



MARITIME AUTHORITY OF THE CAYMAN ISLANDS (MACI)

Minutes of Board of Directors' Meeting

Held on 11 December 2019 at 10:00 a.m.
Queensgate Bank, Harbour Place
North Church Street, George Town, Grand Cayman

Members Present:

Sherice Arman, Chairman
Robb Maass, Director
Gene DaCosta, Director
John MacKenzie, Director
Charles Clifford, Director
Stefano Rosina, Director

Ex – Officio Attendees:

Joel Walton, CEO
Lorna Washington, Secretary

Apologies:

Invited:

Kenrick Ebanks, Global Director, Commercial Services
Eric Bush, Chief Officer, Ministry of International Trade, Investment, Aviation and Maritime Affairs

1. CALL TO ORDER

The Meeting was called to order at 10:10 a.m.

2. APOLOGIES

3. QUORUM

IT WAS RESOLVED that in accordance with Schedule I, Section 7 (9) of the Maritime Authority Law (2013 Revision), a quorum of a simple majority of the Members was present and that business would proceed.

The Chairperson welcomed the new board members, Messrs. Clifford and Rosina. Each board member gave a brief introduction of themselves to the new board members.

The CEO introduced the Chief Officer, Mr. Eric Bush - Ministry of International Trade, Investment, Aviation and Maritime Affairs. The CEO stated that we are looking forward to working with Mr. Bush and the Ministry.

Mr. Bush stated the new Ministry is setup to deal with strategic planning, trade and partnership regarding MACI and CAA. There will a forum in February 2020 to determine the way forward.

4. REVIEW AND APPROVAL OF PREVIOUS MINUTES

IT WAS NOTED that the Minutes of the Meeting held on 14 August 2019, was approved by the Board after the following amendment:

- 5b – inserted “with” on the first line.
- 6a – changed “lost” to “loss” on the first line.
- 7a – changed “dted” to “dated” on the first line.

Moved Mr. Robb Maass and seconded Mr. John MacKenzie.

5. **UPDATES FROM PREVIOUS MINUTES**

- a. **MACI Policy on Health Care in-Retirement Benefit** – Mr. Ebanks gave the background information for the benefit of the new board members. He spoke to the lawyers and the opinion will be received this afternoon or tomorrow.

Mr. Clifford stated they are looking at all the authorities coming together as a whole to make a decision. Mr. Clifford has sat on various boards with the same problem.

The Chairperson suggested the CEO, Messes Clifford & DaCosta get together to see what the Civil Aviation Authority and other authorities have done. Help from Mr. Bush was noted. This item was noted by the Board.

- b. **2020 & 2021 MACI Budget** – Mr. Ebanks gave the update. Mr. Ebanks stated that the budget approved amount is less than what was put forward.

The CEO gave the background information for the benefit of the new board members. Port State Control should be done by Government. Casualty is managed by MACI. Policy Development is done by MACI. Policy and technical advice will stay with MACI.

The Chairperson confirmed that no Government subsidies are paid to MACI.

Mr. Bush stated that the Premier is willing to deal with the matter of weddings & gambling on cruise ships in the Marriage Law. This item was noted by the Board.

- c. **Office Accommodation** – The CEO gave the background information. The remainder of the staff will be moving to Breezy Castle by the end of December 2019. This item was approved by the Board.

6. **NEW BUSINESS**

- a. **Cayman Registry Performance, January-November 2019** – Mr. Ebanks gave the presentation. This item was noted by the Board.

- b. **Potential Business Development, Events, Special Projects, Training, HR and Official Meetings Programme, January 2019 – December 31, 2019** – The CEO gave the presentation. This item was noted by the Board.

- c. **2018 Revision to GT and UK Employee and Office Policies Handbook** – This item was deferred.

- d. **MACI Management Accounts (un-audited) January-October 2019** – Mr. Ebanks gave the update. This item was noted by the Board.

- e. **2019 Write-Offs and Accounting Policies** – This item was deferred.

- f. **Reappointment of the Finance and Audit Standing Committee** – This item was deferred.

- g. **Potential 2019 Honorarium** – This item was deferred and a proposal will be presented at the January board meeting.

7. **OTHER BUSINESS**

- a. **Proposed MACI Board Meeting Dated for 2020** – The February 19 meeting will be done by round robin. The April 22 meeting has been changed to April 27.

- b. **Circulation of Signed Minutes: 26 June 2019**

- c. **Proposed Purchase of SUV for MACI Official Business** – The SUV was purchased for \$21,900 from Prestige Motors. Customs duty was waived.

d. Economic Substance – The Chairperson gave the presentation.

The Cayman Islands has passed economic substance legislation which introduces certain reporting and economic substance requirements for certain types of entities that conduct certain categories of activity.

Shipping Business is one of the classifications of business caught by the economic substance legislation.

"Shipping Business" means any of the following activities involving the operation of a ship anywhere in the world other than in the territorial waters of the Islands or between the Islands -

- (a) the business of transporting by sea, passengers or animals, goods or mail for a charge;
- (b) the renting or chartering of ships for the purpose described in paragraph (a);
- (c) the sale of travel tickets and ancillary ticket related services connected with the operation of a ship;
- (d) the use, maintenance or rental of containers, including trailers and other vehicles or equipment for the transport of containers, used for the transport of anything by sea; or
- (e) the functioning as a private seafarer recruitment and placement service, but does not include a holding company business or the owning, operating or chartering of a pleasure yacht.

The carve out is significant because it means that persons who are operating pleasure yachts as defined in the MSL, would not fall within the scope of the economic substance law.

8. DATE OF NEXT MEETING

- a. Wednesday, 15 January 2020

9. ADJOURNMENT OF MEETING

The Meeting adjourned at 12:00 a.m.



Sherice Arman
Chairman

8 July 2020

Date