appointing the particular person, the definition for things like fit and proper has been defined in the previous legislation that was not the case. So, this new amendment does quite a bit more,

Madam Speaker, than there was in the past. So, I think this is to the Premier's credit, this is quite a needed adjustment, Madam Speaker. So, thank you very much, Madam Speaker.

Hon. Speaker Tara Cater:

Thank you, Honourable Member. The Chair recognizes Honourable Member Hodge.

Hon.Kyle Hodge:

Madam Speaker, good morning, good morning to the House, good morning to the people of Anguilla. I also rise, Madam Speaker, to lend my full support to the Premier, the Minister of Finance and who is the person in charge, the Minister in charge of the Social Security Board, a very serious institution in Anguilla and for its entire existence, Madam Speaker.

It has one director. So, this is very timely, Madam Speaker, because we know the importance of this fund. Madam Speaker, this amendment or these amendments before us today, seeks to do several things. But I think the most consequential amendment, Madam Speaker, is the removal of the sole power of the governor, being able to select who the director would be.

So, it says in section. Is it Section 6? Yeah. Amendment to Section 34. This clause replaces references to the governor with the Minister and that is a good amendment, Minister, because ultimately the Minister oversees the Social Security Board as Minister of Finance. So, Madam Speaker, this as it relates to amendments, to me this is the most consequential one, giving the Minister, who is the Minister of Finance, the power to select the director.

Madam Speaker, in Anguilla we speak about constitutional reform. To me, while we are looking at constitutional reform, we need to look at all the various acts in Anguilla that need upgrading, that need amendment from time to time. So, Madam Speaker, I lend the Minister of Finance, the Premier,

my full support in bringing this to the Honourable House.

Thank you.

SOCIAL SECURITY AMENDMENT ACT 2026 - SECOND READING AND COMMITTEE STAGE

Hon.Kyle Hodge:

Madam Speaker, good morning to the House and the people of Anguilla. I rise to lend my full support to the Premier, the Minister of Finance, and the Minister in charge of the Social Security Board, a very serious institution in Anguilla. For its entire existence, it has had one director. This is very timely because we know the importance of this fund. These amendments before us today seek to do several things, but the most consequential amendment is the removal of the sole power of the governor to select the director.

Section 6, amendment to Section 34, replaces references to the governor with the Minister. That is a good amendment because ultimately the Minister oversees the Social Security Board as Minister of Finance. This is the most consequential amendment, giving the Minister of Finance the power to select the director. In Anguilla, we speak about constitutional reform, and while we are looking at constitutional reform, we need to look at all the various acts in Anguilla that need upgrading and amending from time to time.

I lend the Minister of Finance, the Premier, my full support in bringing this to the honourable House. Thank you.

Hon. Speaker Tara Cater:

Thank you, honourable Member. Does any other Member wish to speak to the amendment?

Hon. Speaker Tara Cater:

If there are no other contributions, I shall put the question. The question is that the bill shortly entitled the Social Security Amendment Act, 2026 be read a second time and committed. Those in favor say aye.

Hon. Speaker Tara Cater:

Those opposed say no.

Hon. Speaker Tara Cater:

The ayes have it. I did overlook the Premier's response, I suspect you're OK. My apologies.

SOCIAL SECURITY AMENDMENT ACT 2026 - COMMITTEE STAGE

Hon. Speaker Tara Cater:

This House shall now resolve itself into a committee of the whole to consider the Bill clause by clause.

Clerk:

Clauses 1 to 8.

Hon. Speaker Tara Cater:

I put the question, honourable Members, that Clauses 1 to 8 of the amendment.

Hon.Premier Cora Richardson Hodge:

So sorry, chair. In support of these changes, but I just have some questions, and they would have been aimed for the honourable Attorney General who might have just stepped out for a minute.

Hon. Speaker Tara Cater:

Oh, OK. Do you have any other questions that you can put before and hold those until the honourable Attorney General comes back perhaps?

Hon.Premier Cora Richardson Hodge:

Well, I can ask and maybe the Minister for Finance might be able to answer.

Hon. Speaker Tara Cater:

Yes.

Hon.Premier Cora Richardson Hodge:

If there are legal questions, I would prefer that they be directed to the Attorney General.

