

CONFIDENTIAL

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Minutes of the Meeting of the Executive Council held on 17th April 2018 at 9.30am in the Council Chamber

Present: Her Excellency the Governor (Mrs Lisa Honan)
Chief Secretary (Mr R Burke)
Financial Secretary (Mr D Richards)
Attorney General (Ms S O'Donnell)
The Hon A A Green
The Hon L A Henry
The Hon C L Scipio-O'Dean
The Hon D F Thomas
The Hon R K Yon

In attendance: The Chief Secretary Designate (Mrs S O'Bey)
Assistant Chief Secretary (Support) (Mrs G Francis)
Clerk of Councils (Miss L H Buchanan)
Mr Allen Cansick, Solicitor General

Overseas: Head of Governor's Office (Miss L MacMorran)

OPEN SESSION

21.1 Welcome

The Governor welcomed all present and noting that this would be the Chief Secretary's last Executive Council meeting, gave special thanks to him for all his hard work over the last four years. The Chief Secretary commented that it had been a pleasure.

21.2 Liquor (Amendment) Bill (ExCo Memo No 18/2018)

Crown Counsel (Community Care), Christine Cooper was present for this item.

The Chairperson of SCDC introduced this memorandum and highlighted the need for the amendment. It was explained that currently those who were applying for occasional licences were having to do so far too frequently and a more streamlined approach was needed when dealing with occasional licences. It was emphasised that the most frequent applicant was having to pay up to £1,600 a year for this particular licence and it was hoped that if the change was to be approved this would reduce the financial burden on businesses like that owned by this particular applicant. All agreed that while it would reduce revenue for SHG, it would also reduce administration time within Judicial Services and that this would be of more benefit than detriment.

Concerns were raised that it appeared that amendments to the Liquor Ordinance were being done in a piece meal fashion and that the Ordinance should be looked at as a whole. Crown Counsel confirmed that there was nothing in the Ordinance that should need amending at a later date, and that currently she cannot see any standout anomalies within the Ordinance itself.

Members advised and the Governor agreed to approve the Liquor (Amendment) Bill and to recommend publication in advance of its presentation at the next session of the Legislative Council.

(Action: Clerk of Councils)

21.3 Marriage Regulations 2018 (ExCo Memo No 20/2018)

Crown Counsel (Community Care), Christine Cooper was present for this item.

The Chairperson of SCDC introduced this memorandum and explained the background to this item including why it was necessary to enact the Regulations. It was explained that the Regulations would allow for the Registrar to grant licences to indoor and outdoor venues to be used for marriage ceremonies. It was further explained that within the Regulations, there was a set of criteria that the Registrar must consider when looking to grant a new licence, but that these were not set in stone but were merely guidelines for the Registrar to follow.

The Governor expressed her desire for Plantation House to be granted a licence to host marriage ceremonies, if the Regulations were to be approved and **Members asked that before this decision was taken could a paper be provided to ExCo in order to approve it.**
(Action: The Governor)

Discussions led on to Schedule 2 of the Regulations which related to the fees. Members were concerned that there were a large amount of changes that have been made to the fees and that SCDC had not gone through the changes in detail. **Due to this, Members advised and the Governor agreed to defer this item to a later Executive Council Meeting after SCDC had gone through the fee changes in detail.**

(Action: Hon Anthony Green)

21.4 Increase in Fees and Charges: Trademarks, Patents and Companies Registration (ExCo Memo 07/2018)

The Chairperson of the EDC introduced this memorandum highlighting an issue he had discovered with the memorandum. He explained that the recent Law Revision had transferred responsibility from the Executive Council to the Registrar of Patents for prescribing fees. He expressed his disappointment on this and felt that this item should be removed from the meeting pending a thorough review to establish if this had occurred with any other legislation. **The Attorney General agreed to look into the matter and speak to John Wilson, who undertook the review, in order to establish if this had happened anywhere else.**

(Action: Attorney General)

Notwithstanding the above, Members agreed that as this issue only applied to the increase in Patent fees, the Trademarks and Companies Registration fees could be approved. On that basis, Members advised and the Governor agreed to approve the Companies (Fees)

(Amendment) Regulations, 2018 and the Trade Marks (Fees) (Amendment) Rules, 2018 to be brought into force with effect from 1 May 2018.

(Action: Clerk of Councils)

21.5 Confirmation of Open Session Minutes of 20th March 2018

The open session minutes of 20th March 2018 were confirmed.

21.6 Matters Arising from Open Session Minutes of 20th March 2018

21.6.1 (19.2) Employment Rights (Minimum Wage) Amendment Regulations, 2018 (ExCo Memo 12/2018)

It was confirmed that the Government Economist had reported that St Helena's minimum wage was currently reaching 73% of the national average wage.

21.6.2 (19.7.2) Drink Drive and Seatbelt Regulations

The Chairperson of the ENRC explained that documentation has been sent to the Attorney General Chambers and should be coming to Executive Council soon, but he could not give an exact date.

21.7 Any Other Business (Open Session)

21.7.1 Letter from SHINE in Independent

Concerns were raised over the content of a letter in the latest issue of the Independent and Members felt the content was unacceptable. **All agreed that a reply would be drawn up by the Chairperson of ENRC with support from the Press Office and Chief Planning Officer.**

(Action: Hon Russell Yon)