



Development Planning Unit

Government of the British Virgin Islands

Speech From the Throne 1998

**Delivered by: His Excellency the Governor,
Mr. David Patrick Robert Mackilgin, CMG**

**At the Third Session of the
Thirteenth Legislative Council of the Virgin Islands on
16th June, 1998**

Honourable Mr. Speaker!

Honourable Members of the Legislature!

Good morning!

Mr. Speaker, I would like to extend to you and to all Members of this Honourable House warm Greetings in the name of our Head of State, Her Majesty Queen Elizabeth The Second, Queen of the United Kingdom of Great Britain and Northern Ireland and of Her Other Realms and Territories, whose Representative in this beautiful Overseas Territory of the Virgin Islands I have the great honour and privilege to be.

I would first like to remind the audience outside this Honourable House, witnessing these proceedings on TV and Radio or studying the text of this Speech in the days ahead, especially visitors from overseas who may not fully understand the traditions of British Parliamentary Democracy, that the Speech which I am about to read which was handed to me just a moment ago by the Honourable Chief Minister, represents the Government programme for the new Session. It has been drawn up by all Ministries and Departments under the overall supervision of the Chief Minister and his Office, and was discussed, finalised and formally approved at a Special Session of the Executive Council at the end of last week over which I had the honour to preside. Again for the benefit of the outside audience and readers overseas, I would explain that under the Constitution of the Virgin Islands I, as Governor, preside over the Executive Council i.e. I am its Chairman, and am responsible with the assistance of the Clerk of the Council and her staff for the

efficient conduct of the Councils business. But I am not actually a Member of the Executive Council, which under the terms of the Constitution consists of the Chief Minister, his three Ministerial Colleagues, and the Hon. Attorney General who is an official appointed by the Governor after obtaining the formal approval of the Secretary of State. The Hon. Attorney General is an ex officio Member of both the Executive and Legislative Councils.

Mr. Speaker and Honourable Members, in accordance with the provisions of the Virgin Islands Constitution, the Legislative Council must be dissolved by the 2nd March, 1999. It therefore follows that this Third Session will be shorter than usual.

During this Session it is hoped to introduce a more structured form for the Sittings of this Honourable House. It is hoped that it would be possible to make arrangements so that Honourable Members, public servants and the general public would be aware that the Council would meet at specific times, for instance, on the second and fourth Thursday or Friday of each month. Of course this will not prevent the summoning of Sittings at other times, or even emergency Sittings.

Another feature that the Government intends to recommend to this Honourable House, in accordance with the Standing Orders of the Council, is for the Speaker to appoint a Special Committee of the House, to examine the Annual Reports of the various Departments and Statutory Boards which must be laid on the Table of the Legislative Council in accordance with the laws of the Territory. The Committee will meet in open session and will have the power to call public officers to assist in the examination of those Reports.

Mr. Speaker, it is hoped that during the next session a new Constitution will be drafted and approved, culminating what would be five years of work, which commenced with the Constitutional Commission in 1993. This new Constitution will, of course, take into account the views of this Honourable House on the report of Dr. Neville Duncan's study of the AAt Large membership system which is still being completed by Dr. Duncan; together with the already expressed views of this Honourable House on the other recommendations of the Constitutional Commissioners. The Government will also introduce amendments to the Elections Act in accordance with the recommendations of the Supervisor of the Elections in the Report on the 1995 General Elections, as well as to give effect to agreed changes to electoral district boundaries as recommended by the Boundaries Commissioner, The Hon. Miss Justice Monica Joseph, CBE.

Mr. Speaker, the Report of the Advisory Committee on Emoluments for Members of this Honourable House will be laid before the House very early in this Session. Copies will then be made available to the public in the usual way. After a suitable interval the Report will be debated in this Honourable House, with a view to implementing the recommendations as soon as possible during this Session.

