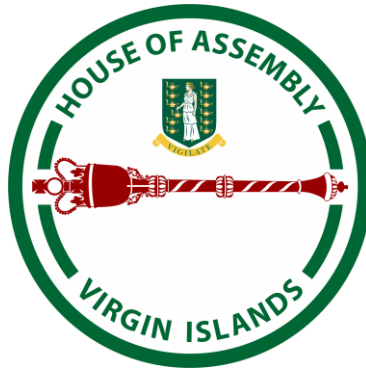


**SIXTH SITTING OF THE FOURTH SESSION
OF THE FOURTH HOUSE OF ASSEMBLY
OF THE VIRGIN ISLANDS**



**TO BE HELD ON
THURSDAY, 21ST JULY, 2022
AT THE SAVE THE SEED ENERGY CENTRE
DUFFS BOTTOM, TORTOLA
AT 10:00 A.M.**

AMENDED

ORDER OF THE DAY

ORDER OF THE DAY

- 1) **Prayers**
- 2) **Administration of Oaths**
- 3) **Announcements by the Speaker**
- 4) **Statements by Ministers**
- 5) **Presentation of Papers**
 - a) **The Premier and Minister of Finance to lay on the table the following document:**
 - i) Statutory Instrument 2022 No. 64 - A proclamation by the Governor under Section 83(1) of the Virgin Islands Constitution Order, 2007 (U.K.S.I. 2007 No. 1678) appointing the time and place at which the Sixth Sitting of the Fourth Session of the Fourth House of Assembly of the Virgin Islands shall be held.
- 6) **Notices of Motions Given Orally**
 - a) The Premier and Minister of Finance to give notice that, at a later stage in the proceedings, he would seek leave to move the Motions standing in his name under Item 8(1)(i) through (ix) and (xiii) on the Order of the Day.
 - b) The Deputy Premier and Minister for Communications and Works to give notice that, at a later stage in the proceedings, he would seek leave to move the Motion standing in his name under Item 8(1)(x) on the Order of the Day.
 - c) The Minister for Health and Social Development to give notice that, at a later stage in the proceedings, he would seek leave to move the Motions standing in his name under Item 8(1)(xi) and (xii) on the Order of the Day.
 - d) The Territorial Member to give notice that, at a later stage in the proceedings, he would seek leave to ask the Questions standing in his name under Item 7(i) on the Order of the Day.

7) **Questions and Answers to Questions**

- i) **The Territorial Member to ask the Honourable Premier and Minister of Finance the following questions:**

Question 1

Madam Speaker, in answer to a question posed by the Member for the Third District, during the Third Sitting of the Fourth Session of the Fourth House of Assembly of the Virgin Islands the, Honourable Premier and Minister of Finance disclosed that the cost of operations for the Commission of Inquiry, to date, was \$8,057,483. Summary details of the amounts comprising the total cost of operations were also provided. In the interest of transparency and accountability would the Honourable Premier please:

- a) Disclose the parties to the various engagements, the amounts paid and the full terms of reference of each engagement?
- b) Disclose whether or not the terms and obligations of each engagement were met? and
- c) Provide this Honourable House with a copy of the reports of the findings of each engagement, as applicable?

Question 2

Madam Speaker, would the Honourable Premier and Minister of Finance please state whether or not the production of a Parallel report to that issued by the Commission of Inquiry was stated in the terms of reference of any of the parties engaged by the Government? If yes, please indicate whether or not the Parallel report was delivered to whom and by whom?

Question 3

Madam Speaker, in the interest of transparency and accountability, would the Honourable Premier and Minister of Finance please inform this Honourable House of the number of additional staff that is estimated to complete the fulfillment of the already agreed recommendations of the Commission of Inquiry, by department and further, please state:

- a) The estimated cost of the staff recruited or to be recruited, by department?
- b) The estimated time to complete the assignments, by department? and
- c) The governing body of the recruits?

Question 4

Madam Speaker, His Excellency the Governor has graciously accepted that apology of the Commissioner of Police for the premature release into the local market of a recruitment film that is deemed by many to be not factual in parts and inflammatory in nature. Would the Honourable Premier and Minister of Finance please state or disclose:

- a) Whether or not the video production has been or is being aired in the UK or foreign markets?
- b) Which agency or authority approved the script for the video production?
- c) Were all legally required permits and approvals for the video being produced by the Virgin Islands requested and approved? and
- d) If yes, please give details of the request and of the approval?

