

## **Guide of Strategies and Mechanisms for Effective Public Management (GEMGPE)**

### **Antigua and Barbuda**

**November 12<sup>th</sup>, 2013**

This Guide has been reviewed by Public Sector Transformation Unit (PSTU)  
Government of Antigua and Barbuda



### **General Information**

#### **By Country: Indicators of Public Management**

##### **1. The Commonwealth**

[General Information](#): Presents key facts about Antigua and Barbuda (Geography, society, economy, politics, amongst other).

##### **2. The Caribbean Development Bank (CDB)**

[General Information](#): Presents key facts about the Government of Antigua and Barbuda (Area, Population, Time Zone, GDP, Currency).

##### **3. Inter-American Development Bank (IDB)**

[Governance Indicators Database](#): Presents indicators and statistics about Antigua and Barbuda.

##### **4. The World Bank (WB)**

[World Development Indicators](#): Presents indicators and statistics about Antigua and Barbuda.

##### **5. Organisation of Eastern Caribbean States (OECS)**

[General Information](#): Presents information about Antigua and Barbuda

##### **6. United Nations (UN)**

[World Statistics Pocketbook](#): Contains a series of economic, social, trade profile and environmental statistics and indicators.

#### **By Country: Publications and Research Studies**

##### **1. Organization of American States (OAS)**

["Decentralization and the Challenges to Democratic Governance"](#) (2008). Organization of American States (OAS).

##### **2. Inter-American Development Bank (IDB)**

["Regional Integration: What is in it for CARICOM?"](#) (2007). Mesquita, Mauricio; Mendoza, Eduardo.



"[Mainstreaming Gender in Compete Caribbean Projects](#)" (2011). Inter-American Development Bank (IDB).

### **3. The World Bank (WB)**

"[Antigua and Barbuda – Public and Social Sector Transformation Project](#)" (2013). The World Bank.

"[Antigua and Barbuda – Public and Social Sector Transformation Project: Environmental Assessment](#)" (2013). The World Bank.

### **4. United Nations (UN)**

#### **A. Economic Commission for Latin America and the Caribbean (ECLAC)**

"[Regional environmental policy and sustainable tourism development in the Caribbean](#)" (2012) Phillips, Willard.

"[Monitoring Caribbean Information Societies](#)" (2010). Lawton, Opal.

#### **B. United Nations Development Programme (UNDP)**

"[Human Development Report 2013 – The Rise of the South: Human Progress in a Diverse World](#)" (2013). United Nations Development Programme (UNDP).

"[Caribbean Human Development Report 2012](#)" (2012). United Nations Development Programme (UNDP).

## Long-Term Vision

### General Information

In Antigua and Barbuda, the long-term vision is related to the [National Economic and Social Transformation \(NEST\) Plan: 2010-2014](#) that serves as an Administration's strategic response to global economic and financial developments.

Since 2009 to 2012, the Government, through the [Ministry of Finance, the Economy and Public Administration \(MFEPA\)](#), has convened a series of consultations with citizens, residents, key stakeholders and social partners to discuss matters relating to fiscal consolidation, economic growth and social transformation with the aim of shaping the [NEST Plan: 2010-2014](#).

During these consultations, the participants stressed the need for a fundamental change in the way in which the public sector operates, the establishment of an effective expenditure controls and enforcement mechanisms, and the exercising of a strict fiscal discipline.

The [NEST Plan: 2010-2014](#)'s objective is to carry out a process of transformation that ultimately delivers a more fiscally sound, economically viable and socially advanced Antigua and Barbuda. These are essential elements of the Government's overall vision for the National Strategic Plan of Antigua and Barbuda 2021: "*Each Endeavouring All Achieving*".

**National Economic and Social Transformation (NEST) Plan: 2010-2014**  
(Mentioned in "Budget Statement 2013")



Source: [Budget Statement 2013](#)

## National Strategies / Planning

### General Information

The Government of Antigua and Barbuda, through its [Ministry of Finance, the Economy and Public Administration \(MFEPA\)](#) has prepared the National Development Plan: "[National Economic and Social Transformation \(NEST\) Plan: 2010-2014](#)".

The [NEST Plan: 2010-2014](#)'s purpose is to deal with the immediate socio-economic challenges triggered and amplified by the global economic downturn, while simultaneously to secure the long-term structural viability of the economy to mitigate internal vulnerabilities.

In that regard, the [NEST Plan: 2010-2014](#) provides a comprehensive package of programmes and policies intended to stimulate activity, repair the fiscal and financial health of the economy, and bring relief to the less fortunate members of the society. These programmes and policies are as follows:

**1.** The [Fiscal Consolidation Programme \(FCP\)](#). It sets out a mix of revenue and expenditure measures including more efficient tax collection, a reduction in the interest bill on both domestic and external debt, and actions to streamline government expenditure and raise revenue, while protecting targeted social.

Also, under the [FCP](#), several reforms have been initiated to enhance efficiency of public sector institutions for a better and improved service delivery. These reforms carry out taking into consideration the following ([Budget Statement 2013, pages 47-50](#)):

- Policy Directive for a Single and Unified Public Service;
- Establishment of a Senior Management Board;
- Improved Policy Coherence in the Centre of Government;
- Efficiency and Effectiveness Reviews of All Ministries; and
- Job Evaluation Process

**2.** The [Economic Action Plan \(EAP\)](#). Its purpose is to encourage economic activity and employment opportunities through a domestic stimulus. Likewise, since 2012 its focus has been oriented on ([Budget Statement 2012, page 57](#)):

- Creating a Business and Investor-Friendly Environment;
- Tourism;
- Agriculture; and
- Promoting Investment to jump-start economic growth

**3.** The [Social Transformation Programme \(STP\)](#). It proposes the development of health, education and the protection of vulnerable groups, including the continuation of school meals programmes and allowances for the elderly as well as the introduction of unemployment benefits. This programme is carrying out the following initiatives:

3.1. Installation and institutionalization of the [National Social Protection Commission](#). Its objective is to support the national social protection and to facilitate the coordination of social sectors and development of common tools and platforms that can be used to plan, implement and monitor social programmes in an integrated fashion ([Budget Statement 2013, page 94](#)).

3.2. World Bank-Funded Public and Social Sector Transformation (PSST) Project. It's designed to enhance national ability to design, implement and monitor coherent social policies and interventions. Among the activities are ([Budget Statement 2013, pages 94-98](#)):

- A Unified Beneficiary Selection System for Social Programmes of Antigua and Barbuda
- National Beneficiaries Management Information System
- A household Poverty Survey
- Single Beneficiaries' Registry
- Process Review of Board of Guardians
- Review of the Social Protection Function
- Labour Demand Survey
- Temporary Employment and Re-training Programme

3.3. Social Security Reform and Pension Modernisation. On the social security side, it proposes to carry out consultations with various stakeholders in order to prepare a revised Social Security Act and Regulations for its presentation to Parliament ([Budget Statement 2013, pages 98](#)).

On the pension reform side, there are plans to harmonize the various pension arrangements for the public sector with the aim of having a system that is universally understood, sustainable and comports with international best practices ([Budget Statement 2013, pages 99](#)).

4. The [Financial Sector Stability Programme \(FSSP\)](#). It indicates the need to make reforms to enhance and strength the financial sector. In that regard, several initiatives have been made in critical national entities ([Budget Statement 2013, pages 101-104](#)):

- On April 28<sup>th</sup> 2010, the Government took a decision mandating the restructuring of the [Financial Services Regulatory Commission \(FRSC\)](#) for development of a robust legislative and regulatory framework with adequate internal capacities and compliance with international financial standards.

On the human resources front, the [FRSC](#) unveiled its new Government-approved organizational structure and is working hand-in-hand with its management, staff and collective bargaining group to develop an implementation strategy, a collaborative process designed to gain buy-in from employees.