In the area of human rights, the Government will renew the right of individual petition to the European Commission on Human Rights in accordance with the European Convention on Human Rights and Fundamental Freedoms. It will also introduce draft legislation to prohibit all forms of racial discrimination, in accordance with our obligations under the International Convention on the Elimination of All Forms of Racial Discrimination.

The pension scheme for public officers is to be modernized and updated by introduction of a Bill to repeal and replace the Pensions Act which is over a half century old. Amendments to the Registration of Births and Deaths Ordinance will be introduced to provide for the computerization of records and to empower the Governor-in-Council to update fees and forms.

A Bill for the prevention of bribery and corruption will be given top priority during this Session.

Mr. Speaker and Honourable Members, very high priority is attached to the efficient performance of the Royal Virgin Islands Police Force. Our highly regarded police play a vital role in maintaining the Territory's safety and security. To improve the financial arrangements for the Force all items of the RVIPF's annual financial appropriation will in future be shown under a separate budget

subhead, instead of some items being included as at present in the Deputy Governor's budget. New procedures are also being put in place to ensure that the Force's capital projects are carefully prioritised at an early stage in the budget preparation cycle in consultation with the Police Advisory Committee, and to introduce planning of projects for several years ahead.

The Government greatly values the support of Her Majesty's Government in providing senior specialist police officers from Britain, and members of Her Majesty's Armed Forces who play key roles in the Marine Division of the RVIPF. The fight against narco-trafficking requires constant effort and vigilance. The Government views with satisfaction the increasing cooperation and coordination which is taking place in this area of the Caribbean between the various national and international agencies involved in the drugs war. A new Shiprider Agreement between the United Kingdom and United States Governments for the Caribbean Overseas Territories is expected to be concluded soon. It is aimed at increasing the effectiveness of the excellent cooperation which we already enjoy with the various United States Agencies involved, especially the US Coastguard. In addition a Shiprider Agreement between the UK and the Caribbean Overseas Territories is at an advanced stage of consideration.

Mr. Speaker the Government will lay before this Honourable House a Bill for a Disaster Preparedness and Response Act, with the intention of providing a legal framework for disaster preparedness, mitigation and response.

A Bill to regulate the payment of fees to public officers on statutory boards will be introduced.

Measures to institute a limited legal aid scheme, with suitable safeguards, will be brought before you.

The Government will continue to explore avenues for greater involvement in regional affairs. The Foreign and Commonwealth Office have made it clear that each Caribbean Territory is free to decide on its own relationship with the Association of Caribbean States, and the Government is currently investigating the possible advantages of some form of affiliation with the ACS.

The Government will introduce a Consumer Protection Bill.

The Government continues to promote and support local entrepreneurship. Measures will be introduced to expand the range of industries which qualify for concessions under the Pioneer Services and Enterprises Act. Training and other direct assistance will be provided to small enterprises under the Micro Enterprise Development Programme.

In the area of Tourism, the Government seeks to develop and promote the Territory as a Aquality nature-based tourist destination retaining and showcasing the values, culture and heritage of the Territory and to this end it will pursue the recommendations of the recent report on National Tourism Development Strategy 1996 - 2005. Special attention will be paid to the development of eco-tourism on Anegada.

Domestic financial polices and fiscal policy are based on the principles of a balanced budget and a sound economy. By emphasizing growth in the Tourism Sector, stability in the Financial Services Sector, revenue diversification and expenditure control, the Government will continue to promote growth in the economy. The development of the Territory's infrastructure through the capital programmes, and the allocation of surplus funds to the Contingency Fund and/or the Reserves, are policies which will continue to preserve our financial stability, and promote growth.

Mr. Speaker and Honourable Members, the Government is committed to constant review of the legislative and institutional framework of the Financial Services Industry, in order to ensure that the highest possible standards of performance are maintained. A Bill will be introduced early in the Session to establish a Code of Conduct for Registered Agents and to provide for Compulsory Powers. Bills will also be introduced to amend the Banks and Trust Companies Act and the Company Management Act. A Bill to regulate Merchant Shipping will be laid before you. The

Government also attaches the highest importance to the early promulgation of the Code of Practice under the Proceeds of Criminal Conduct Act.