Question 5

Madam Speaker, would the Honourable Premier and Minister of Finance please indicate whether or not an independent review or investigation concerning the production and illegal dissemination of the recruitment video, as informed by the Commissioner of Police is being or would be instructed and conducted? If yes, would the Premier please state when and by whom?

8) Public Business

1) Government Business

Introduction and First Reading

- (i) The Premier and Minister of Finance to move a motion for the Introduction and First Reading of the Bill entitled, “**BVI Business Companies (Amendment) Act, 2022**”.
- (ii) The Premier and Minister of Finance to move a motion for the Introduction and First Reading of the Bill entitled, “**Register of Interests (Amendment) Act, 2022**”.
- (iii) The Premier and Minister of Finance to move a motion for the Introduction and First Reading of the Bill entitled, “**Audit (Amendment) Act, 2022**”.

Suspension of Standing Orders 52(2)

- (iv) The Premier and Minister of Finance to move a motion for the Suspension of Standing Order 52(2) to allow for the Second and Third Readings of the Bill entitled, “**BVI Business Companies (Amendment) Act, 2022**”.
- (v) The Premier and Minister of Finance to move a motion for the Suspension of Standing Order 52(2) to allow for the Second and Third Readings of the Bill entitled, “**Register of Interests (Amendment) Act, 2022**”.
- (vi) The Premier and Minister of Finance to move a motion for the Suspension of Standing Order 52(2) to allow for the Second and Third Readings of the Bill entitled, “**Audit (Amendment) Act, 2022**”.

Second and Third Readings

- (vii) The Premier and Minister of Finance to move a motion for the Second and Third Readings of the Bill entitled, “**BVI Business Companies (Amendment) Act, 2022**”.
- (viii) The Premier and Minister of Finance to move a motion for the Second and Third Readings of the Bill entitled, “**Register of Interests (Amendment) Act, 2022**”.
- (ix) The Premier and Minister of Finance to move a motion for the Second and Third Readings of the Bill entitled, “**Audit (Amendment) Act, 2022**”.
- (x) The Deputy Premier and Minister for Communications and Works to move a motion for the Second and Third Readings of the Bill entitled, “**Water and Sewerage Authority Act, 2021**”.
- (xi) The Minister for Health and Social Development to move a motion for the Second and Third Readings of the Bill entitled, “**Child Maintenance and Access (Amendment) Act, 2021**”.
- (xii) The Minister Health and Social Development to move a motion for the Second and Third Readings of the Bill entitled, “**Non-Profit Organisations (Amendment) Act, 2022.**”

(xiii) **The Premier and Minister of Finance to move the following motion:**

WHEREAS by Resolution No. 15 of 2020 (hereinafter referred to as the Resolution) the House of Assembly of the Virgin Islands approved the establishment and composition of the Constitutional Review Commission for the purpose of conducting a full review of the Virgin Islands Constitution Order, 2007 (U.K.S.I. 2007 No. 1678) subject to specific Terms of Reference.

WHEREAS the said Resolution was made subject to Cabinet's decision to establish a Constitutional Review Commission comprising of eleven (11) members: a Chairperson, Deputy Chairperson both of whom were to be selected by the Premier through Cabinet after consultation with members of the House of Assembly; and six (6) other members to be nominated by the Premier and three (3) members to be selected by Her Majesty's Loyal Opposition and appointed by the Cabinet, for the purpose of conducting a full review of the Virgin Islands Constitution Order, 2007 (U.K.S.I. 2007 No. 1678);

WHEREAS the said Resolution further agreed based on Cabinet's agreement, that the Terms of Reference of the Constitutional Review Commission should be as follows:

- (a) to re-examine and re-evaluate the vision of the people of the Virgin Islands, as expressed in the preamble to the Virgin Islands Constitution Order, 2007 (U.K.S.I. 2007 No. 1678) and to amend accordingly, the continuity of the political and constitutional development of the Virgin Islands;
- (b) to evaluate the current Virgin Islands Constitution Order, 2007 (U.K.S.I. 2007 No. 1678) and determine whether it advances or facilitate the desires of the people of the Virgin Islands in achieving the revised vision in item (a);
- (c) to identify any gaps in relation to item (a) above;
- (d) to make recommendations for Constitutional Reform, if necessary, based on items (a), (b) and (c) above; and
- (e) to review the next step towards self-determination for the Territory of the Virgin Islands;