- In late 2011, the [Office of National and Drug Control Policy \(ONDCP\)](#) established the Financial Compliance Unit (FCU) to conduct on-site and off-site examinations of financial institutions in order to evaluate their money laundering and terrorist financing prevention programmes and to offer remedial feedback and assistance.
- In April 2012, the Department of International Banks and Trust Corporations faced a number of challenges. One of the most significant changes was the intervention and appointment of the Receiver-Manager in the financial sector. Since they were appointed, the Receiver-Managers have considered a number of proposals for the reorganization of the banks, specifically in Antigua Overseas Bank (AOB).
- In 2013, the [Division of Gaming](#) has also pursued a reform agenda with respect to licensing regulatory and supervisory functions in the development of the interactive gaming and interactive wagering regulations.

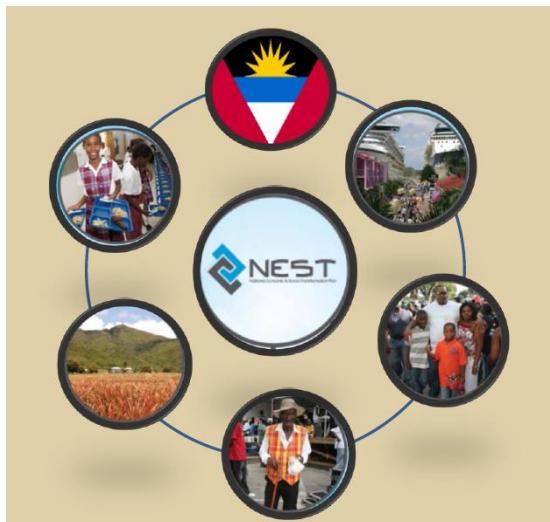
Likewise, the [NEST Plan: 2010-2014](#) comprises six (6) overarching strategic objectives: 1. Fiscal Balance, 2. Education for All, 3. Enhancing our Social Development Agenda, 4. Preserving our environment and building a stronger physical infrastructure, 5. Economic Sustainability, and 6. Antigua and Barbuda – the Best Brand.

These overarching strategic objectives are intended to inform all Government policy decisions, and to guide the engagement of the country with the [Caribbean Development Bank \(CDB\)](#), which provides technical assistance to Antigua and Barbuda to develop a Medium Term Development Strategy Plan (MTDSP).

A draft MTDSP is currently being prepared and would be presented by first quarter 2014 to all stakeholders and the public of Antigua and Barbuda in a series of consultation and public education events to ensure that all citizens and residents have an opportunity to influence the content of the development plan for this nation.

Once it is completed, the MTSMP would succeed the [NEST Plan: 2010-2014](#) as the Government's blueprint for growth and development over the short to medium term. It should be noted however, that fiscal and debt sustainability, financial sector stability, social protection along with promoting economic growth will remain the underlying principles of this Administration's development strategies ([Budget Statement 2013, page 38](#)).

#### National Economic and Social Transformation (NEST) Plan: 2010-2014



Source: [Budget Statement 2013](#)

## Public Budget

### Introduction

In Antigua and Barbuda, the annual public budget is developed through a plan containing all the revenues and expenditures for each financial year. Likewise, core aspects of its formulation process are stated in [Chapter VI: Finance – of the Political Constitution](#).

According to [Section 90 of the Political Constitution](#), the Consolidated Fund is the primary source in which all revenues or other monies raised or received by the State should flow into.

The [Ministry of Finance, the Economy and Public Administration \(MFEPA\)](#) through its Budget Office, is the national entity responsible to control and manage the Consolidated Fund, as well as the preparation of the annual expenditure estimates.

From 2012, the Budget Office has started a reforming the Budget Process through different initiatives, such as: a) Presentation of three (3) quarterly reviews on the fiscal situation of the country; b) Commencing the process of classifying the budget using the international Classification of Functions of Government (COFOG); and c) posting the *2012 Estimates* on the Government's website ([Budget Statement 2013, page 42](#)).

The Budget Office continues to work on improving the comprehensiveness of the budget and accuracy of estimates. For 2013, its focus is guided on improving the budget process and related documents by ([Budget Statement 2013, pages 42-43](#)):

- a) Refining the budget planning template formalizing the budget calendar;
- b) Formulating the template for a mid-year budget report;
- c) Continuing to classify the budget using COFOG, which will provide greater insight into spending in various sectors; and
- d) Exploring the possibility of having an Expenditure Management Review Committee.

### Institutional Framework

The powers and responsibilities of the authorities called to manage and control the public budget of Antigua and Barbuda are specified in:

**1. The Political Constitution of Antigua and Barbuda.** This pivotal national document provides the main legal framework of the powers and responsibilities for:

- The [Minister of Finance, Economy and Public Administration](#), whose main task is to present, in front of the House of Representatives, the Budget Statement, that is a detailed budgetary plan containing all the expected revenues and expenditure for the succeeding financial year.
- The House of Representatives, whose main power is to approve the Budget Statement provided by the Minister and to issue the Appropriation Act that is the annual financial law.

**2. The Finance Administration Act of 2006.** This law has the objective to develop the constitutional norms, providing a more detailed legal framework on the budget plan formulation and process. To that effect, it specifies the powers and responsibilities of the Minister, while providing the assignments for other governmental authorities involved in the process.

For what concerns the Minister, [Section 6 of the Political Constitution](#) states he/she is mainly responsible for:

- The supervision, control and direction of the Government's financial affairs and the management and control of the Consolidated Fund;
- Management of the public debt, of the investment of public money, and of loans and advances made and guarantees given by the Government;
- The preparation of the annual and supplementary estimates;
- Ensuring that a full account of the finances of the Government is laid before the House in the Public Accounts;

**3.** Other authorities considered by the law, with their respective duties and powers, are:

a) The **Financial Secretary**, directly related to the [Ministry of Finance, the Economy and Public Administration \(MFEPA\)](#) who, according to [Section 7 of the Political Constitution](#):

- Is responsible for the supervision of the Ministry;
- Oversees the preparation of the annual and supplementary estimates on behalf of the Minister;
- Has access, at all times, to all ministries, departments or places where accounting for services takes place or accounting records are kept;
- May require a public officer to furnish any information and provide access to any documents that the Financial Secretary considers necessary;

b) The **Accountant General**, whose position is regulated by [Section 8 of the Political Constitution](#) and according to the [Finance Administration Act of 2006](#), who:

- Maintains the central accounts of the Government so as to show the current state of the Consolidated Fund and the financial condition of the Government;
- Receives and banks, or oversees the receipt and banks, of public money and oversees its disbursement;
- Prepares the Public Accounts and any other financial statements or reports required by the Minister or the Financial Secretary;
- Maintains a system for the examination of payments to reasonably ensure that they are made in accordance with this Act or the regulations;
- Ensures that a proper system of accounts is established in every ministry, department and service, and that all money received and paid by the Government is brought promptly and properly to account;
- Reports to the Financial Secretary, in writing, any apparent defect in the control of revenue, expenditure or money, or any breach or nonobservance of this Act, the regulations or Treasury instructions by a ministry, department or service that may come or be brought to his notice;
- Evaluates accounting and financial management systems throughout Government;
- Exercises supervision over the receipt of revenue and securing its punctual collection, except where those responsibilities are by law assigned to the Comptroller of Customs, the Commissioner of Inland Revenue or other similar public officer;

- Has access to all ministries, departments or places where accounting for services takes place or accounting records are kept;
- May require access to records and require any information, records or explanations from a public officer or former public officer necessary for the performance of the responsibilities of the Accountant General;
- May examine and report to the Financial Secretary on the financial and accounting operations of a ministry, department or service; and
- May provide accounting and other services in connection with the financial management of a ministry, department or service.

## Strategies and Mechanisms

In accordance to [Section 92 of the Political Constitution](#), the elaboration process of the public budget in Antigua and Barbuda is as follows:

The [Minister of Finance, the Economy and Public Administration \(MFEPA\)](#) through its Budget Office sends, before or not later than ninety (90) days after, detailed estimates of the revenues and expenditure for the succeeding financial year to the [House of Representatives \(The House\)](#).

Once the proposed budget plan is approved, an appropriation bill is introduced in [The House](#), providing for the issue from the Consolidated Fund of the sums necessary to meet that expenditure and the appropriation of those sums, under separate votes for the several services required, for the purposes specified therein. In this sense, [The House](#) is the authority entrusted for the authorization of expenditure from the Consolidated Fund, by the approval of an Appropriation Law – as established in [Section 92 of the Political Constitution](#).