Hon. Speaker Tara Cater:

Well, how about this? Let's put the question and let's hear what it is. Now we can determine who's appropriate to answer it.

Hon.Premier Cora Richardson Hodge:

Because my question, subsection, well, the new section 6. Subsection one says a fit and proper person shall be appointed as director to be chief administrative officer of the board in accordance with this section on such terms and conditions as the executive council may determine. But then in subsection 6 says the director shall be appointed for a term not exceeding five years and may be reappointed for further terms each not exceeding five years. So my question is, seeing what subsection one says and seeing what subsection 6 says, can Executive Council override subsection 6 by virtue of the reading of subsection one?

Subsection one says, in accordance with this section on such terms and conditions as the Executive Council may determine. So if Executive Council decides they want to give a director seven years, can they override subsection 6?

Hon. Speaker Tara Cater:

So, while the honourable Attorney General was walking in, the honourable member for Road North had indicated that there would be a question in respect of the amendment to the existing section 6. He wasn't sure if it was a question that would be properly placed with the honourable Attorney General or the honourable Minister and the question is in relation to six one and whether it is possible that it could be overridden by 6(6). But you said the who's they? Just to clarify, they would be who?

Hon.Premier Cora Richardson Hodge:

Executive Council. Just to repeat for those listening, in subsection one it says the terms and conditions as the Executive Council may determine, even though subsection 6 says not exceeding five years. I don't know if the honorable Attorney General wants to weigh in. Just to give some clarity.

Hon. Speaker Tara Cater:

You didn't understand the question. Is the question whether or not there's a cap on the time that they can be appointed for?

Hon.Premier Cora Richardson Hodge:

My question is if subsection one, for example, if Executive Council decides we're going to do 7 years, because it says as terms and conditions determined by Executive Council. So, if Executive Council decides they want to do seven years or eight years or 10 years, if that can override subsection 6 Executive Council decision.

Hon. Speaker Tara Cater:

I think it's clear what the question is. I will allow one at a time so that we can ensure that the public follows. So, the honorable Attorney General first will address. You can proceed.

Attorney General:

Thank you, honourable Member, for your question. The issue, as I understand it, is whether the Executive Council can overrule what is particularised in the statutory sections as to the time limit for service of the role. As a matter of statute, the statutes define the extended period and the renewal periods and so the terms and conditions in section one would only relate to the specific terms and conditions that are being proposed and not to override the statutory provision that is contained within the Bill.

Hon.Premier Cora Richardson Hodge:

Thank you, honorable Attorney General. And I have a question as it relates to the removal of the director. There are two questions I have on this. Subsection B says Director shall cease to hold office if they are convicted of an offense involving dishonesty, fraud, corruption or violence. I just need clarity on this. If there's something that does not fall within what is stipulated here, would there be a loophole for the director to say it wasn't fraud or corruption or violence, it was something else that wasn't listed here even though they were convicted? Would that be a loophole?

Attorney General:

Honourable Minister, the intention and the purpose behind this bill is to ensure that there is a mechanism that is just and proper and particularized. Yes, there are itemized areas of clear indications of dishonesty or where integrity might be compromised, but no, there is the general application of what is a fit and proper person. This act does not give a lacuna. There is a provision and a power within this Act for a representation to be made where an individual is considered not fit and proper and that case would have to be set out and particularized and presented.

Hon.Premier Cora Richardson Hodge:

Hon.Premier Cora Richardson Hodge:

Thanks again, honorable Attorney General, through you Chair. My last bit is still under the removal of the Director, subsection 3. Where it says a recommendation for removal under subsection 2 shall be made by the minister after consultation with the board. My question is, it says the minister shall make the removal and also it says they have to go through executive council.

What if the board disagrees with the minister and the removal of the director? The board might be OK, vice versa, where the minister wants to remove, the board wants to keep, or vice versa. In the new Section 6, Section 2, it says where the office of director is vacant or is expected to become vacant, the board shall make the recommendation. So the recommendation comes from the board and the removal is only a consultation.

What happens if there's a disagreement between minister and board on the removal?

