

## **Speech from the Throne**

### **For the Opening of the Legislative Council Second Session on Tuesday, 7th May, 2002**

Delivered by His Excellency the Governor, Mr. Francis Savage, CMG, LVO, OBE

Mr. Speaker, with your permission I should firstly wish to make a few remarks relevant to the Speech from the Throne and to the moment in time when the Speech is to be delivered.

As Governor, and the representative of Her Majesty the Queen, I will deliver the Throne Speech which outlines the legislative programme and plans of the Government of the British Virgin Islands for the period 2001-2002. As the Speech from the Throne is delivered on behalf of Her Majesty, references to "My Government" are in respect of Her Majesty's Government in the British Virgin Islands.

Mr. Speaker, 2002 is the year of the Golden Jubilee of Her Majesty the Queen, and in the United Kingdom, Her Majesty has embarked on a month-long journey which will carry her to all parts of the United Kingdom.

To celebrate Her Majesty's Golden Jubilee, as well as her 75<sup>th</sup> Birthday, there will be a public holiday and other celebrations in the Territory on Monday, 3 June 2002.

Mr. Speaker, I expect constitutional review to proceed during this session as My Government responds to this Council's request for the appointment of a Constitutional Commission. The Resolution passed in this House on 1 March 2002 for the appointment of such a Commission has already been forwarded to the Secretary of State.

Bills to enable the 'Ombudsman' and Registration of Interests sections of the Constitution (Amendment) Order 2000 to be brought into effect will be laid before you. The former, when implemented, will help to promote sound administration by providing an office for the receipt and investigation of complaints. The latter subject which aims to promote integrity in public office on the part of both appointed and elected officials has been embodied in a draft Bill which will be brought before this Council. My Government recognise the importance of the Audit function as a key element in ensuring financial probity and integrity and will bring a Bill in this session to strengthen the role and jurisdiction of the Audit Department.

On the issue of audit, Mr. Speaker, there will be a visit later this week by the Head of the FCO Internal Audit team and his deputy, to conduct a review of the systems in the

Ministry of Finance, Economics and Development Planning. The Director of Procurement will also be part of the team and will examine the Government's system for the procurement of goods and services and the issuing of contracts.

My Government will continue to press the fight against crime through improvements to the Royal Virgin Islands Police Force. Some fifteen projects aimed at modernising and professionalising the Force are on stream. Training to improve the quality of the service delivered by all officers is scheduled to start in the near future and additional police officers from the United Kingdom will be seconded to the Royal Virgin Islands Police Force to assist with two long-standing murder inquiries and other matters. My Government is determined to provide adequate protection to the Community from serious crime as well as to protect the international reputation of the Territory

A Bill to enable the participation by voters in critical decisions affecting the long term future of the Territory by way of referendum has been drafted and will be brought before you.

My Government also value highly our close ties with other Overseas Territories and with our neighbours in the Eastern and wider Caribbean through associate membership in the OECS and CARICOM and membership in several regional institutions. We will continue to strengthen cooperation in functional areas and play our full part in regional activities as a mature Caribbean Territory. The BVI will support the continuation of the Meeting of Heads of Government of the Caribbean Overseas Territories and Bermuda which was launched here last September at the initiative of the Chief Minister.

My Government cherish the warm, neighbourly relations with the Government of the US Virgin Islands and are pleased to host, next Saturday, the 30<sup>th</sup> anniversary of the annual USVI-BVI Friendship Day. My Government will work closely with the administration in St. Thomas to advance the setting up of an Inter-Virgin Islands Council as a continuing mechanism to promote functional cooperation and avoid disputes. My Government appreciate the assistance received from the United States Government and its law enforcement agencies, and from the Government of the United States Virgin Islands, in the fight against crime, including terrorism and drug trafficking. My Government will continue to cooperate closely with the Federal Government and the United States Virgin Islands Government in the interdiction of illegal immigrants and the prosecution of all serious crime.

A Bill to repeal and replace the Pensions Act will be brought before you. It will aim to introduce a modern, flexible pensions regime to support development in the public sector. The Scheme to be introduced will cover all Government employees, including non-

established workers. New Public Service Commission Regulations to support important changes in human resource management, and new General Orders for the public service will be made and laid before you.

With the adoption of the National Integrated Development Strategy by My Government in November 2001, there is now a framework in place to guide the development of policy and governmental decision-making that will take into account the long-term welfare of the people of the Territory.

