



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CX

31st January 2001

No. 1

Appointments

Doreen Morrison, Cleaner, Royal Falkland Islands Police, 1.11.00.

Sharon Phyllis Barbour, Staff Nurse, Health Services Department, 18.12.00

Gerard Allan Ford, Agricultural Assistant, Department of Agriculture, 2.1.01

Carol Margaret Hobman, Part-time Clerk, Civil Aviation, 2.1.01.

James Forster, Veterinary Assistant, Department of Agriculture, 3.1.01.

Anne Patricia Halmshaw, Travelling Teacher, Education Department, 5.1.01.

Jonathan Joseph Ray, English Teacher, Education Department, 5.1.01.

Kristine Lyn Cant, Travelling Teacher, Education Department, 6.1.01.

Sheila Catherine Chaloner, Auxiliary Nurse, Health Services Department, 8.1.01.

Norman McGregor Edwards, Director Health Services, Health Services Department, 8.1.01.

Mark David Bridges, Infant/Junior Teacher, Education Department, 13.1.01.

Alison Edith Early, Infant/Junior Teacher, Education Department, 13.1.01.

John Hazel, Travelling Teacher, Education Department, 13.1.01.

Ferne Patricia Clarke, Learning Support Assistant, Education Department, 15.1.01.

Sheelagh Helen Farrow, Teacher, Education Department, 15.1.01.

Lindsey Olga May, Assistant Teacher, Education Department, 15.1.01.

Miss Myra May Pitt, Travelling Teacher, Education Department, 15.1.01.

Sarah Anne Rowland, Police Constable, Royal Falkland Islands Police, 15.1.01.

Aaron Henderson, Fisheries Observer, Fisheries Department, 23.1.01.

Promotions

Miss Amanda Marie Browning, from Trainee Printer, Printing Office, to Machine Operator, Printing Office, 1.1.01.

Janet Margaret Parke, from Clerk/Laboratory Assistant, Health Services Department, to Senior Clerk, Health Services Department, 2.1.01.

Transfers

Alastair Jaime Ceballos, from Part-time Receptionist, Leisure Centre, to Sports Attendant, Leisure Centre, 1.1.01.

John Summers Jaffray, from Plant Operator/Handyman, Public Works Department, to Fireman/Handyman, Civil Aviation, 15.1.01.

Dorinda Roberta Rowlands, from Infant/Junior Teacher, Education Department, to Part-time Infant/Junior Teacher, Education Department, 15.1.01.

Anna Russalka Stenning, from Radio Teacher, Education Department, to Part-time Infant/Junior Teacher, Education Department, 15.1.01.

Completion of Contracts

Shirley Adams-Leach, Music Teacher, Education Department, 4.1.01.

Robert Reid, Director of Agriculture, Agriculture Department, 5.1.01.

Miss Myra May Pitt, Travelling Teacher, Education Department, 14.1.01.

Renewal of Contracts

Shirley Adams-Leach, Music Teacher, Education Department, 5.1.01.

Robert Reid, Director of Agriculture, Agriculture Department, 6.1.01.

NOTICES

No. 1 20th December 2000

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Mr Mark Anthony Spicer has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why a permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 2 20th December 2000

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Miss Lucinda Ruth Yon has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why a permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 3 29th December 2000

**PEAKS ENTERPRISES LIMITED
Company Number 8307**

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 29th day of December 2000.

Dated this 29th day of December 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 4 29th December 2000

**PISCES FISHING COMPANY LIMITED
Company Number 8499**

NOTICE IS HEREBY GIVEN that the abovenamed company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 29th day of December 2000.

Dated this 29th day of December 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 5 5th January 2001

**POLAR WARRIOR LIMITED
Company Number 11686**

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been complied with the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 5th day of January 2001.

J. C. ROWLAND,
Registrar of Companies.

No. 6 5th January 2001

**POLAR FURY LIMITED
Company Number 11053**

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been complied with the abovenamed company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 5th day of January 2001.

J. C. ROWLAND,
Registrar of Companies.

No. 7

9th January 2001

POLICE ORDINANCE 2000

The Notice of Commencement bringing the Police Force Ordinance 2000 into force appearing in Falkland Islands Gazette Supplement No. 19 of Volume 11 dated 22nd December 2000 is withdrawn.

For information the Police Ordinance 2000 was brought into force on 1st October 2000 by way of a Commencement Notice published as Gazette Notice No. 69 in Falkland Islands Gazette No. 11 of Volume CIX dated 29th September 2000.

Attorney General
Cable Cottage

No. 8

26th January 2001

SAN CARLOS CO-OPERATIVE LIMITED
Company Number 7689

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been complied with the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 26th day of January 2001.