[Section 93 of the Political Constitution](#) provides the possibility of an authorization of expenditure in advance of appropriation law, in the case in which the appropriation law in respect of that financial year has not come into operation by the beginning of that financial year. To that effect, the Minister may authorize the withdrawal of monies for the purpose of meeting expenditure necessity to carry on the services of the Government, for a maximum period of four months from the beginning of that financial year or the coming into operation of the appropriation law.

Different from the Consolidated Fund are the Contingencies Funds, as settled in [Section 94 of the Political Constitution](#). The establishment of these special funds requires a specific provision from the Parliament, which authorizes the Minister to make advances from that Fund in order to meet a "*urgent and unforeseen need for expenditure for which no other provision exists*". Nonetheless, the constitutional provision requires a supplementary estimate to be approved by [The House](#), in order to introduce supplementary appropriation act.

## Professionalized Civil Service

### Introduction

Antigua and Barbuda has a parallel public service comprising civil servants who are established and non-established Government employees who are regulated by separate pieces of legislation and with different terms and conditions, namely the [Civil Service Act \(1984\)](#), [Civil Service Regulations \(1993\)](#), and the [Pension Act \(1959\)](#) which regulate the established public workers and the [Antigua and Barbuda Labour Code](#) and the [Pensions \(Non-Establishment Government Employees\) Act \(1967\)](#) which regulate the non-established workers.

It's important to take into consideration that Government of Antigua and Barbuda (GOAB) has been developing several initiatives for improving its professionalized civil service. In that regard, on January 19<sup>th</sup> 2010 it requested the [Organization of American States \(OAS\)](#) technical assistance in the review of its legislative framework governing in the public sector. The technical assistance was oriented, amongst others aspects, to provide for the unification of the Public Service (Established and Non-Established Government Employees).

Likewise, in May 2012 the Public Sector Transformation Unit (PSTU) collaborated with the Committee of Permanent Secretaries (COPS) to recommend to the Cabinet concrete steps to integrate the established and non-established streams of workers in the public service. In September 2012, the Cabinet endorsed the proposal and issued a policy directive to create a singularized and modern public service grounded on the principle of equal pay for equal work. The intention is to pass legislation to govern the management of all public servants as one collective. Other objectives are to create a more manageable workplace, uniformity of procedures and rules, and equitable pay structures.

During 2013 the Government will implement a series of activities to shape a public service that has the capacity, behaviors, performance monitoring mechanisms, governance and legal framework to deliver quality service as an instrument of sustainable growth ([Budget Statement 2013, page 47](#)).

Finally, the GOAB is carrying out a modernization agenda to establish a policy directive for a single and unified public service by means of the [Public and Social Sector Transformation Project \(PSST\)](#), with the supporting of the World Bank Group. The [PSST](#) objective, amongst other, is to modernize human resources management through the establishment of an integrated public service employment regime, and of an effective public service management system to support the new single public service structure <sup>(1)</sup>

### Institutional Framework

In Antigua and Barbuda, the national entity responsible to address the public service across the country is the [Public Service Commission](#).

As established in [Section 99 \(1\) of the Political Constitution](#), the Public Service Commission consist of a chairman and not less than two nor more than six other members who are appointed by the Governor-General, acting in accordance with the advice of the Prime Minister.

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<sup>(1)</sup> For more information about [PSST](#), please review the following section within this Guide: *National Strategies / Planning*.

By virtue of [section 100\(1\) of the Political Constitution](#), subject to the constitutional provisions, the power to appoint persons to hold or act in offices in the public service (including the power to make appointments on promotion and transfer and to confirm appointments), the power to exercise disciplinary control over persons holding or acting in such offices and the power to remove such persons from office vest in the [Public Service Commission](#).

The power to appoint under [subsection 100\(1\) of the Political Constitution](#) does not apply in relation to the offices to which [section 101 of the Political Constitution](#) applies, namely the office of the Director of Public Procedures, the office of the Director of Audit, the office of the Attorney-General, the office of the Supervisor of Elections, any office to which [section 103 of this Political Constitution](#) applies in the Police Force.

The [Public Service Commission](#) is required to make an annual report on its activities to the Governor-General, who will cause copies of the report to be laid before both Houses of Parliament.

## **Strategies and Mechanisms**

Excepted those high public officials which status is established in the [Political Constitution](#), all other civil servants find themselves bounded to the rules of the [Civil Service Act \(1984\)](#), [Civil Service Regulations \(1993\)](#), [Pension Act \(1959\)](#), [Antigua and Barbuda Labour Code](#), and [Pensions \(Non-Establishment Government Employees\) Act \(1967\)](#).

### **1. Entrance into the Civil Service**

According to [section 5 of the Civil Service Regulations \(1993\)](#), the educational or professional qualifications and any other requirements are important for recruitment into the Antigua and Barbuda civil service.

For submitting an application to any position into the civil service, this should be addressed to:

1. The Chief Establishment Officer, or
2. Any other authority as may be designated in the Gazette in the case of any department.

Upon receipt of the applications, in both cases the Chief Establishment Officer will submit them to the Public Service Commission ([section 6 \(1\)\(2\) of the Civil Service Regulations \(1993\)](#)).

An officer may be appointed into the civil service on: a) Permanent terms; or b) Temporary terms; or c) Contract terms.

Except as otherwise provided in [Civil Service Regulations \(1993\)](#), an officer on first appointment and on permanent terms will be required to serve on probation for a period of six (6) months ([Section 13 of the Civil Service Regulations \(1993\)](#)). Regarding non-established public workers, the probation is around three (3) months ([C8 \(1\) of the Antigua and Barbuda Labour Code](#)).

When an officer is appointed on permanent terms after he has satisfactorily performed the duties of an office in an acting or temporary capacity or on secondment or contract, the period of probation may be reduced by the length of service in that office before the new appointment; provided that there was no break between his previous service and the new appointment ([Section 14 of the Civil Service Regulations \(1993\)](#)).



If after the period of probation of an officer on the recommendation of the Permanent Secretary, the Commission is satisfied that the officer's service has been satisfactory in an appraisal report, the Commission will confirm the officer's appointment and notify him in the prescribed form ([Section 18\(1\) of the Civil Service Regulations \(1993\)](#)).

If the Commission is not satisfied that the service of an officer on probation has been satisfactory, the Commission may extend the period of probation for a further period of three (3) months not exceeding two (2) extensions ([Section 18\(2\) of the Civil Service Regulations \(1993\)](#)).

## **2. Training**

In Antigua and Barbuda, the [section 56 of the Civil Service Regulations](#) sets out that "*every officer into the civil service will ensure that, whenever possible, he trains and instructs a junior officer working in his Department*".

In that regard, there are training programmes and training schemes for the benefit of public officers. The Public Sector Commission is the national entity responsible to select any officer to attend a training programme or course, requiring to this purpose to pass a medical examination as well as physical fitness before the programme or course ([Section 132 \(2\) of the Civil Service Regulations](#)).

Likewise, an officer awarded a course of training will ([Section 135 \(1\)\(2\) of the Civil Service Regulations](#)):

- "a) Devote himself to all the academic requirements of the course of training;*
- b) Sit for any examination that may be set or write such papers or report as may be required by the training authority; and*
- c) Resume duty without delay after the completion of the course of study, unless an extension of leave is granted".*

## **3. Promotion and assessment**

As established in the [Preliminary section of the Civil Service Regulations](#), "*promotion*" means the conferment upon an officer of an office to which is attached a higher salary scale than that attached to the office to which he was last substantively appointed.

In the selection of officers for promotion the relevant criteria are experience and merit: "*provided that where the officers under consideration have equal qualifications, experience and merit, regard may be given to their seniority*" ([Section 21 of the Civil Service Regulations](#)).

At the discretion of the Public Sector Commission, an officer can be required to act in an office for a specific period in order to determine his suitability for promotion to that office and such acting appointment shall be made for a minimum period of six months ([Section 27 \(1\) of the Civil Service Regulations](#)).

