



**Board of Directors Meeting of the  
Utility Regulation and Competition Office ('OfReg')  
Held on Thursday 13 May 2021, 9:00 am  
Held in the Boardroom of the Utility Regulation and Competition Office  
General Meeting #5 of 2021**

**Minutes**

**In Attendance:**

Dr the Hon Linford Pierson, Chair (Chair)  
Mr Paul Byles, Non-executive Director (Deputy Chair)  
Mr Rudy Ebanks, Non-executive Director (RE)  
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 Gregg Anderson, Executive Director Energy (EDE)  
Mr Sonji Myles, Acting Executive Director Information (AEDI)  
Mr Christen Suckoo, Chief Operating Officer (COO) (by Board directive)  
Ms Joanne Conolly, Board Secretary (BS)

**Apologies**

PB. Notified Board of joining meeting late

**1. General**

- 1.1 Welcome and Prayer by the Chair
- 1.2 Approval of Agenda  
*Motion to approve the Agenda for the meeting. GB motioned and RE seconded. All in favour, motion carried.*
- 1.3 Chair's Remarks  
The Chair asked the Board to remember the adage "One OfReg". Reminding the Board that the chain of command runs from the CEO through the Chair, to the Board, and anything going to Cabinet directly from the executive directors should be through the CEO.

PB entered meeting 09.19hrs.

**2. Declaration of Interest**

None.

**3. Minutes of Previous Meetings and Round Robin Resolutions**

- 3.1 Approval of the Minutes of:  
General meeting no 4, held 15 April 2021  
*Motion to approve the minutes of the last meeting. RE motioned and GB seconded. All in favour, motion carried.*
- 3.2 Matters arising from Minutes  
No matters arising.
- 3.3 Round Robin Resolutions  
None

**4. Introduction R&A Chair**

Mr. Wrendon Timothy arrived 09:34hrs and the Chair introduced him to the Board and welcomed him to OfReg. The Board introduced themselves and Mr Timothy gave a short background of his professional career.

## 5. Chief Executive Officer Report

CEO gave highlights from his report, saved in the Board papers.

- Professional Indemnity Insurance: continues to be a challenge. Based on the communications with SAGCs, some have expressed similar challenges as OfReg. Contact with other regulators reveal similar experiences. Working with other SAGCs to recommend having the PAA amended to ensure cover for indemnity wider than just regulatory matters for which cover is already provided under the Law is being considered.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Points in S5 redacted under S19(4) PAA regulatory decision

## 6. Regulatory Matters

### 6.1 Energy and Utilities

- 6.1.1 [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

S6.1.1 and S6.1.2 redacted under S19(4) PAA regulatory decision.

### 6.2 Fuels

#### 6.2.1 Fuel Price Probe – Update

CFI gave an update on prices which continue to be on an upward trend.

#### 6.2.2 Fuel Market Assessment – Update

CFI updated the Board on this matter. 14 May 2021 was the closing date of the consultation period.

### 6.3 ICT

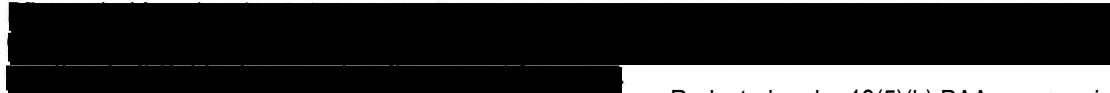
- 6.3.1 [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

S6.3.1 and S6.3.2 redacted under S19(4) PAA regulatory decision.

#### 6.3.3 New Broadband service rollout



- Spoken about earlier during CEO's report in point 5 above.
- 6.3.4 Relicensing -Update  
Spoken about earlier during CEO's report in point 5 above.



Break for lunch 12.20pm. Reconvene at 1pm.

Redacted under 19(5)(b) PAA commercially sensitive information

## 7. Board Matters

### 7.1 Board Administration

#### 7.1.1 Quarterly Financial Report

Presented by FC: went through the financial report highlights. Shared presentation. Last meeting presented updated payment process. Not clear whether the board had approved it or not.  
Following previous discussions in respect of the payment process approval in February, it was noted the decision requires minuting.  
*Motion to ratify decision to grant CEO authority to approve new payment process. PB: motioned and PE: seconded. All in favour. Motion carried.*

#### 7.1.2 Board Action Item Log ('BAIL')

CEO presented the BAIL.  
PB went through the Board assessments, as one of the BAIL items updates.

#### 7.1.3 Strategic Plan Update

Still being condensed by PB.

#### 7.1.4 OAG Recommendation 2- Paper

CEO paper was presented to board on OAG Recommendation 2. CEO had reached out to OAG as OfReg had made significant strides with the recommendations, but there has been no reply.

*Motion to approve: Board to approve paper on OAG Recommendation 2. PB moved and GB seconded. All in favour, motion carried as amended.*

#### 7.1.5 OAG Recommendation 3 – Update

CEO explained this recommendation says Government should review conflicting and duplicated provisions and make amendments asap. The Legal Team began that process and there will be a meeting next week to finalise, following which it will come to the board for approval.

#### 7.1.6 List of Legislative Amendments-Update

Essentially the same as 8.1.5.

#### 7.1.7 Statutory Obligations and Amendments

Requirement is that on a quarterly basis OfReg is to review strategic obligations. Prepared by AGC and placed in DB. PB pointed out not all acts are listed in the document, but should appear on the first page. **ACTION: CEO to have this reviewed and finalise.**

#### 7.1.8 PRHB- Progress Report

Chair: this matter will be dealt with at the end of the meeting.

## 8. Board Committee Reports

### 8.1 Risk and Audit Committee (PB (Chair), PE and GB)

PB meets quarterly nothing new; next meeting June.

### 8.2 Public Relations Committee (GB (Chair), PB, PE, RE and CEO)

#### 8.2.1 Highlights of PR Committee report for Q1, 2021

GB went through highlights of the report. It was tabled and approved by committee.





8.2.2 Action items from minutes of PR Committee meeting held 11 May 2021.  
PR committee met on Tuesday 12<sup>th</sup> May and minutes were sent out yesterday.  
*Motion: Board to approve the action items and add to BAIL. Motioned by GB and seconded by PE.*

- 8.3 Innovation Committee (PB (Chair), PE, RE, GB and AEDI)  
PB meets quarterly nothing new. Next meeting will be in June.
- 8.4 Remuneration and Human Resource Committee (PE (Chair) RE, PB and GB)  
PE nothing on this committee.
- 8.5 Finance Committee (RE (Chair), PB, GB and FC)  
PB on committee but nothing to report.

**7. Any Other Business**

Chair: COO mentioned 7.1.8 only wish to speak with voting board to update NEDs on investigation of a private and confidential nature in respect of a staff member. An update was given to the Board by the COO in respect of this investigation.

**8. Adjournment and Date of next meeting**

Chair – the Chair declared the meeting adjourned, and the next meeting is scheduled for Thursday, 17 June 2021. Meeting ended 2.45pm.

NB: Next meeting Hon. Deputy Premier and Chief Officer are attending at 10:00am.

Signed:   
Rudy Ebanks, Chairman

Signed:   
Joanne Conolly, Secretary