A Bill to revise the Finance Ordinance, which is now 25 years old, will be introduced. Modern Financial Regulations to replace Financial Instructions and Stores Rules, which go back over 50 years, will be made and laid before you. Bills to amend the Income Tax Ordinance and other legislation to clear the way for implementation of the Standardised Integrated Government Tax Administration System (SIGTAS) will be brought. The computerisation of the tax revenue system will greatly improve the efficiency and productivity of tax collection. Proposals are expected from the recently appointed Fiscal Review Committee to overhaul the existing taxes and fees. Modernisation of the Customs Department will continue and their facilities will continue to be upgraded. The Postal Service will also benefit from similar modernisation. A project to modernise and improve the West End port facility will be started without delay.

My Government continue to co-operate with international financial institutions in the shaping of international standards without compromising the financial integrity of the Territory. Our co-operation has been amply demonstrated in the legislative initiatives of My Government in promoting proper and adequate regulation of our financial services industry. The aim of My Government continues to be one of ensuring economic advancement without the Territory being included on any negative list.

A Bill to amend the Development Bank of the Virgin Islands Ordinance will be introduced. It will aim to bring the Bank under the supervision of the Banks and Trust Companies Supervisor without sacrificing its development mission and mandate.

The new Financial Services Commission has been appointed as the regulatory authority for financial services. As stated in the Budget Address, my Government will establish a Financial Services Marketing and Promotion Unit in the Ministry of Finance, Economics and Development Planning to continue the effective promotion of the Territory as a high quality, preferred jurisdiction for financial services, and to search out new service areas to enhance the industry. Bills to amend a number of Acts in order to comply with the KPMG recommendations are at advanced stages of preparation. Furthermore, a Bill aimed at immobilising bearer shares by requiring that they be held under specified custodian

arrangements will be introduced. It aims to ensure that information on persons who control BVI companies is readily accessible to our local authorities.

My Government will introduce legislation to promote the welfare of consumers, and to require prior licensing of persons engaged in specific trades in order to protect the Community from unsafe practices. They will establish a unit to foster the development of entrepreneurship among Virgin Islanders.

My Government are proud of the high international reputation of the Territory's disaster management system, and will continue to provide the necessary funding to ensure that the Department of Disaster Management has all the necessary resources to discharge its responsibility to the Community. A Bill to provide for effective disaster management will be introduced early in the session. A comprehensive disaster management strategy and framework is at an advanced stage of preparation and will be laid before you, as will a Mitigation and Planning Framework focusing on prevention. The early appointment of a Health Disaster Coordinator, will enable the Ministry of Health & Welfare to advance the National Health Sector Emergency Plan and upgrade preparedness and capacity in this vital sector.

In Education, My Government will design a new Five Year Strategic Plan. They will institute an alternate education programme for Youth who for one reason or another are unable to benefit from the school system, and for adults who wish to obtain basic certification. My Government will develop an Information Technology Strategic Plan for schools and will vigorously continue the programme for the computerisation of all schools.

My Government is committed to the development of reading and literacy skills with the introduction of a literacy programme in all schools and the expansion of the Spanish language pilot programme. An Early Childhood Education Bill, Students Code of Conduct Guidelines and a Bill to replace the Education Ordinance, which dates back to 1977, will be introduced.

A new Sports and Youth Department is to be formed to address the needs of the Youth of the Territory and to offer complementary services which in collaboration with the academically based programmes in schools, will provide for their total development.

Two major recreational park projects have been started at West End and Carrot Bay to provide much needed recreational and cultural facilities for the residents. Other recreational and cultural facilities will be upgraded in communities throughout the Territory in order to provide part of the requisite social infrastructure, which is necessary to support the

development of healthy lifestyles and also to increase cultural awareness among all of our people.

My Government remain committed to completing the construction of a world-class hospital facility on target in 2004. Discussions with the British Government on approval for borrowing have begun and all the infrastructure necessary to implement this project in a timely fashion and to operate the facility when completed, will be put in place. Meanwhile, my Government is exploring a formal arrangement with a leading Puerto Rican hospital in order to facilitate referrals of patients from Peebles Hospital. A national HIV/AIDS Action Plan will be developed and implemented as HIV/AIDS in the Territory is brought into sharper focus.

A reliable system for emergency medical evacuation from the sister islands, including, eventually, helicopter landing pads on Jost Van Dyke, North Sound and at the Settlement in Anegada, is to be instituted during 2003. Continuous upgrading of health care services on the sister islands will continue, buttressed by quarterly visits by a Ministry team. Bills to update the Mental Health Ordinance and legislation relating to juvenile offenders will be introduced. Protocols to enhance inter-agency cooperation and response in cases of suspected child abuse will be completed. Mr Speaker, the care of the elderly is not forgotten, and during this session the design work for a new purpose built, multi-purpose Senior Citizens Home will be completed.