Attorney General:

If I'm invited to respond on behalf of the government to clarify that question, it may assist for transparency for the public to understand how those mechanisms operate. The purpose of this bill is to set out that appointment process and to be clear about that. The recruitment is at the behest and in the supervision and oversight of the board. The board would then make a recommendation to the minister, with the minister then bringing that to Ex-Co for approval.

So, there is a process of oversight, scrutiny and a check and balance of that fit and proper person given the significance of this appointment. There is a requirement to have a statutory process that is not arbitrarily executed by any single individual, and there is a process of review and consultation with the board and scrutiny and oversight. So, whilst a matter of concern may be brought by a minister, that would have to have a foundation, a basis, and a required consultation with the board to seek their input and observations before any further steps can be finally executed.

There would also then be the oversight again of Ex-Co. So, a process of check, balance and scrutiny.

Hon.Premier Cora Richardson Hodge:

Thank you honourable AG. I just want to hold in though if you can give me a little clearer explanation on if there's a difference between board and minister, because I don't think I caught that part. If there's a disagreement between the minister and the board on the removal of the director.

Attorney General:

Madam Speaker, I'm happy to provide further particulars in writing if this is going to be a matter requiring more legal analysis. The simple answer is the circumstances of what that conflict would relate to would need to be understood. In principle there may well be a conflict of opinions, but ultimately that would be resolved by an oversight process and scrutiny of legal advice on whether those steps are necessary and proper in the circumstances. It's difficult to speculate as to what that disagreement might be in the circumstances.

Hon.Premier Cora Richardson Hodge:

Just for a little clarity, when you said an oversight process, if you could just give a little explanation what you mean when you say an oversight process?

Attorney General:

The oversight process is designed to ensure that a single individual who may have a particular isolated disagreement with a decision that is made does not act unilaterally.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Chair, I don't have any further questions.

Hon. Speaker Tara Cater:

Are there any other questions in respect of clauses 1 to 8 that is before us for consideration?

Hon. Speaker Tara Cater:

If there are no further questions, I put the question to the members that clauses 1 to 8 do stand part of the amendment Bill. Those in favor say aye, Those opposed say no. The ayes have it.

Clerk:

The title and the enacting clause.

Hon. Speaker Tara Cater:

I put the question that the title and the enacting clause do stand part of this bill. Those in favor say aye.

Hon. Speaker Tara Cater:

Those opposed say no.

Hon. Speaker Tara Cater:

That completes consideration. I invite the mover to report.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. I beg to report that the bill entitled the Social Security Amendment Act 2026 has passed through committee without amendment and is ready for its third reading.

SOCIAL SECURITY AMENDMENT ACT 2026 - COMMITTEE REPORT

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. Madam Speaker, I beg to report that the bill entitled the Social Security Amendment Act 2026 has passed through committee without amendment and is ready for its third reading.

SOCIAL SECURITY AMENDMENT ACT 2026 - THIRD READING PREPARATION

Hon. Speaker Tara Cater:

Noted Honourable Member, the Bill is ready for its third reading.

SOCIAL SECURITY AMENDMENT ACT 2026 - THIRD READING

Clerk:

A bill for Social Security Amendment Act 2026, third reading.

Hon. Speaker Tara Cater:

I invite the mover.

Hon. Speaker Tara Cater:

Let's move a motion that the bill be read a third time and passed and then a seconder.

Hon.Premier Cora Richardson Hodge:

Thank you. Madam Speaker, I wish to move that the bill entitled Social Security Amendment Act 2026 be moved a third time and passed.

Hon. Speaker Tara Cater:

Is there a seconder?

Hon.Kyle Hodge:

Madam Speaker, I rise to second.

Hon. Speaker Tara Cater:

Honourable Members, it has been moved and seconded that a bill shortly entitled a Social Security Amendment Act 2026 be passed. Those in favor say aye.

Hon. Speaker Tara Cater:

Those opposed say no. The ayes have it.

ANGUILLA SPECIAL TRUST ACT 2026 - SECOND READING

Clerk:

A bill for Anguilla Special Trust Act 2026, second reading.

Hon. Speaker Tara Cater:

I invite the Mover of the Bill to move a motion in respect of the Anguilla Special Trust Act 2026.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. Madam Speaker, I move that the Bill shortly entitled the Anguilla Special Trust Act 2026 be read a second time.

Hon. Speaker Tara Cater:

Is there a seconder?