Legislation will be introduced to amend and upgrade the Finance Act to bring it into line with the advancements made in financial administration and automation. The amendments will ensure greater accountability to the public, given the increase in public finances. Tendering for procurement of goods and services will for the first time be properly supported by legislation, thereby enhancing the integrity of the process.

The concept of programme budgeting introduced in the 1997 Budget exercise, will be further developed to incorporate all departments, as opposed to just ministries, thereby improving coordination and financial planning. The Government is also desirous of developing additional means of financing public projects. A scheme for attracting investment in important local development projects like the new hospital, with a guaranteed rate of interest and return of capital after a fixed period of years, is under active consideration.

A Bill to repeal and replace the Customs Duties Act and a new Bill, the Customs Management Act will be introduced early in this Session. It will improve the management capabilities of the Customs Department and impact positively on revenue.

Amendments are proposed to the Land and House Tax Act, the Income Tax Act and the Stamp Act to update the practices and fees that are necessary in this modern era.

An exercise to convert the Government's basis of accounting from a cash basis to an accrual basis is to commence during this Session. Full implementation is proposed at the start of the Millennium. This exercise will also require legislative amendments.

The Post Office is finalizing a feasibility study for an Express Mail Service. If there is a positive outcome the Government plans to introduce this service in the near future. It will be coupled with the development of a postal centre and enhancement of current postal services. These improvements are further supported by the recent application of the BVI for membership of the Caribbean Postal Union.

The Government attaches great importance to prompt and efficient public accounting. It will lay the 1996 and 1997 annual Financial Accounts before you during this Session.

The Government will review the Registered Land Ordinance and registration practices to facilitate computerization of records, the objective being to ensure that registration procedures continue to provide efficient and effective record keeping.

Mr. Speaker and Honourable Members, the Government views the preservation and protection of the BVI's unique natural environment as a very high priority. It will continue to review legislation to promote the acquisition and preservation of sites of high natural and cultural interest and their designation as National Parks for the benefit of both present and future generations. Special attention is being paid under relevant international conventions, such as the Ramsar Convention, to the protection of the beautiful wetlands and beaches of Anegada.

The Government will review existing legislation in respect of the protection of endangered species under international conventions and treaties, and propose appropriate local enabling legislation to facilitate their enforcement.

The Government will introduce legislation to repeal and replace the present Labour Code Act in order to enable more effective administration of the Code and improve labour services.

The Government recognizes the danger and nuisance to the general public caused by stray animals, especially ferocious bulls roaming unlawfully on the public highway. It will therefore vigorously enforce the Pounds Act as it relates to stray animals and establish new pounds where

there are none. It will introduce amendments to provide for realistic fees for impounding animals as well as other legal remedies.

Mr. Speaker, in relation to the Ministry of Education and Culture, the Government is committed to improving services and providing training opportunities in order to equip our people, especially our young people, with the knowledge, skills, and positive attitudes which are so vital to their personal development.

The process of reviewing and modernizing the curricula of both Primary and Secondary Schools is continuing. Special attention will be given to developing and implementing effective programmes for Technical and Vocational Education, Remedial and Special Education. The modernization and upgrading of school buildings and equipment will continue. The Government will continue to employ maintenance contractors to effect a properly organized maintenance programme for all of our physical facilities. Preparatory works to construct additional Technical and Vocational buildings at the BVI High School and the Bregado Flax Educational Centre Secondary Division are in hand. Construction of a new primary school at the Valley, Virgin Gorda, is also planned.

Bills will be laid before you to repeal the Recreation Trust Ordinance and to establish a Department of Sports and Recreation; and to establish the Virgin Islands Festival and Fairs Committee.

