

## OPEN AGENDA

No: 13/2020

### Economic Development Committee

**SUBJECT** Proposed Amendments to Enterprise St Helena (ESH)  
Ordinance

Memorandum by the Chief Executive for Economic Development  
(CEED)

**ADVICE SOUGHT** The Economic Development Committee (EDC) is asked to consider the changes proposed by Enterprise St Helena (ESH) to its Ordinance and authorise such for submission to Governor in Council for progression through law making system.

**BACKGROUND & CONSIDERATIONS** Following the endorsement of the Sustainable Economic Development Plan 2012/13 – 2021/22, Enterprise St Helena was established in July 2012 in the place of its predecessor the St Helena Development Agency (SHDA). The amendments that were made to the SHDA Ordinance at that time were mainly in respect of a change of name from SHDA to ESH, in that all references to SHDA were repealed and replaced with ESH, and to reflect the function of ESH, as such to promote and facilitate economic development. The then review also made provisions for the transitions to vest all assets and liabilities of SHDA to ESH.

Over the years, the remit of ESH has evolved beyond its predecessor's remit and its services and support mechanisms to enable the economic development. Also, ESH recognises that good corporate governance is fundamental to the effective management of the organisation and is currently strengthening its governance arrangements across the whole of the organisation, aligned with best practice and compliance with regulatory requirements.

The ESH Ordinance sets out the arrangements, powers and legal standing for the establishment of the organisation, which reflects on structure, rules, policies and procedures that govern how the organisation operates, hence ESH seeks to strengthen the provisions of the Ordinance so that all internal policies and procedures made under this law is aligned across ESH.

The ESH Board and its Finance Governance and Audit Subcommittee have been consulted, and the Attorney Generals Chambers have provided advice on the draft amendments with a likely legal implication.

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Please find attached the ESH Ordinance with track changes on which we have been liaising with the Attorney Generals Chambers and have prepared a form of formal wording for the proposed amendments.

<b>FINANCIAL IMPLICATIONS</b>	N/A
<b>ECONOMIC IMPLICATIONS</b>	N/A
<b>CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES</b>	N/A
<b>PUBLIC / SOCIAL IMPACT</b>	ESH considers that the changes proposed to the Ordinance are of a minor nature, and therefore of the view that public consultation is not required on this occasion.
<b>ENVIRONMENTAL IMPACT</b>	N/A
<b>PREVIOUS CONSULTATION / COMMITTEE INPUT</b>	A previous Committee consultation took place in 2012 on the Ordinance when ESH was established to replace its predecessor, SHDA.
<b>PUBLIC REACTION</b>	No public reaction is anticipated.
<b>PUBLICITY</b>	It is recommend that SHG summary update from the Economic Development Committee/Governor-in-Council meeting, to the public, should make mention of the consideration of the amendments and endorsement (or otherwise) of the amendments to the Ordinance.
<b>SUPPORT TO STRATEGIC OBJECTIVES</b>	The amendments proposed underpin the overall objectives/remit of the organisation, which is to deliver St Helena Government's (SHG) economic policy in line with Sustainable Economic Plan (SEDP).
<b>OPEN /CLOSED AGENDA ITEM</b>	This paper is recommended for the open session of EDC

**INITIALS OF PRESENTER**  
*MY*

*20<sup>th</sup> May 2020*

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