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10th August 2020

The Honourable Dr. Roosevelt Skerrit
Minister for Finance
Ministry of Finance
5th Floor Financial Centre
Kennedy Avenue
Roseau, Dominica

Dear Sir,

Re: Budgetary proposal to reduce solicitor's fees in land transfer transactions

On Tuesday, 28th July, 2020, the Dominica Bar Association (DBA) became aware, along with the general public, of the Government's intention to reduce, by 50%, the statutorily prescribed maximum rate that solicitors may charge with respect to land transfers. This pronouncement, along with the pronouncement of a 47% reduction in the government fees/taxes for such land transfers, was made by you in Parliament during the National Budget address for the fiscal year 2020-2021. According to your statements in Parliament, these reductions are to take effect from 1st September 2020 for a period of one year.

The DBA was disappointed and shocked to learn that the Government intended to reduce statutorily prescribed solicitor's fees without first consulting with the DBA or other members of the Dominica Bar, all of whom stand to be significantly adversely impacted thereby. Such a failure to consult robs the members of the DBA, and solicitors practicing in Dominica on a whole, of the opportunity to gain an understanding of the rationale for the proposal and to consider and offer options for the consideration of the Government. Equally significant, it also robs the Government of the opportunity of hearing and considering other or divergent views and suggestions that could assist it in realizing the true cost and benefit of this measure.

In the circumstances the DBA rejects unreservedly this unilateral alteration of its fees by the Government, without prior consultation. This is indicative of a total disregard for the Bar and a complete lack of appreciation for the important role that the legal practitioner plays in empowering citizens as registered landowners, and/or ensuring that their interests in land are protected and effected in a controlled, just and legitimate manner. We also believe that this action is misguided and unjustified.

Notwithstanding the above, the DBA believes that there is still time, and hopes that there exists within the Government an interest, to have meaningful discussion with the DBA Executive on this matter and to reach a resolution that is fair to all concerned constituents. After consultation with the DBA, the Government of Dominica is likely to realize that the wealthier and more astute purchasers/transferees will be the primary, if not only, beneficiaries of the proposed reduction.

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In the spirit of respectful resolution, the Executive of the DBA requests an urgent meeting with you within the next seven (7) days to address and hopefully satisfactorily resolve this most pressing matter. Time is of the essence. We are prepared to meet with you at very short notice and look forward to your prompt response.

Sincerely,



Heather F. Felix-Evans
President, Dominica Bar Association

cc. Minister of National Security
Secretary to the Cabinet
Financial Secretary
Attorney General
PS/National Security
PS/Office of the Prime Minister