



**Board of Directors Meeting of the
Utility Regulation and Competition Office (“OfReg”)
held on Friday, 25 October 2019, 1 pm
at its Offices, 3rd Floor Alissta Towers
Special Meeting 4 of 2019**

Minutes

In attendance:

Dr. the Hon. Linford Pierson, Chair (Chair)
Mr. Ronnie Dunn, Deputy Chair (RD)
Mr. Rudy Ebanks, Non-executive Director (RE)
Mr. Paul Byles, Non-executive Director (PB)
Mr. Phillip Ebanks, Non-executive Director (PE)
Mr. Gene Banks, Non-executive Director (GB)
Mr. Malike Cummings, Chief Executive Officer (CEO)
Mr. Duke Munroe, Chief Fuels Inspector/Director Fuels Markets (CFI)
Mr. Alee Fa’amoe, Executive Director ICT (EDICT)
Mr. Louis Bouchard, Deputy Executive Director Energy & Utilities (D/EDEU)
Dr. John Epp, General Counsel/ Secretary (GC/S)
Mr. Christen Suckoo, Chief Operating Officer (COO) (by Board Directive)

Apologies:

Mr. Gregg Anderson, Executive Director Energy & Utilities (EDEU)
Ms. Alison Maxwell, Assistant General Counsel/ Assistant Secretary (AGC/AS)

Start: 1:05 PM End: 3:25 PM

1. General

- 1.1 Welcome and Prayer
The Chair welcomed all members.
- 1.2 Approval of Agenda
Motion, RD and seconded by RE: that the agenda (v 2) as circulated be adopted for this meeting. CARRIED



2. **Declaration of Interest:** None

3. **Board Matters**

3.1 **Board Administration**

3.1.1 Annual Report 2018

The Annual Report 2018 was presented and if accepted, was to be published and sent to the Ministry. The Ministry would follow protocol and complete a Cabinet Paper presenting the report to Cabinet. Motion, PE and seconded by RE: that the Annual Report 2018 be accepted. CARRIED

3.1.2 Policies for Discussion and Approval

3.1.2.1 Travel Policy

Cabinet mandated the use of the core government Official Travel Policy. PE led the discussion. Minor amendments to terms were made to ensure the policy was applicable to a statutory authority, and to address an omission. An Official Travel Business Case form was recorded as part of the policy.

MOTION moved by RE, seconded by PE: approve the policy in the document as amended and approve the form. They will reside in documents titled "OfReg Official Travel Policy – Final – incorporating changes agreed oct 25 brd mtg – clean.pdf" and titled "Official Travel Business Case Form – Final as approved without changes oct 25 brd mtg – clean. pfd". CARRIED with one dissent (PE).

Note of dissent:

"In my view the policy must have and does not as it stands satisfy the following criterion:

1. A sufficiently accountability structure to the CEO. My view is that if he is to delegate, he should do so in writing and in terms where he can retract that delegation and for specific period (e.g. not 12 months at a time). I disagree that the Policy itself should not delegate to Eds and say this given the historical issues complained about publicly of the significant expenditure by OfReg on official travel. My concern is that this expenditure will get out of hand and that the CEO cannot be held accountable for this.

2. My view: Delegated authority should not extend to do what the delegator should not himself do. In my view the delegator should have approval for his travel approved by the Chair; and likewise ED's should get their approvals; from the CEO; and the other staff – should the CEO so delegate – can then obtain approval from the their Eds.

3. To ensure central accountability: Policy should include provisions for Booking arrangement to be handled centrally and once application is approved, by the FC and the HR (or their Delegee), who should be booked through a booking system which would provide for:



- (a) for costs to be contained within budget and costs saving to be realised wherever possible;
 - (b) the policy to be monitored and maintained; and,
 - (c) ensure that the CEO and the FC are in the communications chain and relevant records and approvals kept centrally for review.
4. Ceiling thresholds need to be reconsidered and adjusted for things like:
- (i) business class travel which can often be 10 times higher than economy travel. In my view, BC travel ought to be addressed on a case by case basis against (a) the specifics of the circumstances (which may include travel for over 10 hours of travel (not 8 as the policy now states) AND where the timing of any meeting being attended will occur within 12 hours of the arrival of the employees BUT SHOULD ALWAYS be approved directly by the CEO; who can have access in advance to the recommendation of the FC.
 - (ii) per diem form ought to be approved on a case by case bases in all case. I suggest should be set at KYD100 per day instead of \$150 per day; with the CEO to authorise higher levels on a case by case basis.
5. Forms to be structured to include notes highlighting above; requirement as for timeframe for submissions and approvals (or rejections) to be returned etc.”

3.1.2.2 Mobile Device Policy

RE led the discussion.

MOTION moved by RE, seconded by PE: approve the policy in the document as amended. It will reside in document titled “Mobile Device Policy-Final incorporating changes agreed oct 25 brd mtg – clean.pdf”.
CARRIED

3.1.2.3 Recruitment & Selection Policy

RD led the discussion.

MOTION moved by PB, seconded by PE: approve the policy in the document as amended. It will reside in document titled “Recruitment & Selection Policy – Final - incorporating changes agreed oct 25 brd mtg – clean.pdf”.
CARRIED

3.1.2.4 Training and Professional Development Policy

PB led the discussion.

MOTION moved by PB, seconded by RE: approve the policy in the document as amended. It will reside in document titled “Training and Professional Development Policy – Final incorporating changes agreed oct 25 brd mtg – clean.pdf”.
CARRIED

3.1.2.5 Board Management Communications Policy

COO led the discussion as the ‘framework’ was circulated by email last evening.

MOTION moved by PE, seconded by RD: approve the policy in the document as amended. It will reside in document titled “Board and




Management Communications Framework – Final incorporating changes
agreed oct 25 brd mtg – clean.pdf. CARRIED

4. Any Other Business

None

5. Adjourned

Signed: 
Name: Dr. the Hon. Linford Pierson, OBE, JP
Title: Chairman

Date: 