As mentioned above, If after the period of acting in the office, the officer is found to be unsuitable for promotion, he will revert to his substantive appointment or grade ([Section 27\(2\) of the Civil Service Regulations](#)).

In Antigua and Barbuda, a assessment system for public servant exists in the shape of an annual appraisal report which should be furnished by the Permanent Secretary of any administrative structure to the Chief Establishment Officer ([Section 66\(1\) of the Civil Service Regulations](#)).

Additionally, "*if an officer's work has been unsatisfactory in any respect, and it is felt that he is capable of improvement he shall be warned before the report is submitted and such warning shall be copied to the Chief Establishment Officer at the time the appraisal report is submitted*" ([Section 27\(5\) of the Civil Service Regulations](#))"

#### **4. Remuneration**

In Antigua and Barbuda, the remuneration of the public officers is divided between three (3) categories of wage: salaries, allowances and amenities.

The salary of an officer will be in accordance with the grade to which the officer is appointed and which is specified on his appointment or at any other time ([Section 57\(1\) of the Civil Service Regulations](#)).

The general rates of pay of each grade shall be as specified by means of a Remuneration Order ([Section 57\(2\) of the Civil Service Regulations](#)).

Except as otherwise provided in these Regulations, the commencement salary to be paid to an officer on first appointment is in relation to the minimum of the salary range applicable to the office to which public officer is appointed ([Civil Service Regulations, art. 58](#)).

Every public officer can be eligible for increments if he obtains an incremental certificate ([Section 67 of the Civil Service Regulations, art. 67](#)), or for incremental credits for qualifications and experience ([Section 69 of the Civil Service Regulations](#)).

#### **5. Disengagement**

[Section 12 of the Civil Service Act](#) provides the modes by which a public officer may leave the Civil Service. These are as follows:

- a) on dismissal or removal in consequence of disciplinary proceedings;
- b) on compulsory retirement;
- c) on voluntary retirement;
- d) on retirement for medical reasons;
- e) on resignation;
- f) on the expiry or other termination of an appointment for a specified period;
- g) on the abolition of office;
- h) in the case of a public officer on probation, on the termination of appointment;
- i) on retirement in the public interest.

Also, as set out by [Section 13 of the Civil Service Act](#), there is the possibility that a civil servant may be summarily dismissed if:

- a) He is absent from Antigua and Barbuda without permission;
- b) He has been adjudged bankrupt;

c) He has been convicted by a Court of a crime involving dishonesty or any other crime which, in the opinion of the Commission, is likely to bring the Civil Service into disrepute; but the civil servant shall not be dismissed under the provisions of this paragraph until the time within which he may be entitled to lodge an appeal against his conviction has expired and he has failed to lodge any such appeal.



## Coordination

### General Information

The Government of Antigua and Barbuda (GOAB) has recognized the importance to implement a strong development and coordination policy for achieving sustained growth. In that regard, the GOAB, with the support of World Bank Group, is undertaking the public service modernization through [Public and Social Sector Transformation Project \(PSST\)](#).

The national coordination system is comprised by the Cabinet Secretariat, the Cabinet Sub-Committees, the Ministries and the relationship between among them. In this respect, [PSST](#) aims to improve policy coherence in the centre of government. This includes that the policy coordination system undergoes a thorough review of its functions, structure, processes and capacity.

[PSST](#)'s components are the following: 1. Build effective institutions for strategic management of government policies; 2. Modernize Human Resource Management; 3. Improve the efficiency of social protection spending; 4. Support Active Labor Market Programs (ALMPs); and 5. Project Management.

The Component 1 is related to national coordination system, being its primary objective to enhance Government's capacity to improve the quality of decision-making through coordinated planning that facilitates the allocation of resources, aligned with government policy priorities. Therefore, it states as a priority to strengthen the role of central institutions in order to improve coordination or policies across the government and enhance government efficiency. To achieve these goals, this component has three (3) activities ([Public and Social Sector Transformation, pages 31-46](#)):

**Activity 1.1. Policy coordination and strategic planning capacity in the Cabinet Secretariat** ([Public and Social Sector Transformation, page 31](#)). This activity is intended to support the establishment of a *Policy Coordination Unit* under the Cabinet Secretary and strengthening its capacity for analyzing sector policy and programs and advising the Prime Minister and the Cabinet on the impact of the proposed policies. The *Policy Coordination Unit* will also play a leading role in supporting capacity development in sector policy units that would be set up in line ministries to support the Permanent Secretary and the Minister in developing policy options and assessing policy impacts.

Actions under this activity are the following:

- Defining the mandate and functions of the Cabinet's Policy Coordination Unit;
- Training the staff of the Policy Coordination Unit;
- Developing a Cabinet Handbook on procedures and practices in the management of Cabinet business;
- Producing a Guideline for Ministers and Ministers of state that sets out core principles regarding the roles and responsibilities of Ministers in Antigua and Barbuda's system of responsible parliamentary government;
- Creating sector policy units in ministries and supporting them with methodological direction and practical learning on policy analysis;
- Producing a handbook of guidelines and procedures for sector policy units;

- Designing a content for the Government Policy (Cabinet) page on the Government web portal to enable effective and transparent policy development and coordination process; and
- Developing a National Policy Development plan in line with the Government Program.

**Activity 1.2. Regulatory Framework for policy coordination and strategic planning** ([Public and Social Sector Transformation, pages 31-32](#)). This activity aims to ensure and to enhance a uniform policy development and coordinated strategic planning process in the country. For achieving of this objective, the Cabinet should have a set of rules defining types of policy and planning documents, the process of their preparation for government approval, including inter-ministerial coordination, the process of impact assessment to ensure that the newly identified activities and priorities are realistic, affordable and coordinated with the already approved policies.

The actions under this activity are:

- Designing a guidance note on the types of policy planning documents, organized in a hierarchical order: from national medium-to-long-term policy framework, to sector strategies, conceptual papers and policy briefs to promote political consensus on an individual policy issue;
- Designing a methodology for the development of the sector-specific and consolidated policy papers and other strategic documents, including a regulation on policy preparation;
- Designing the methodology for policy impact analysis (political, economic, social, financial, environmental), including establishment of the reliable feedback loop, linking the historic budget execution data with the forward-looking estimates and priorities;
- Defining a centralized result-monitoring framework, allowing to collect, analyze and report achieved policy outcomes by line ministries and departments to the Cabinet;
- Establishing a consultative process aiming to identify opportunities for interaction and coordination between the leading ministries and the interest groups during various phases of the policy preparation and implementation process; and
- Documenting the above approved and published on the Cabinet website and accessible by the government and third parties.

**Activity 1.3. Policy development capacity in line ministries** ([Public and Social Sector Transformation, page 32](#)). The purpose of this activity is to develop policy to strengthen sector policy function to support the sector Minister and Permanent Secretary in their policy and budget planning responsibilities. This activity would be developed by the line ministers, with the guidance from the Cabinet Secretary, and will support capacity building of dedicated ministerial staff through:

- Formal training that would familiarize the future policy analysis with the rules, formats and methodology of developing policy documents and conducting impact analysis;
- Hands-on consultative support during the elaboration of policy proposals by ministerial policy analysts;
- Training of policy analysts in methods of evaluating policy proposals and determining impacts of new policy measures;
- Awareness events on the role of ministries in the policy;
- Support to designing ministerial websites reflecting sector policy and strategies;

- Training on managing the consultative process during policy development; and
- Training on developing a policy monitoring and evaluation framework.

## Evaluation of Policies/Programs

### General Information

The Government of Antigua and Barbuda (GOAB) is undertaking a modernization agenda to enhance and to improve its national policies and programs related to public and social sector in order to make an effective evaluation and following-up of them.

In that regard, several initiatives are carrying out through the [Public and Social Sector Transformation Project \(PSST\)](#), with the supporting of the World Bank Group.

The objective of the [PSST](#) is to assist the GOAB in the following:

- Strengthening its capacity in managing public policies and the public services;
- Improving the efficiency of social protection spending through an integrated monitoring and targeting system; and
- Improving the income and employability of the vulnerable population through temporary employment and training programs.

