

Minutes of the Meeting of Executive Council held on Tuesday, 3<sup>rd</sup> November 2020 at 9.30am  
in the Council Chamber

Present: His Excellency the Governor (Dr Philip Rushbrook)  
The Hon Chief Secretary (Mrs S O'Bey)  
The Hon Financial Secretary (Mr D L Richards)  
The Hon Attorney General (Mr A T Cansick)  
The Hon C R Beard  
The Hon C G Buckley  
The Hon A A Green  
The Hon L A Henry  
The Hon D F Thomas

In attendance: Clerk of Councils (Mrs C C Johnson)  
Head of Corporate Support (Mrs C A George)  
Economic Development and Prosperity Advisor (Mr Karan Garcha)  
Senior Press Officer (Mr Liam Yon)

**OPEN SESSION**

90.1 Welcome

The Governor welcomed all to the meeting.

90.2 A Proposal for the Recognition of Exceptional Service by non-Saints (ExCo Memo 74/2020)

The Chief Secretary introduced the Memorandum asking Council whether the proposal for the recognition of exceptional service by non-Saints should be taken forward by the local Honours Committee in consultation with the Attorney General's Chambers and the Foreign Commonwealth and Development Office and also:

- a) Authorise the existing Honours Committee to prepare nomination criteria for a Badge of St Helena and an honorary citizen designation and to work with the Attorney General's Chambers to develop an appropriate legal basis for granting the new awards, their citations and usage
- b) Permit the Honours Committee to hold a design competition on St Helena to produce a locally prepared design for the obverse and reverse sides of a Badge of St Helena
- c) To request the Honours Committee submits the designs and arrangements for the awards to Legislative Council within three months.

The Chief Secretary updated Members on the background relating to the proposal and said there is an increased desire on part of philanthropists and those supporting St Helena through funding or investor status to be awarded a more formal recognition and sought Members views on supporting the principles and actions behind the proposal.

Members were content to give their support voicing approval for recognition of those who have contributed "sterling work" that has benefiting the Island and highlighting also the amount of valuable charity work carried out on Island.

During discussion, some concerns were raised about the criteria behind the award and whether the criteria would be shared including also the need for this matter to be brought back to Executive Council when finalised. Members also stated that they would not like to see the current St Helena Badge of Honour Award devalued and pointed out that this would also need to be reviewed because presently the award recognised ones minor convictions and this went against the principles of the Rehabilitation Policy. Members also noted that the likelihood of both reviews running simultaneously would be unlikely.

The Governor informed Members that the proposal had similarities with awards given in other Overseas Territories and also pointed out that no mention of convictions was stated in the 1957 Order so assumed that was a local requirement.

The Chief Secretary thanked Members for their support and acknowledged the concerns that had been raised and said they would be addressed.

Following discussion, Council advised and the Governor agreed, that the proposal for the recognition of exceptional service by non-Saints should be taken forward by the local Honours Committee in consultation with the Attorney General's Chambers and the Foreign Commonwealth and Development Office including:

- a) Authorising the existing Honours Committee to prepare nomination criteria for a Badge of St Helena and an honorary citizen designation and to work with the Attorney General's Chambers to develop an appropriate legal basis for granting the new awards, their citations and usage
- b) Permitting the Honours Committee to hold a design competition on St Helena to produce a locally prepared design for the obverse and reverse sides of a Badge of St Helena and
- c) Requesting that the Honours Committee submits the designs and arrangements for the awards to Legislative Council within three months.

The criteria for eligibility for the award would be brought back to Executive Council for consideration in due course, along with more details of the financial implications associated with the introduction of this proposal.

**(Action: Hon Chief Secretary/Clerk of Councils)**

### 90.3 Policy for Communication Networks And Services (ExCo Memo 75/2020)

The Acting Chief Digital Officer was in attendance for this item of business.

The Chairman of the Economic Development Committee (EDC) advised that the Lead Officer the Chief Economist, Mrs Niccole Shamier was currently of Island but assistance would be provided by the Acting Chief Digital Officer and Financial Secretary.

The Acting Chief Digital Officer explained that the Telecommunications Ordinance 1989 would need to be updated and took Members through a Power Point Presentation setting out the policy content.

