



ST HELENA LEGISLATIVE COUNCIL

ORDER PAPER

**First Sitting
of the
Fifteenth Meeting
of Legislative Council**

**Friday 27th March 2020 at 10am
in the Council Chamber**

1. Formal Entry of the President

2. Prayers

3. Address by the President

4. Papers

SP 10/2020 (*Hon Financial Secretary*)
Pensions (Amendment) Bill, 2020

SP 11/2020 (*Hon Anthony Green*)
Criminal Justice (Fixed Penalties) Bill, 2020

SP 12/2020 (*Hon Dr Corinda Essex*)
Audit St Helena, Strategy and Delivery Plan April 2020 – March 2023

SP 13/2020 (*Hon Financial Secretary*)
Performance Audit - The 1, 2, 3 Main Street Hotel Development

SP 14/2020 (*Hon Financial Secretary*)
St Helena Government – Response to Recommendations on the
Performance Audit Report, The 1, 2, 3 Main Street Hotel Development

SP 15/2020 (*Hon Financial Secretary*)
St Helena Government – Response to Public Accounts Committee
Report and Recommendations in SP 41/2019 – March 2020

SP 16/2020 (*Hon Lawson Henry*)
Consumer Protection (Control of Sales During Limited Supply) Bill,
2020

5. Motions

1. The Hon Financial Secretary

That in accordance with and subject to Section 102 of the Constitution, this House empowers the Financial Secretary to authorise the withdrawal of moneys from the Consolidated Fund in order to meet expenditure necessary to carry on the services or projects of the Government in the financial year commencing on the 1st April 2020, until the occurrence of either of the following, whichever is the earliest:

- a) The expiry of four months from the commencement of the 2020/2021 financial year; or
- b) The enactment of the Appropriation Ordinance for the financial year 2020/2021.

2. The Hon Financial Secretary

That the Pensions (Amendment) Bill 2020, be approved in principle and referred to a Committee of the Whole Council.

3. The Hon Anthony Green

That the Criminal Justice (Fixed Penalties) Bill, 2020 be approved in principle and referred to a Committee of the Whole Council.

4. The Hon Lawson Henry

That the Consumer Protection (Control of Sales During Limited Supply) Bill, 2020 be approved in principle and referred to a Committee of the Whole Council.

6. Adjournment

Questions for Written Responses

1. The Hon Christine Scipio:

Will the Honourable Financial Secretary outline how will St Helena Government equity in Solomon and Company PLC be disposed of as listed in the Investment Prospectus?

Response:

The St Helena Government will soon be issuing an expression of interest (EOI) to understand the level of interest in purchasing all or part of the Government's 62.9% shareholding in Solomon & Company Plc. The next steps thereafter will depend on the level of interest received through the EOI. If there is an investor or a number of investors interested in purchasing more than a 5% stake in the company, SHG will be requesting an amendment to the articles of incorporation for the company to allow ownership of more than 5% of shares. A resolution will need to be passed by 75% of the shareholders for the change to the articles to be agreed.

This is likely to be a lengthy process given Solomon and Company Plc is a UK registered company.

Should any agreement be achieved with potential investors, SHG will work through statutory processes to achieve the intended outcome which is for SHG to dispose of its entire shareholding in the Company.

2. The Hon Christine Scipio:

Will the Honourable Chief Secretary say what is the procedure for publishing the hansards for Formal Legislative Council proceedings?

Response:

Formal meetings of the Legislative Council are broadcast live via SAMS, with recordings of the broadcasts being relayed after the meeting. These recordings are then transcribed to form the basis of the record of the proceeding. The St Helena Legislative Council Standing Orders Order 2 requires the draft Record to be sent to Elected Members as soon as practicable after each sitting to check for accuracy and for providing additional information where the transcript may be incomplete; this is sometimes necessary if any part of the recording is inaudible.

Once any comments and suggested changes have been incorporated by the Clerk of Councils, the Record of the Proceeding will be prepared as a Sessional Paper to be laid upon the Table at the next formal Meeting of the Legislative Council. The Speaker will put the question that the draft Record should be confirmed and this will be voted on without any debate. The Speaker will later sign the Record. The Record of the Proceeding, or Hansard, is then made available on the SHG website.

The current process is time consuming. In view of this, Corporate Support is in the early stages of looking into the pros and cons, as well as the possibility of securing donor funding, to invest in an Automatic Speech Recognition system which would go some way to speeding up the process. There would be additional recurrent costs also associated with such a system alongside the set up costs.

3. The Hon Brian Isaac:

Will the Honourable Chairman of the Social and Community Development Committee inform this House of progress on legislation on Cannabis Oil for medicinal purpose, following the full support given by all Honourable Members of this House in 2019?

Response:

The following motion was passed in the House in July 2019:

That this House resolves that Government bring forward as a matter of urgency a policy and proposed legislation to allow cannabis oil to be prescribed and dispensed by a medical practitioner as an alternative means of pain relief for terminally ill patients.

Since then, the Health Directorate has provided advice to the effect that cannabis medical products are not superior to conventional treatments, based on efficacy,

cost effectiveness and side effects. Therefore the use of CBD oil cannot be supported or provided through the Health Directorate.

However, there is no evidence to suggest the need for a ban on CBD oil in St Helena; the only alert for CBD oil is when it is used for vaping. A paper is therefore being prepared for the Social and Community Development Committee to consider whether CBD oil, with THC content less than 1mg per preparation, should lawfully be made available through retailers on St Helena.

4. The Hon Brian Isaac:

Will the Honourable Chief Secretary inform this House as to what further work is required to complete the St Helena Airport Contract, related infrastructure and procurement, as recommended in the DBO Contract signed and agreed by the St Helena and British Government and how will the completion of this work be financed and implemented?

Response:

Under the St Helena Airport Design, Build, Operate and Handback (DBOH) Contract signed in November 2011, the Contractor was required to design and construct fuel storage and distribution facilities to replace the existing bulk fuel facility and provide a supply to the Airport. Under the contract, the facilities comprise a Bulk Fuel Installation (BFI) at Rupert's and an Aviation Fuel Facility (AFF) at the Airport. The contract stipulated that the design of the BFI should be for the storage and handling of aviation fuel, Gasoil and Gasoline with the AFF designed for the storage and handling of aviation fuel. The contract stipulated that the design should be capable of expansion over the operating lifetime as forecast in the Study into Bulk Fuel Supply Arrangements, Atkins Document No 5529, BFI Final Report 2006.

The facilities were designed and being constructed based on the requirements outlined in the DBOH contract, as well as modifications in line with changes to international standards. The appointed contractor went into Business Rescue in June 2018 and the contract was terminated in October 2018 with the fuel facilities not being entirely complete.

A decision was taken at this point to evaluate the works required to complete the project against the current needs of the island to ensure that the facility being constructed remained fit for purpose. In 2019 Arup were appointed to undertake an independent review of the project. Within the review Arup evaluated a number of options. The preferred option proposed changes to the method of fuel delivery. Further work to examine the economic impact that these options may have on the consumer and businesses is currently underway. This work will help to ensure that the St Helena receives the right infrastructure, which will meet the needs of St Helena now, and in the future. Once this work is completed a new contractor will be appointed to complete the works and commission the facilities.

The Airport Project continues to be directly funded by DFID and we continue to work closely with DFID towards the completion of the project.