Likewise, the benefits of this project are the following, but are not limited to ([Budget Statement 2013, page 49](#)):

- Improved quality of the material submitted to Cabinet. This implies a requirement for proposals to have supporting analysis, and evidence of inter-ministerial and other consultations to be considered acceptable for inclusion on the agenda;
- More integrated strategic planning and annual work plans based on Government's strategic priorities;
- Government-led development as a result of a transition from a bottom-up to a top-down policy implementation process. This means that Government would set the strategic priorities and declare the policy directions;
- Better monitoring and evaluation of government programmes, with the focus on actual impacts and effects on society and the economy.

The project has five (5) components: 1. Build effective institutions for strategic management of government policies; 2. Modernize Human Resource Management; 3. Improve the efficiency of social protection spending; 4. Support Active Labor Market Programs (ALMPs); and 5. Project Management.

**Component 1. Build effective institutions for strategic management of government policies.** This component aims to enhance the GOAB's capacity to improve the quality of decision-making through coordinated planning to facilitate alignment of resources with government policy priorities through, *inter alia*, provision of support for:

1.1. The development of capacity in the Antigua and Barbuda's Cabinet in the areas of strategic planning and coordination, including establishment of a policy unit within the Cabinet and of sectorial policy units within Ministries and development of guidelines for said institutions;

1.2 The establishment of a regulatory framework for policy coordination and strategic planning, including definition of the types of policy planning documents and processes for their preparation, review and approval; and

- The development of capacity in policy making within line ministries, including provision of training and awareness events on the role of ministries in policy.

**Component 2. Modernize Human Resource Management.** This component is intended to modernize the GOAB's public service human resource management through, inter alia:

2.1. The establishment of an integrated public service employment regime by providing support for:

- Preparing an initial public employee register containing human resource information for all the established and non-established employees;
- Supporting the design of a new single public service structure by carrying out organizational and functional reviews of government ministries, departments and agencies and thereafter, implement ensuing recommendations;
- Developing a new remuneration and benefits policy and implementing said policy in the new single public service structure;
- Developing and implementing training and retraining programs to support the redeployment of public employees to vacant positions; and
- Implementing a change management program to build support for the creation of a single public service.

2.2 The establishment of an effective public service management system to support the new single public service structure by providing support for:

- Designing a policy and improving the legislation governing public service management with the aims to define a conceptual basis for effective personnel management that includes an appropriate degree of decentralization of implementation to ministries, departments and agencies and an effective central policy, regulatory and oversight function;
- Designing a new public service management system, including drafting new regulations that define the mandate, authorities and responsibilities, functions, procedures, and accountability mechanisms and a guidebook (manual) describing the new procedures;
- Strengthening central bodies responsible for public service management, including designing new central management and oversight procedures, and building the capacity of officials in public service; and
- Designing and implementing effective HRM practices in ministries and departments.

**3. Improve the efficiency of social protection spending.** This Component aims to provide support to the Ministry of Health, Social Transformation and Consumer Affairs (MHST) to carry out the following:

- The design and implementation of a unified targeting system and a single registry for beneficiaries of social protection programs for carrying out the recertification and identification of beneficiaries of social protection programs<sup>14</sup> aimed at improving the efficiency and efficacy of social public spending; and
- Strengthening its capacity to plan, coordinate and monitor the GOAB's social policy, including developing effective institutional arrangements for coordination of the social sector and establishing a mechanism to foster governance.

**4. Support Active Labor Market Programs (ALMPs).** This Component is intended to provide support to the Ministry of National Security and Labor (MNSL) to carry out the following:

- The establishment and implementation of a Temporary Employment Program (TEP) for carrying out TEP subprojects that increase the income of participants through their participation in literacy training or life-skills training and work activities designed to provide experience and skills for future jobs;
- The establishment and implementation of a Training Program (TP) for carrying out TP subprojects, pursuant to which participants participate in training and internship activities designed to increase the employability of participants;
- Strengthening its employment and counseling services;
- Strengthening its capacity to operate the competence certification system, including better defining operation procedures and training competence assessors; and
- Strengthening its capacity to coordinate, monitor and evaluate active labor market programs.

**5. Project Management.** This component is intended to provide support to the Project Management Unit (PMU), including:

- The hiring of selected contract staff (a project coordinator, a financial management specialist, a procurement specialist, a HRM specialist and a communication specialist); and
- Provision of assistance in carrying out annual financial audits required under the Project and process evaluations during Project implementation.

The principal implementation agency for the [PSST](#) is the [MFEPA](#), with day-to day support provided by a Project Management Unit (PMU) established through the Project Preparation Advance (PPA), and with oversight by a Project Steering Committee, established during project preparation. Additional participating agencies will be the Ministry of Health, Social Transformation, Consumer Affairs and Local Government (MHST), the Ministry of National Security and Labor (MNSL), the Cabinet Office (CO), the Establishment Department (ED), and the Public Sector Transformation Unit (PSTU).

Likewise, institutional implementation arrangements under the Project will fall under the direct purview of the [MFEPA](#), reinforcing a clear line of responsibility established within the GOAB's ministerial portfolio.

## Competition Regulatory Framework

### General Information

The Government of Antigua and Barbuda (GOAB) recognizes the importance of a strong and shared competition regulatory framework, as member, among others, of the [Organization of Eastern Caribbean States \(OECS\)](#), the [World Trade Organization \(WTO\)](#), and the [Caribbean Community \(CARICOM\)](#).

To that effect, the GOAB is making pivotal efforts to incorporate in its legal framework regulations related to Unfair Competition. This is also due to the approval, by the CARICOM, of the [Revised Treaty of Chaguaramas of 2001](#), which established the [Community Competition Commission \(CCC\)](#), a regional agency whose main task is to help the development and further implementation of Competition law in the region.

Therefore, in 2001 the GOAB initiated the preparation of a draft law on Protection against Unfair Competition, whose purpose is oriented to prohibit any act of competition that is contrary to honest practices in industrial or commercial matters.

According to those efforts, the GOAB has enacted several neighboring laws with respect to this topic, amongst them: a) [International Trust Act 2007](#); b) [Patents Act 2003](#); c) [Copyright Act 2003](#); d) [Geographical Indications Act 2003](#); e) [Industrial Designs Act 2003](#); f) [Integrated Circuits Topography Act 2003](#); g) [Trade Marks Act 2003](#); h) [Intellectual Property Office Act 2003](#); i) [Investment Authority Act 2006](#); j) [Customs \(Control and Management\) Act, 1993](#); k) [Unfair Contract Terms Act, 1987 \(Cap. 451\)](#); l) [Arbitration Act, 1975 \(Cap. 33\)](#); and m) [Medical Act 1938 \(Cap. 269\)](#).

Of particular importance is the Investment Authority Act of 2006, which established [the Antigua and Barbuda Investment Authority \(ABIA\)](#). Its [mission](#) is mainly directed to:

- Simplify the process of investing and establishing a business in Antigua and Barbuda;
- Level the playing field for all investors – domestic and foreign;
- Remove the discretionary and discriminatory character from the process;
- Provide a focused and inclusive “one-stop” mechanism for the promotion and coordination of all investment proposals;
- Advise on government’s investment policy;
- Ensure greater transparency in the investment process;
- Identify investment opportunities;
- Provide information/data on the social, political and economic environment in the country;
- Explain incentive legislation and the benefits available to investors in the tourism and hospitality sector;
- Liaise with government departments and agencies;
- Provide full protection and security to investors in accordance with international standards;
- Monitor and facilitate investment to ease the passage of investors through the regulatory system; and
- Provide data collection, policy analysis, and policy advocacy from the investors’ point of view.

## Information and Communication Technologies

### General Information

The Government of Antigua and Barbuda (GOAB) is cognizant of the importance of Information and Communication Technologies (ICTs). Therefore, it has been promoting the transformation of the country into a knowledge society by means of the development and integration of ICTs.

The [Ministry of Information, Broadcasting, Telecommunications, Science and Technology](#), through its Government Information Technology Center, is the national entity responsible to foster the ICTs policy in order to upgrade the intellectual capital of the Nation and to build an open and pluralistic society where all citizens and residents have access to information and knowledge.