The Chairman of the Economic Development Committee thanked the Acting Chief Digital Officer for the presentation and elaborated on the development of the policy and the fact that a revised Telecommunications Ordinance needed to be in place also in advance of negotiations for the issuing of a new Licence following the ongoing tender exercise. The

timescale for implementation of a new Telecommunications Ordinance was June 2021.

Members noted that provision had been included in the policy for granting more than 1 Telecommunications Licence should that ever be necessary but that exclusivity would be a matter for Executive Council to agree. The need for Data Protection legislation to be developed alongside this was considered of utmost importance and it was noted that a bid for technical support to take that forward had been submitted as part of the current MTEF 2021-24 process. Whilst this was supported the view was expressed that development of that legislation should not hold up this process. In terms of funding for an independent Regulator, this would be achieved through payment of Licence fees.

Following discussion, Council advised and the Governor agreed, that the Final Policy for Communications Networks and Services should be endorsed.

**(Action: Hon Chairman EDC/Clerk of Councils)**

The Chairman of EDC thanked all the officers including Susannah Nightingale who were involved for the tremendous amount of work that had been undertaken.

The Governor thanked the Acting Chief Digital Officer for his presentation and at this point he left the meeting.

#### 90.4 Company Registry Policy (ExCo Memo 76/2020)

The Chairman of the Economic Development Committee (EDC) advised that the Lead Officer the Chief Economist, Mrs Niccole Shamier was currently of Island but support would be provided by the Financial Secretary.

The Chairman of EDC presented the Memorandum asking Council to consider and advise whether the Company Registry Policy should be endorsed.

The Financial Secretary added that this would be a new revenue stream for SHG but there would be significant responsibilities for St Helena in terms of international obligations. Due to the stability of the island, St Helena could prove to be attractive for Company Registry services by other countries. The Financial Secretary informed Members that the Financial Services Regulating Authority (FRSA) had started this process but he highlighted to Members that a considerable amount of work needed to be done and most importantly someone with the relevant expertise employed to take this forward.

The Financial Secretary also pointed out that there was a suggestion to introduce a minimum tax for medium and large companies (clause 2.2 of Policy refers) but said that he needed to give this more thought and clarity because there are various ways to identify this so he would do some further work on this and send this information around to Members.

**(Action: Hon Financial Secretary)**

Members were content to support the Policy proposed noting that it would provide opportunities and revenue once up and running and supported the goals of the 10 Year Plan. Members raised concerns over the timing and also cost implications noting the struggles ahead and the impacts on the existing budget and its limitations so sought assurance that as a government we were not overstretching; the Chairman of EDC advised that this was provided for under the Options for delivering SHG's Economic Development Policy and Agenda that Members discussed at the Executive Council meeting on the 20<sup>th</sup> October 2020. The Financial Secretary added that this opportunity could be lost if risks were not taken.

The Chairman of EDC said that the cost of the Regulator was not a direct one; the Financial Secretary interjected advising that SHG will have to cover the costs initially.

The Governor added that St Helena was becoming more interconnected with the rest of the world, acknowledging that the tax rate needed to be correctly aligned but this was a new business area for the Island. It would be embarking on perhaps a five to ten year path starting with company formations and may be possibility evolving into the registration of other types of businesses. All recognised a significant amount of work is still to be accomplished before this new opportunity for St Helena could begin.

Following discussion, Council advised and the Governor agreed, that the Company Registry Policy should be endorsed subject to the Financial Secretary reviewing and developing Clause 2.2 in the Policy and informing Members of the changes.

**(Action: Hon Financial Secretary/Hon Chairman EDC/Clerk of Councils)**

The Chairman of EDC paid tribute to all the officers involved for their sterling work.

90.5 Confirmation of Open Session Minutes of 13 October 2020

The minutes of the open session of the 13<sup>th</sup> October 2020 were confirmed.

90.6 Matters Arising from the Open Session Minutes

90.6.1 (88.3) St Helena Commercial Fishermen's Association Petition (ExCo Memo 70/2020)

The Chief Secretary confirmed that the St Helena Commercial Fishermen's Association had been sent a response letter on the 20<sup>th</sup> October 2020.

90.7 Any Other Business

There was no any other business for discussion in Open Session.

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*P. Rushbrook*  
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Governor

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26.11.20  
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Date

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*W. Jones*  
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Clerk of Councils  
19.11.20