WHEREAS Cabinet has since decided to increase the composition of the Constitutional Review Commission from eleven (11) members to sixteen (16) members to serve with effect from the 8th July, 2022, as follows:

- (a) Mrs. Lisa Penn-Lettsome, Chairperson;
- (b) Ms. Janice Stoutt, Deputy Chairperson;
- (c) Sir Charles Michael Dennis Byron;
- (d) Ms. Maya Barry;
- (e) Mrs. Tanya Cassie-Parker
- (f) Mr. Sendrick Chinnery;
- (g) Ms. Susan Demers
- (h) Ms. Noni Georges;
- (i) Dr. Steve Lennard;
- (j) Mr. Coy Levons;
- (k) Mrs. Bernadine Louis;
- (l) Ms. Benedicta P.T Samuels Ph.D;
- (m) Mr. Ronnie W. Skelton;
- (n) Mr. Rajah A Smith;
- (o) Rev. Dr. Melvin A. Turnbull; and
- (p) Dr. Charles Wheatley.

WHEREAS Cabinet has further decided to update and expand the Terms of Reference, to those presented by the Constitutional Review Commission and approved by the Governor and Premier, to be reflected as follows:

- (a) to re-evaluate the vision of the people of the Virgin Islands, as expressed in the preamble to the Virgin Islands Constitution Order, 2007 (U.K.S.I. 2007 No. 1678) and to amend accordingly, if necessary;
- (b) to evaluate the current Virgin Islands Constitution Order, 2007 (U.K.S.I. 2007 No. 1678) and determine whether it is in strategic fit to facilitate the people of the Virgin Islands in achieving the revised vision in item (a) above;

- (c) to identify any gaps in relation to item (b) above;
- (d) to make recommendations for Constitutional Reform, if necessary, including but not limited to considering the following:
 - (i) how the executive ministerial government can be held to account in the House of Assembly, and how checks and balances and mechanisms for accountability may be employed to militate against abuse of power;
 - (ii) whether the independent institutions enshrined in the Constitution are sufficient and effective to ensure good governance;
 - (iii) the powers that need to be reserved to the Governor, and how issues as to the exercise of devolved and reserved powers respectively, when they arise, are to be resolved;
 - (iv) a mechanism for the transfer of reserved powers to the devolved Virgin Islands' Government in the future, without a further change to the Constitution being required;
 - (v) whether there should be a regime in relation to election expenses;
 - (vi) whether statutory boards should be embedded in the Constitution and, if so, whether there should be a Statutory Boards Commission, and if yes, its functions and responsibilities;
 - (vii) whether the Speaker should continue to be a political appointment, or whether he or she, even if elected, should be independent of the political parties;
 - (viii) whether sections 66 and 67 of the Constitution needs to be amended to make clearer the circumstances in which a person seeking election to the House of Assembly or a Member of the House who (either personally or through a dba, a partnership or company with which he or she is associated) contracts with the BVI Government needs to declare such an interest; how such a declaration should be made and the consequences of a person not doing so;
 - (ix) whether sections 66 and 67 of the Constitution need to be amended to also apply to statutory and other public bodies; and

- (x) what should be the proper relationship between Ministers and their Departments and whether any amendment to section 56 of the Constitution should be made;
- (e) to review the next step towards self-determination for the Territory of the Virgin Islands; and
- (f) to consider how best the law enforcement and justice agencies can sit within the constitutional framework.

NOW THEREFORE, BE IT RESOLVED that the House of Assembly of the Virgin Islands approves an increase in the composition of the Constitutional Review Commission from eleven (11) to sixteen (16) members and the update and expansion of the Terms of Reference as specified above, for the purpose of conducting a full review of the Virgin Islands Constitution Order, 2007 (U.K.S.I. 2007 No. 1678).

- 2) Private Members Business**
- 9) Other Business**
- 10) Adjournment**