In accordance with its responsibilities, this Ministry has developed the following ICTs initiatives and strategies: 1. [Antigua and Barbuda Information and Communication Technologies \(ICTs\) – Draft Policy](#); and 2. [Connect Antigua & Barbuda Initiative \(CABI\)](#).



Source: [Connect Antigua & Barbuda](#)

1. [Antigua and Barbuda Information and Communication Technologies \(ICTs\) – Draft Policy](#). This ICT policy is a blue print for the economic transformation of Antigua and Barbuda to a knowledge-based society. In its implementation, this policy is intended to provide the legal requisite and regulatory framework as well as financial and social incentives. Its vision comprises the following actions ([Draft Policy, page 3](#)):

- Providing access by every citizen of Antigua and Barbuda prices to ICT Services and to the latest in modern communications technology;
- Promoting Antigua and Barbuda as a Regional Centre of Information Technology Excellence to support the development of: e-commerce, internet marketing, internet gaming, software development, and e-education;
- To achieve the growth of small and medium enterprises by leveraging ICT Services and Techniques; and
- To have unparalleled growth in the national economy by increasing employment and revenue inflows that is directly attributable to a vibrant ICT industry.

Likewise, this document sets out the followings objectives ([Draft Policy, page 6](#)):

- Ensuring that all persons have access to ICT at a reasonable rate
- Having a Open Telecommunications market in Antigua while ensuring to the preservation of Antigua and Barbuda's cultural under-pinning
- To ensure to a proper Transparent and Independent Regulatory Authority

- To ensure that Antigua moves forward in being e-ready and that throughout all sectors of the society especially in small and medium size enterprises that it is e-enabled leveraging the full use of technology
- Updating the regulatory framework so as to ensure a fair competitive and sustainable telecommunications market
- Carrying out the Spectrum management and numbering administration to ensure that the common telecommunication resources are exploited for the benefit of all the people of Antigua and Barbuda.
- To establish the obligatory of the interconnection and its access to public networks enabled in a fair and non-discriminatory manner, with recourse to the Regulator in the event of a dispute.
- Addressing convergence issues and develop a regulatory framework that fosters the safe use of the Internet and protects intellectual property in a digital environment
- To have national representation at all necessary International and Regional Forums.

2. [Connect Antigua & Barbuda Initiative \(CABI\)](#). This initiative was launched in December 2006, and its overall objective is to facilitate the rapid expansion of the Community Technology Programme which ensures the deployment of new technologies for benefit of all the citizens and residents of the country. The [CABI](#) comprises following goals:

- Promoting computer literacy
- Bridging the digital divide
- Connecting Antigua and Barbuda to the world

According with the goals, this initiative presents also the following components:

- [Community Computer Access Centres \(CACs\)](#).
- [Community Technology Officers \(CTOs\)](#)
- [Mobile IT Classrooms](#)
- [Technology for Early Childhood Education](#)
- [Technology for Institutions for Higher Education](#)
- [Technology for Communication, Education & Empowerment](#)
- [Technology for Education 20/20](#)
- [Multilingual Studies Programme](#)
- [Technology for the Physically, Visually and Otherwise Challenged](#)

At the same time, the GOAB take into consideration the "[Draft 2010-2014 CARICOM eGovernment Strategy: Improved Government ...Better Service](#)". The development of this strategy commenced in December 2008 through a participatory, which involved Caribbean Community (CARICOM) Member States and several Caribbean regional institutions ([Draft 2010-2014 CARICOM eGovernment, page 8](#)).

This strategy outlines and approaches to enable transformation of the delivery of public services by providing Caribbean people with more convenient access to government information and services. It aims to improve the quality of the services and to provide greater opportunities for

participation in democratic institutions and processes ([Draft 2010-2014 CARICOM eGovernment, page 11](#)).

As well, it focuses on two (2) major goals that will enable the transformation of Public Service delivery:

1. Improved Public Service Management ([Draft 2010-2014 CARICOM eGovernment, pages 13-14](#)). This includes improved financial management, efficiency, public service transformation, purposeful, networked and integrated public service:

- Harmonized legislative and policy framework for information management and information management practices which permit information interoperability.
- Policy makers and implementers with a common body of knowledge and governance skills for applying and managing eGovernment in multi-jurisdictional environments.
- Government workforce with professional skills in the areas of information and knowledge management, ICT management and service delivery in government workforce.
- Standardized ICT architecture which permits interoperability and underpins the deployment of ICT across individual member states.
- Standardized ICT procurement systems that benefit both governments and suppliers.
- Common/shared solutions and efficient service delivery methods – leading to a reduction in government operating expenditures by an average of 5%.
- Rigorous information management discipline to support functional cooperation in several areas such as trade, tourism, security, public safety, disaster management, health, education, employment, agriculture, and environment.

2. Citizen-centric Public Services ([Draft 2010-2014 CARICOM eGovernment, page 14](#)). This includes multi-channels for service delivery and the design and delivery of government information and services that focus on the need of Caribbean people:

- Multiple channel citizen access to government information and services through several ICT enabled delivery.
- Government information and services provided to business and citizens based on their needs and requirements.

Seven eGovernment strategic initiatives have been developed to move the region towards the eGovernment Vision. These initiatives address the needs identified by the Caribbean eGovernment Readiness Assessment and the required outcomes for the period, identified by the working groups. These initiatives must be executed in order to realize the desired change:

- **Organizational Capacity Development.** Conduct organizational capacity development activities including the provision of workforce training, training programs accreditation, mentoring and advice and related support of public service transformation activities ([Draft 2010-2014 CARICOM eGovernment, page 16](#)).
- **eGovernment Framework.** Design, develop and support the implementation of eGovernment related frameworks. The frameworks include; policy templates, legislation templates, information, data and records architecture, cyber crime protection, transparency, ICT standards and architectures, service level agreement templates, methodologies, best practices, case studies and training material ([Draft 2010-2014 CARICOM eGovernment, page 17](#)).

- **Program Management.** Manage the regional eGovernment program; establish a governance process for eGovernment implementation; monitor progress; conduct evaluation and report annually to the community. Collaborate on the deployment of an investment fund for supporting innovation and incentives for eGovernment based regional initiatives; collaborate with external funding institutions on initiatives related to eGovernment ([Draft 2010-2014 CARICOM eGovernment, page 18](#)).
- **Common ICT Procurement.** Plan, organize, and coordinate a strategic and common ICT procurement function including supply arrangements within the context of overall CARICOM procurement policies for use by ICT organizations in Caribbean member states ([Draft 2010-2014 CARICOM eGovernment, page 19](#)).
- **Interoperability.** Build interoperability by coordinating the use of shared investments, resources and knowledge across jurisdictions in functional cooperation areas. Interoperable systems: organizational, information and technical interoperability necessary for functional cooperation in program areas; interoperability implies collaboration of systems, services and people ([Draft 2010-2014 CARICOM eGovernment, page 20](#)).
- **ICT-enabled Service Delivery Channels.** Develop and operationalize a strategy for the delivery of citizen centric government services through several ICT-enabled service delivery channels and promote confidence in public service. Conduct ICT public literacy program and facilitate the development of public ICT infrastructure. Coordinate the establishment of national community service centers ([Draft 2010-2014 CARICOM eGovernment, page 22](#)).
- **eCommerce Environment.** Strengthen eCommerce environment in the region through introduction of harmonized legislative framework in each country including; cross recognition of user identification and authentication and protection of the integrity of eCommerce environment ([Draft 2010-2014 CARICOM eGovernment, page 23](#)).

## Transparency and Access to Public Information

### Introduction

The [Constitution of 1981](#), the supreme law of Antigua and Barbuda, protects through its Section 12 (2) of Chapter II "the freedom to receive information and ideas without interference, freedom to disseminate information and ideas without interference". This section guarantees one's freedom of expression including freedom of the press. In addition, Antigua and Barbuda counts with the one of the most sophisticated and complete Act of Public Information, 7<sup>th</sup> in world ranking with 117 points out of 150, according to Center for Law and Democracy's [Global Right to Information Rating](#).