Hon.Mr. Haydn Hughes:

Madam Speaker, I rise to second.

Hon. Speaker Tara Cater:

It has been moved and seconded that a bill shortly entitled the Anguilla Special Trust Act 2026 be read a second time. Those in favor say aye, those opposed say no. The ayes have it.

ANGUILLA SPECIAL TRUST ACT 2026 - DEBATE AND COMMITTEE PREPARATION

Hon. Speaker Tara Cater:

I do consult with our clerk. In respect of our invitee, we've invited Miss Tina Bryan from the Anguilla Financial Services Commission to brief us as it relates to the bill. However, the appropriate time which we've discussed will be during committee. So, we are going to open the floor for debate or contributions in respect of it and then during the committee stage, then we'll have Miss Bryan address and give feedback in respect of the bill.

Hon. Speaker Tara Cater:

Are the members amenable to that approach?

ANGUILLA SPECIAL TRUST ACT 2026 - DEBATE

Hon. Speaker Tara Cater:

OK, the floor is now open for debate or contributions in respect of the Anguilla Special Trust Act 2026. Does any member wish to speak?

Hon. Speaker Tara Cater:

I recognize the Honourable Minister of Finance.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker, permit me to read the opening section of the objects and reasons for this Bill. The bill for consideration is the Anguilla Special Trust Bill. A review of the existing legislation has disclosed that the trust regime has not been updated in over two decades. Provisions are in place to enhance the regime for trustees, both regulated and unregulated. However, trust business could be further enhanced by the development of a special trust within Anguilla that would accelerate growth of the financial services industry and specifically the fiduciary services sector.

Additionally, research shows that special trust provisions are attractive to markets where high net worth individuals are desirous of establishing structures that allow for specific trust functionalities which are supported in legislation and by case law. Thus, various factors support the need for changes to existing trust legislation. The bill seeks to enable the creation of Astra Trust for the purpose of making special provision in respect of trust for charitable and non-charitable purposes and in respect of trust of shares in companies. An Astra Trust would only be able to hold assets via a company domiciled in Anguilla and moreover the trust could not be redomiciled to another jurisdiction since it would be unique to Anguilla.

These factors would therefore serve to embed business here. I don't know Madam Speaker if that's sufficient for the purposes of.

Hon. Speaker Tara Cater:

In respect of the objects and reasons, that is. I'm not sure if any member would want to speak to it any further.

Hon. Speaker Tara Cater:

And hearing no further contributions, I do believe if you wish to make a response notwithstanding that there hadn't been any contributions, it is entirely up to you or you may move a motion accordingly.

Hon.Premier Cora Richardson Hodge:

Yes, thank you, Madam Speaker, I thank the members of the House for their acquiescence to this bill, and I would move that the...

ANGUILLA SPECIAL TRUST ACT 2026 - SECOND READING MOTION

Hon. Speaker Tara Cater:

That's correct.

ANGUILLA SPECIAL TRUST ACT 2026 - COMMITTEE STAGE OPENING

Hon. Speaker Tara Cater:

Yes, that's correct. So, it had been moved prior. So, it's been moved and seconded that the bill shortly entitled the Anguilla Special Trust Act 2026 be read a second time and committed to the committee for the whole. Those in favor say aye, those opposed say no. The ayes have it. This House is now in committee. I do invite Miss Tina Bryan to assist us and you're welcome to join.

Hon. Speaker Tara Cater:

You've been overruled Mr. Proctor. Let's proceed.

Hon. Speaker Tara Cater:

Let's proceed. We'll have Miss Bryan join us and just give a brief of what the bill is and then you put questions if there are any during the committee stage.

ANGUILLA SPECIAL TRUST ACT 2026 - COMMITTEE STAGE BRIEFING

Hon.Jeison Jose Bryan:

Madam Speaker, Members of the House, good morning.

Hon. Speaker Tara Cater:

You may be seated, Miss Bryan.

Hon.Jeison Jose Bryan:

Thank you, Madam Speaker.