My Government are reviewing the enforcement provisions of the Noise Control and Abatement Act and will take action to curb the growing problem of noise nuisance which poses a health threat to members of the Community and to our tourism industry in the Territory.

My Government will reintroduce the Labour Code Bill soon, following the extensive consultations that have taken place throughout the community. The absence of effective organisations to represent the interests of employers and employees places on My Government a heavy responsibility which they take seriously. The new Labour Code, when enacted, will provide the Territory with a sound and flexible basis for handling employment and industrial relations issues for many years to come.

My Government remain committed to improving the agricultural and fisheries sectors. A recent successful mission to Washington should lead to an early removal of the ban on export of BVI meat products to USVI and Puerto Rico. This will be a welcome supplement to the local market which is expanding on account of a new initiative. A Bill to

amend the Pound Ordinance will be brought with the aim of further bringing the problem of loose livestock under control.

In the fisheries sector, the benefits from the Memorandum of Understanding signed earlier this year with the Canadian Province of Nova Scotia and our membership of the International Commission for the Conservation of Atlantic Tuna will begin to become apparent. A High Seas Fishing Bill will be laid before you. The maritime boundary between Anguilla and BVI, which was the only outstanding unsettled boundary, has now been agreed. Extension by HMG of BVI territorial waters from three to twelve miles and declaration of a 200 mile exclusive economic zone (EEZ) to go along with the exclusive fisheries zone (EFZ) are expected during this year.

My Government will continue their programme of extending the Territory's environmental information system and legislation in order to meet their local and international obligations, including those undertaken in the St. Georges Declaration on Environmental Sustainability. Measures will be brought before you to update such legislation and sharpen enforcement provisions. The National Parks Trust is poised for expansion in its funding and work programme. Measures to update the legislation, to enhance the Trust's ability to protect special sites in the Territory, will be introduced.

Mr. Speaker, the Government's programme of land distribution continues. A new, dedicated Anegada Lands Unit will bring fresh impetus to the granting to the people of that island, a process which has been stalled for years. A recently approved ad hoc Lands Allocation Advisory Committee for the North Sound will be making recommendations for disposal of lots in phase two of that project. Similar projects are planned for Belmont and the Stevens Estate in Greenland.

Mr. Speaker, My Government keenly await the work of the Law Reform Commission which has begun in earnest after the recent arrival of the Chairman in the Territory. Meanwhile, the process of updating important laws continues. One such example is the Evidence Act which, as it stands, is greatly inadequate when measured against modern realities and demands. A Bill to produce a new Evidence Act will soon be introduced in this Council.

My Government will introduce an amendment to the Criminal Code to make more stringent provision against the persistent writing of cheques for which there are insufficient funds. They will also seek to strengthen the legal provisions for protection of boys and girls of tender age against sexual predators.

A Bill for the Liberalisation of Telecommunications Services will be introduced. It is intended to usher in a new era of competition in the supply of a range of telecommunication services, and give the consumer wider choice. My Government will introduce a Bill to reorganise the Department of Civil Aviation into a regulatory agency and provide for the hiving off of airport management services to a public limited company. My Government will continue work on the acquisition and improvement of the Virgin Gorda Airport.

A range of Regulations affecting public safety, including for mandatory use of seat belts, safety of small vessels, small passenger ships and Caribbean cargo ships will be made and laid before you. Especially important will be the Code of Safety for Small Commercial Vessels operating in the Caribbean Sea (SCV Code) which is one of the end results of the Hamilton Report convened by the UK Marine & Coast Guard Agency for the OT's and the Caribbean MOU supported by the International Maritime Organisation in consultation with the US Coast Guard.

My Government will continue to improve road safety, especially through the marking of roads and the erection of proper traffic signs and guard rails.

My Government will introduce a Marine Pollution Act and Prevention of Oil Pollution Regulations. This legislation is intended to provide for powers of jurisdiction in relation to pollution of the sea from ships, intervention on the high seas in instances involving oil pollution or dumping of wastes at sea, as well as to provide the necessary preparedness, response and compensation mechanisms for dealing with such emergencies.

My Government has accepted the recommendations of BAE Systems, the consultant for the Airport Management Study, that the Civil Aviation Department be divided into two agencies which would consist of:

- (i) a Regulatory Body and
- (ii) a Public Limited Company (PLC)

Other measures will be brought before you.

Mr. Speaker, my Government has laid out an ambitious programme, the accomplishment of which will heavily tax the resources of the administration and of this Council. I hope that all concerned will be equal to the task ahead.

Mr. Speaker, Members of the Council, I pray the blessings of Almighty God may rest upon you and your counsels.