Antigua and Barbuda, as many other developing countries, has delicate fiscal managing and vulnerable institutional structures among other challenges. Along with its political will to carry out political and economic reforms and to achieve sustainable socio-economic development, the Government of Antigua and Barbuda (GOAB) has elaborated the [National Economic and Social Transformation \(NEST\) Plan](#) (2010-2014).

The NEST program's implementation is led by the Ministry of Finance, the Economy and Public Administration (MFEPA). This program aims to improve the effectiveness and efficiency of the public sector which covers great volume of programs and policies designed in 4 principal modalities: The Fiscal Consolidation Program, The Economic Action Plan, The Social Transformation Program, and Financial Sector Stability. Particularly, the social transformation programs are executed to enhance efficiency of public sector institution in order to deliver better life for citizens and residents.

As part of this effort, The Ministry of Ministry of Finance, Economy and Public Administration (FEPA) is playing a leading role in modernizing and increasing the transparency of the country's central financial systems through engaging in an Open Data initiative. Moreover, the Ministry of Telecommunications, Science and Technology is leading the implementation of cross-government IT initiatives which involve a Government data center and a number of functions to modernize government services and processes.

### Institutional Framework

#### 1. Commissioner's Office

The [Freedom of Information Act \(2004\)](#) designates the Commissioner as responsible to organize an explicit guide for effective implementation of this Act, which has to be updated once every five years (Part II Section 8 (1)). The Commissioner is appointed by Governor-General, which requires recommendation of the Prime Minister and approval of both Houses of Parliament signified by resolution (Part V Section 35(1)). The Commissioner and employees of Commissioner's Office, under this Act, enjoy independence and are not subject to the control of any person or authority (Section 28 (1)).

Some of the Commissioner functions under this act (Part V Section 37) are: to monitor and report on the compliance by public authorities with their obligations; to make recommendations for reforms of a general or specific nature to facilitate compliance with this Act; to undertake or promote the training of officials of public authorities and other persons on the right to information and the effective implementation of this Act; to refer to the appropriate authorities cases which reasonably disclose evidence of criminal offences; and to publicize the



requirements of this Act and the rights and obligations under the Act. In addition, the Commissioner has to implement or promote the training of officials of public authorities, so that they could deliver proper information and construct solid foundation.

Every public authority is obligated to designate one of its officers as an information officer to facilitate public's access to information, which includes serving as a contact point to receive and assist information requests, resolve complaints, and to promote information management (Section 9).

## **2. Open Data Readiness Unit (ODRU)**

The [Ministry of Telecommunications, Science and Technology](#) declared future establishment and operation of an Open Data Readiness Unit (ODRU), reaffirming the government's belief – "data should be treated as a valuable asset that ought to be made available to the public, instead of keeping it trapped in government system".

This Unit is in charge of implementing the recommendations and action plan proposed by Open Data Readiness Assessment team, formed by officials from World Bank, the International Development Research Centre of Canada, and the Caribbean Open Institute.

The main finality to establish and launch ODRU is to accomplish Open Data initiatives, which will allow Government to publish and respond to demand of public information. This eventually shall consolidate both Government and citizen engagement towards better democracy and transparency.

### **Strategies and Mechanisms**

#### **1. Public Sector Transformation (PST) Strategy (2010-2013)**

The general goal of Public Sector Transformation, within the framework of 2010 to 2014 National Economic and Social Transformation (NEST) Plan, is to improve efficiency and effectiveness of public sector via 6 major methods: the regularization and modernization of public sector administration and management, along with legislation, regulations and policies reforms; adequate management of the government employment cost; restructuration of government organizations; introduction of best practices of public management and administration; promotion of decision making on policy design and management level for reinforcement of focus on policy development; improvement on budget management.

### **Freedom of Information Act (2004)**

In accordance with section 12 of the Constitution that guarantees every person the right to receive and to disseminate information and ideas without interference, the Freedom of Information Act of Antigua and Barbuda aims to "give maximum effect to that right in respect of information held by public authorities and to enhance good governance through knowledge, transparency and accountability." The Act was passed on the November 5, 2004 and published on the December 23, 2004.

It is stated in Section 10 that every public authority (this includes the Government, a Ministry of the Government and a department, division or unit of such, the Barbuda Council, and a body established by or under the Constitution or own, controlled or substantially financed by the



Government from public funds) should “publish and disseminate in an accessible form, updated annually, basic information, clearly dated including a) description of its structure, functions, duties and finances; b) its relevant services; c) any direct request or complaints mechanisms available to public regarding acts or a failure to act by that authority; d) a guide containing adequate information about its record-keeping systems; e) a description of the powers and duties of its senior officers, and the procedure it follows in making decisions; f) any regulations, policies, rules, guides or manuals regarding the discharge by that authority of its functions; g) the content of all decisions and policies adopted; h) any mechanisms or procedures of participation of the public in policy formulation.

This act does not apply to a) a commission of inquiry or the proceedings and findings of such a Commission, established pursuant to the Commissions of Inquiry Act; b) public authority subject to negative resolution of the House of Representatives; c) a court, or the holder of a judicial office; and d) a registry or other office of a court and the staff of such a registry in relation to matters pertaining to the administration of the court (Section 10).

For the implementation, the Act designates the Commissioner as responsible for monitoring and reporting on the compliance by public authorities with their obligations, has a duty to publish a guide on minimum standards and best practices. Every public authority must maintain its records in such matter that facilitates public's access to information, and establish procedures for the correction of personal information held by public institutions. The information officer of a public authority is obligated to submit to the Commissioner a report on the activities of the public authority.

Information request can be refused if it falls into the scope of an exception specified in Part IV, and this include such information that would involve the unreasonable disclosure of personal information; information privileged from production in legal proceedings; information that contains a trade secret, or may cause commercial and financial prejudice; information obtained in confidence from another State or an international organization; information that would endanger the life, health or safety of any person; information that would cause prejudice to law enforcement; defense and security or public economic interests.

In case a public authority fails to comply with an obligation, a person can apply in writing to the Commissioner for a decision either to dismiss the application or to require the public authority to take necessary measures to disclose such information (Section 41). Commissioner has the power to conduct an investigation in coming to a decision.

## Decentralization

### Introduction

Antigua and Barbuda is a twin-island country located in the eastern Caribbean Sea. This nation has a monarchy constitutional which recognizes Queen Elizabeth II as Head of State, represented by a Governor-General on the advice of the Prime Minister.

As established by [section 1 of the Political Constitution](#), Antigua and Barbuda is a unitary sovereign democratic State which territory comprises six (6) parishes: 1. Saint George, 2. Saint John, 3. Saint Mary, 4. Saint Paul, 5. Saint Peter, and 6. Saint Philip; and two (2) dependencies: 1. Barbuda and 2. Redonda.

On the other hand, Barbuda, who is one of the main dependencies, was provided with a Council in 1976 by the [Barbuda Local Government Act](#). Barbuda Council is enshrined in the [section 123 of the Political Constitution](#). This Council is responsible for local government on Barbuda, and consists of nine directly elected members, together with the members of the national parliament representing constituencies on Barbuda and a government-appointed member.

The Government of Antigua and Barbuda (GOAB)'s strategies to develop and improve its local administration and management mostly rests upon the country's participation in international organizations and groups of states.

### Institutional Framework

There are no district or parish councils in Antigua whilst on Barbuda there is one local government body, the Barbuda Council. Thus, Antigua and Barbuda manages its local public administration through two different administrative frameworks: a general administrative framework that corresponds to Antigua's administration and a decentralized one associated to Barbuda's affairs.

#### 1. Local administration in Antigua

Antigua is divided in 6 parishes: St. George, St. John, St. Mary, St. Paul, St. Peter and St. Phillip; and in districts councils that are closely associated with the central administration of the country. Through its District officers, the Local Government Department identifies the relevant areas of need and report to the relevant authorities for action.

The Local Government Department of the country's main island is a regular government department responsible for undertaking the development of the local government system. The Local Government Department falls within the [Ministry of Education, Sports, Youth and Gender Affairs \(MESYGA\)](#), and more specifically works under [Office of the Minister of State with responsibility for Sports, Local Government and Special Projects \(OMS SLS\)](#). The [OMS SLS](#) has taken on the responsibility for providing technical support to the Department in the form of a consultant dedicated to conducting a review of the local government system in existence and to making recommendations for its future development. The Local Government Department is also responsible for working with community groups to establish street names and signage.