Hon.Jeison Jose Bryan:

The draft Anguilla Special Trust Bill is an important piece of legislation that introduces a new trust structure within the jurisdiction. Its purpose is to expand the range of financial services products available in Anguilla. By creating this additional vehicle for trust arrangements, this bill supports the continued development and diversification of Anguilla's Financial Services Sector. This bill is relevant to entities licensed under the Trust and Corporate Services Providers Act, enacted in December 2024.

The particular licensees pertain to trust services providers and will act as trustees of the Astra Trust. The requirement ensures that these trusts are administered by regulated professionals subject to supervision and compliance obligations. As a result, the operation of these trusts will remain within a clear regulatory framework that promotes transparency and accountability.

In light of evolving international standards on trust and financial transparency, it is important that this product falls within the scope of anti-money laundering and counter terrorist financing obligations. By requiring Astra Trust to be administered by licensed and regulated service providers, legislation ensures appropriate due diligence, beneficial ownership, transparency and ongoing monitoring, thereby safeguarding the jurisdiction from potential misuse. There have been several rounds of consultation in relation to this bill, the first in September, October 2020, again in July, August 2021, and after the enactment of the TCSP Act again in January 2026 and the need for updated feedback by industry participants. This concept is not new.

It is comparable to specialized trust structures offered in other overseas territories, specifically the Vista Trust in the British Virgin Islands and the Star Trust in the Cayman Islands. These jurisdictions have successfully used such trust vehicles to enhance their competitiveness in the international financial services market. Therefore, with the introduction of this product, the idea is that Anguilla will remain competitive with its regional peers.

Industry stakeholders have welcomed the introduction of this legislation as it provides another financial product for use within the jurisdiction and allows for ongoing efforts to modernize the Financial Services Law. The vehicle is especially intended to hold shares in companies incorporated within the jurisdiction and therefore reinforces the integration between Anguilla's trust and corporate services.

In doing so, it supports the development of domestic corporate structures. Finally, the Astra Bill is expected to encourage growth in the number of licensed trust service providers operating within Anguilla, as only licensed entities will be able to act as trustees of this structure. It is anticipated that there will be an increase in economic activity within the broader financial services industry.

ANGUILLA SPECIAL TRUST ACT 2026 - COMMITTEE STAGE Q&A

Hon. Speaker Tara Cater:

Thank you, Miss Bryan, and we thank you for coming on very short notice as well. Are there any questions that you would wish for, any guidance or assistance while we have Miss Bryan?

Hon.Premier Cora Richardson Hodge:

Just one quick question, Chair. More like a statement really. Would it be possible Miss Bryan, to give an example of how this trust would operate and what's the difference between what we already have established?

Hon.Jeison Jose Bryan:

Thank you. Through, Madam Speaker. This particular trust is different from an ordinary trust in that the trust assets are held within a local company. Let's take an example where Mr. X has several businesses where he wants to set up a trust in order to allow for succession planning. His assets can be separated from his personal assets via a trust where the trust assets will be held within a local company and the designated trustee would be a trust service provider on island, where the records are held on island and where there is complete transparency in terms of who are the actual beneficiaries in relation to that particular trust and within that company. There would be directors who would oversee the actual management of the trust.

So, from that example, you can see a clear idea in terms of wealth management and succession planning, and that really is a difference between an ordinary trust and a special trust.

Hon.Premier Cora Richardson Hodge:

Miss Bryan, can you just tell us what is the benefit of using this Astra Trust as opposed to the regular trust, the benefits not only to the benefactor but also to Anguilla?

Hon.Jeison Jose Bryan:

Thank you, through you Madam Speaker. In terms of the benefits of Astra trust, there is wealth management and increased business among trust service providers. It also allows for increasing business in company formation vehicles. This special trust is a means for trust service providers to increase their product services within the financial services industry, which is key for continued growth overall in the financial services industry.

Hon.Premier Cora Richardson Hodge:

Miss Bryan, can Mr. John X just walk up the street and get one of these trusts done, or is there a particular process to follow?

Hon.Jeison Jose Bryan:

Thank you, through you again, Madam Speaker. The distinct feature of this special trust is that the actual trustee has to be a professional or designated trustee, which is a licensed trust service provider. The ordinary person can create a trust, but it has to be via the trust service provider in order to be in effect.

Hon.Premier Cora Richardson Hodge:

No more questions from me, Madam Chair.