Mr. Speaker, Sir, the Government's main objective in awarding scholarships is to increase the number of young citizens trained to assume leadership roles. In addition to the four scholarships awarded to the top students at BVI High School, Bregado Flax Educational Centre, and the Anegada School, the Government will continue to provide other scholarships annually leading to a first degree, where the first two years are tenable at the H. Lavity Stoutt Community College. Through appropriate training and support services Government will ensure that there is a cadre of well-qualified teaching professionals and educational administrators at all levels.

The National Information Systems (NATIS) project will be given some priority, as the information resources in the Territory need to be properly organized and stored. Plans are being made to renovate the former prison in Road Town and to establish in it a National Museum.

Government will continue to support the H.L.S.C.C. Construction of the Resource Centre is due to begin during 1998, and of the Centre for Applied Marine Sciences in mid 1999.

A Bill to revise the Prison Act will shortly be introduced in this Honourable House. The Prison Rules will also be revised to better meet the needs of current prison services and to conform with international standards. This will include proposals for the introduction of a system of parole for prisoners.

A Bill for a new Medical Act will also be brought before you in 1998, as a consequence of ongoing health sector reform intended to provide for improved efficiency and accountability in the delivery of health services throughout the Territory. Plans are well advanced to recruit an architect to work exclusively on the new hospital in Tortola.

Following a motion that was unanimously passed in this Honourable House legislation will be introduced to address the problems of the handicapped including the provision of the right of access by the handicapped to all public buildings and places.

During this Session the Government will introduce a measure to provide for the proper organization and control of horse racing in the Territory and for the management of the newly improved facilities at Albion in Sea Cow's Bay. The Government will review the Quarantine Act with respect to the importation and exportation of animals.

The Government will introduce Legislation to amend the fee structure of the B.V.I. Ports Authority.

The Government will introduce a Bill for a modern Building Code which will ensure that all buildings are constructed to an acceptable standard which will render them safe against hurricanes and other natural disasters. Once enacted, the Code will be vigorously enforced.

The Electricity Code, currently in use will be revised, to further enhance safety of life and property. After revision its provisions will be vigorously enforced to enhance safety of life and property.

Safety of life at sea will continue to receive the highest priority. Measures will be strengthened and efforts intensified to ensure full compliance by ferries and other vessels to the appropriate national regulations, and International Conventions.

It is intended to map out clear policies on telecommunications with a view to dealing comprehensively with all aspects of telecommunications in the B.V.I. A review of the Telecommunications Act and the Cable and Wireless (West Indies) Limited Telephone Ordinance is in progress. On completion of the review, new legislation in the form of an all-embracing Telecommunications Bill will be introduced.

The Government will continue to improve the Territory's road network through its Road Improvement Programme.

Work will commence shortly on the Beef Island Airport Project. Construction of the new bridge linking Beef Island with Tortola will soon begin.

A reliable potable water supply will be established on the island of Jost Van Dyke.

The Cruise Ship Dock at Wickham's Cay I will be extended and upgraded to offer greater levels of safety and comfort to Cruise ship passengers.

A study will be carried out to determine the sewerage needs of East End/Long Look, Sea Cow's Bay, Road Town and Virgin Gorda. Sewerage treatment facilities in Road Town and East End/Long Look will be given top priority.

Other measures will be laid before you.

Finally, Mr. Speaker, as this is the last occasion on which I shall have the honour and privilege of addressing this Honourable House, I hope I may be permitted by your gracious indulgence to say a few personal words.

I thank you very much, Mr. Speaker and all Honourable Members, each and every one of you, for the kindness and courtesy which you have extended to me, on business and social occasions alike. This has made my Service here all the more pleasant, and has facilitated my efforts to carry out my duties and responsibilities as defined in the Constitution and the Secretary of State's Directive, to the best of my ability.

May this Honourable House go from strength to strength in the service of the people of the Virgin Islands.

Mr. Speaker and Honourable Members of the Council, I pray that the Blessings of Almighty God may rest upon you and your deliberations and endeavours during this final Session of the Thirteenth Legislative Council of the Virgin Islands.

With your permission, Mr. Speaker, I shall now bid this Honourable House farewell, and take my leave