The Department has its own budgetary allocation and also funds its community development projects through alliances with the private sector and NGOs.

#### 2. Local administration in Barbuda



The [section 123 of the Political Constitution](#) provides Barbuda with a large measure of internal self-government, constitutionally protecting the [Barbuda Local Government Act \(1976\)](#).

The elected Barbuda Council is the local government structure created to manage Barbuda's own domestic affairs. Although reporting directly to the Office of the Prime Minister, the Council is empowered to draft resolutions covering community issues, to collect taxes, to deliver goods and services as well as to administer and regulate agriculture, forestry, public health, public utilities and roads for the island.

The Barbuda Council has five (5) committees: 1. Finance; 2. Works and General Purposes; 3. Health, Social Welfare and Disaster; 4. Tourism, Sports, Culture and Youth Affairs; 5. Agriculture, Land, Forestry, Fisheries, Coastal/Marine Protection. The Council also has two boards: 1. The Education and Training Board, and 2. The Tourism Board.

The Barbuda Council is empowered by the [section 19 of the cap. 14 of the Barbuda Local Government Act \(1976\)](#) to collect taxes and to deliver goods and services. The council proposes by-laws to implement all new taxes which are tabled in parliament for approval.

### **Strategies and Mechanisms**

As a member of [The Commonwealth](#), Antigua and Barbuda has developed strategies and mechanisms for strengthening its local administration and management by way of international cooperation.

In an effort to modernize the Commonwealth that took place by the beginning of the 2000's, the member states agreed to fully recognize local government as an important sphere of government that is at the heart of capacity building. In 2003, the already existing [Commonwealth Local Government Forum \(CLGF\)](#) was given enhanced status as a formally recognized associated organization of the Commonwealth. With the aim of promoting and strengthening democratic local government, [CLGF](#) encourages the exchange of best practice through conferences and events, programmes and projects, and research and information.

In last years, [CLGF](#) has been giving a particular focus to some sub-regions, one of them the Caribbean. Likewise, in 2013 [CLGF](#) organized the "*2013 Conference Commonwealth Local Government Conference held in Kampala, Uganda (May 14-17)*". This conference was based on Developmental Local Government: Putting Local Government at the heart of development.

As an result of this Conference was given the [Kampala Declaration on Developmental Local Government](#). This declaration is important because makes a call to all the members of the Commonwealth Community to develop a plan of action to support developmental local government and a new development agenda in partnership with other development agencies.

## Quality of Public Services

### General Information

The Government of Antigua and Barbuda (GOAB) is making pivotal efforts for achieving an institutional strengthening and enhanced public service delivery. In that regard, by means of the "[National Economic and Social Transformation \(NEST\) Plan: 2010-2014](#)" (approved in 2010), the GOAB has committed to design and establish a modernization agenda to maximize the full potential of the public services as engine for sustainable growth.

This modernization agenda includes the implementation of several reforms through "*2010 to 2013 Public Sector Transformation (PST) Strategy*" to shape a public service that has the capacity, behaviors, performance monitoring mechanism, governance and legal framework to deliver quality service into country ([Budget Statement 2013](#)).

The overarching goal of the public sector transformation agenda is improving the effectiveness and efficiency of the public sector through:

- Regularization and modernizing public sector administration and management (revising legislation, regulations and policies);
- Effective management of the cost government employment;
- Restructuring of government organizations with the aim to streamline the structures and employment based on the review of the relevance of the current functions and programs;
- Introducing best fit practices in public service (human resources) management, such as job-skills fit, recruitment and selection, performance management, succession management and data management;
- Strengthening focus on policy development through supporting the decision-making at the policy design and management level; and
- Improving budget management effectiveness

To that effect, in the framework of the [NEST Plan: 2010-2014](#) and the "*Public Sector Transformation Strategy: 2010-2013*", it recently approved the new [Public and Social Sector Transformation Project \(PSST\)](#) <sup>(2)</sup> supported by the [World Bank Group](#).

The [PSST](#) aims to reach almost all public sector's fields in a transversal way, involving several governmental agencies, as the [Ministry of Health, Social Transformation and Consumer Affairs \(MHST\)](#), the [Ministry of National Security and Labor \(MNSL\)](#) and the [Project Management Unit \(PMU\)](#). The final objective is to enhance and improve the overall quality of public services. The implementing Agency for the Project is the [Ministry of Finance, the Economy and Public Administration \(MFEPA\)](#), through the specific support of its [PMU](#).

Another important project started by the GOAB and aimed to improve the quality and efficiency of public sector is the [Functional and Efficiency Reviews of Government Ministries](#) financed by the [Caribbean Development Bank](#). The financing is to assist with conducting functional and efficiency reviews of eight (8) government ministries, in pursuit of the Government's [NEST Plan: 2010-2014](#). These government ministries are following:

<sup>(2)</sup> For more information about [PSST](#), please review the following section within this Guide: *National Strategies / Planning*.

- Office of the Prime Minister and Prime Minister's Ministry (OPM)
- Finance, the Economy and Public Administration (MFEPA)
- Agriculture, Lands, Housing and the Environment
- Health, Social Transformation and Consumer Affairs (MALHE)
- Education, Gender, Sports and Youth Affairs (MEGSYA)
- Attorney General's Office and Ministry of Legal Affairs (MAGLA)
- National Security and Labour (MNSL)
- Tourism, Culture and Civil Aviation (MTCCA)

This initiative is included within the framework of the broader [NEST Plan: 2010-2014](#) and considered a key-component of it. Likewise, its final objectives are mainly oriented to:

- Develop a programme and short- and medium-term action plans to enhance efficiency of public administration;
- Clarify the strategic goals of Ministries, in accordance with GOAB's policy priorities;
- Understand how to improve the effectiveness and efficiency of Ministries.

In Antigua and Barbuda, the entity responsible to execute and coordinate projects, initiatives and plans focused on the improvement of the quality of public services is the Ministry of Finance, the Economy and Public Administration (MFEPA), through the Public Sector Transformation Unit (PSTU) and the Project Management Unit (PMU).

Other authorities who are referred to as "[the guardians of the quality of public services](#)" are:

- The Permanent Secretaries
- The Ombudsman
- The Accountant-General
- The Director of Audit

## Civil society participation in public management

### General Information

Civil society in Antigua and Barbuda is characterized by diversity. Indeed, the national civil society organization (CSO) network covers a large spectrum of issues, such as conditions of employment, environment, disabilities, education, religions, amongst others.

As being part of the [Caribbean Community \(CARICOM\)](#) Antigua and Barbuda adopted the [Charter of Civil Society for the Caribbean Community \(1997\)](#) and thereby committed itself to essential principles, such as: the respect for internationally recognized civil, political, economic, social and cultural rights; the ideal of having a truly participatory political environment within the Caribbean Community which will be propitious to genuine consultation in the process of governance.

In Antigua and Barbuda, the principal institution that encourages the integration of civil society in decision-making processes is the Community Development Department (CDD).

The CDD is part of the [Ministry of Health, Social Transformation and Consumer Affairs](#), and leads the contact between civil society and the government and promotes leadership and organization among civil society.

In recent years the Government of Antigua and Barbuda has made some important efforts in order to collaborate with the private sector and NGOs both on economical and social ground.

The [2012 Budget Statement](#) reaffirms the need for the government to keep up providing technical and advisory support to national small businesses and to deepen its collaboration with civil society pasterns.

In the [2013 Budget Statement](#), the Government underlined its engagement to developing the youth and announces that it will intensify its ongoing efforts to enhance the youth's "*ability to actively impact the policymaking process and contribute to economic and social development in Antigua and Barbuda*".

In this prospective, the Government has designed the [Enterprise Achievement Challenge \(EACH\)](#) programme, a business development programme targeted at the youth and single mothers. The elaboration of the [EACH](#) was done in partnership with local businesses and NGOs.