Hon. Speaker Tara Cater:

Thank you, Honourable Member. Thank you, Miss Bryan. Are there any other questions?

Hon. Speaker Tara Cater:

Miss Bryan, do you have anything else to add or are we ok to proceed, Madam Clerk?

ANGUILLA SPECIAL TRUST ACT 2026 - COMMITTEE STAGE CLAUSES 1-7

Clerk:

Schedules one through to seven, clauses one to seven.

Hon. Speaker Tara Cater:

Honourable Members, I put the question to you. That clauses one through seven do stand part of this Bill.

Hon. Speaker Tara Cater:

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

ANGUILLA SPECIAL TRUST ACT 2026 - COMMITTEE STAGE CLAUSES 8-20

Clerk:

Clauses 8 to 20.

Hon. Speaker Tara Cater:

I put the question, Honourable Members, that clauses 8 to 20 do stand part of this Bill. Those in favor say aye. Those opposed say no. The ayes have it.

ANGUILLA SPECIAL TRUST ACT 2026 - COMMITTEE STAGE CLAUSES 21-34

Clerk:

Clauses 21 to 34.

Hon. Speaker Tara Cater:

Honourable Members, I put the question that clauses 21 to 34 do stand part of this Bill. Those in favor say aye. Those opposed say no. The ayes have it.

ANGUILLA SPECIAL TRUST ACT 2026 - COMMITTEE STAGE SCHEDULE

Clerk:

The schedule.

Hon. Speaker Tara Cater:

I put the question, Honourable Members, that the schedule stands part of this bill. Those in favor say aye. Those opposed say no. The ayes have it.

ANGUILLA SPECIAL TRUST ACT 2026 - COMMITTEE STAGE TITLE AND ENACTING CLAUSE

Clerk:

The title and the enacting clause.

Hon. Speaker Tara Cater:

I put the question that the title and the enacting clause stand part of this bill. Those in favor say aye. Those opposed say no. The ayes have it.

ANGUILLA SPECIAL TRUST ACT 2026 - COMMITTEE REPORT PREPARATION

Hon. Speaker Tara Cater:

The House now resumes its sitting and I call upon the member to report.

ANGUILLA SPECIAL TRUST ACT 2026 - COMMITTEE REPORT

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. Madam Speaker, I beg to report that the bill entitled the Anguilla Special Trust Act 2026 has passed through committee without amendment and is ready for its third reading.

ANGUILLA SPECIAL TRUST ACT 2026 - THIRD READING

Clerk:

Anguilla Special Trust Act 2026, third reading.

Clerk:

Anguilla Special Trust Act 2026, third reading.

Hon. Speaker Tara Cater:

Invite the mover.

Hon.Premier Cora Richardson Hodge:

Thank you, Madam Speaker. I move the bill entitled the Anguilla Special Trust Act 2026 be read a third time and pass.

Hon.Kyle Hodge:

Madam Speaker, I rise to second.

Hon. Speaker Tara Cater:

Honourable Members, it has been moved and seconded that a bill shortly entitled as Anguilla Special Trust Act 2026 be read a third time and pass. Those in favor say aye, those opposed say no. The ayes have it. I call upon the clerk to read the bill a third time.

Clerk:

An Act to enable the creation of Astra Trusts for the purpose of making special provisions in respect of trust for charitable and non-charitable purposes and in respect of trust of shares in companies. To prohibit trustees from intervening in the management of the companies except in certain circumstances. To enable the appointment of persons empowered to enforce Astra Trusts and for related matters.

Hon. Speaker Tara Cater:

I hereby declare honourable Members that the Bill has been read a third time and passed and declared the Anguilla Special Trust Act 2026.

Hon. Speaker Tara Cater:

Thank you for your contributions, Miss Bryan.

ADJOURNMENT

ADJOURNMENT MOTION

Hon.Premier Cora Richardson Hodge:

Thank you Madam Speaker. Madam Speaker, I beg to move that this honourable House be adjourned Sine Die.

Hon. Speaker Tara Cater:

Is there a seconder?

Hon.Kyle Hodge:

Madam Speaker, I rise a second.

Hon. Speaker Tara Cater:

It has been moved and seconded that this honorable House stands adjourned Sine Die. Thank you, Members, for your contribution during the session.