J. C. ROWLAND,
Registrar of Companies.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:

SGT JOHN DUNCAN McPHERSON
F8109635

to be a temporary Customs Officer from 8th January 2001 to 8th May 2001.

R.J. KING,
Collector of Customs.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:

CPL SIMON NOEL PINNEGAR
S8250915

to be a temporary Customs Officer from 5th January 2001 to 5th May 2001.

R.J. KING,
Collector of Customs.



**THE
FALKLAND ISLANDS GAZETTE
Extraordinary**

PUBLISHED BY AUTHORITY

Vol. CX

23rd February 2001

No. 2

The following is published in this Gazette:-

**Import Prohibition (Foot and Mouth Disease in United Kingdom) Proclamation,
Proclamation No. 1 of 2001.**

**IMPORT PROHIBITION
(FOOT AND MOUTH DISEASE IN UNITED KINGDOM)
PROCLAMATION**

(Proclamation No.1 of 2001)

IN EXERCISE of the Governor's powers under section 35 of the Customs Ordinance (Title 26.1) the following Proclamation is issued —

1. This Proclamation may be cited as the Import Prohibition (Foot and Mouth Disease in the United Kingdom) Proclamation and comes into force immediately. It remains in force until further notice.

2.(1) Subject to subparagraph (2) with immediate effect the importation from the United Kingdom of —

- (a) fresh meat, chilled or frozen and frozen meat;
- (b) fresh, chilled or frozen meat products;
- (c) fresh or frozen milk; and
- (d) milk products,

is prohibited.

(2) Paragraph (1) does not apply to —

- (a) any fresh, frozen or chilled poultry meat or poultry meat products;
- (b) anything exported from the United Kingdom on a ship which sailed from the United Kingdom before 21st February 2001;
- (c) any fully cooked meat or meat product exported from the United Kingdom;
- (d) UHT milk or cream, chocolate or ice cream;
- (e) anything imported with the written authority of the Director of Agriculture;
- (f) anything exported from the United Kingdom which was in the United Kingdom only in transit.

3. For the purposes of this Proclamation "meat" or "meat product" includes anything consisting of or containing any meat (except poultry) and "milk or milk product" includes cream and anything consisting of or containing milk of any bovine, ovine, caprine or porcine or other biungulate animal.

Made this 22nd day of February 2001

M D Blanch
By authority of the Governor



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CX

28th February 2001

No.3

Appointments

Lynsey Leander Davis, Part-time Receptionist, Leisure Centre, 24.1.01.

Iris Claridge, Staff Nurse, Health Services Department, 30.1.01.

Marina Anderson, Cleaner, Fisheries Department, 5.2.01.

Ronald William Scanes, Works Manager, Public Works Department, 5.2.01.

Joan May Hewitt, Cleaner, Education Department, 13.2.01.

Nicola Jayne Wiseman, Fisheries Observer, Fisheries Department, 13.2.01.

Lynsey Leander Davis, Clerk, Public Service, 19.2.01.

Emma Louise Jones, Fisheries Protection Officer, Fisheries Department, 19.2.01.

Completion of Contracts

Nikki Therese Murphy, Social Worker, Health Services Department, 19.1.01.

John Robinson Parker, Deputy Financial Secretary, Treasury, 31.1.01.

Dr. David Alexander John Middleton, Stock Assessment Scientist, Fisheries Department, 6.2.01.

Alison Taylor, Fisheries Observer, Fisheries Department, 7.2.01.

Julia Diane Dexter, Training & Personal Development Officer, Human Resources Department, 23.2.01.

Peter Humphrey, Licenced Aircraft Engineer, Falkland Islands Government Air Service, 23.2.01.

Renewal of Contracts

John Robinson Parker, Deputy Financial Secretary, Treasury, 1.2.01.

Dr. David Alexander John Middleton, Stock Assessment Scientist, Fisheries Department, 7.2.01.

Resignations

Luis Alfonso Hobman, Labourer, Municipal Section, Public Works Department, 26.1.01.

Melissa Maude Coulter, Cleaner, Fisheries Department, 3.2.01.

Yvonne Helen Clingham, Cleaner, Education Department, 7.2.01.

Nigel Ian Bishop, Mechanic, Plant & Vehicle Section, Public Works Department, 16.2.01.

Michelle Paula Evans, Cleaner, Education Department,
22.2.01.

Christopher James Ford, Electrician, Electrical Section,
Public Works Department, 23.2.01.

Desmond O'Shea, Teacher, Education Department,
23.2.01.

Samantha Jayne Evans, Clerk, Public Service, 28.2.01.

Catherine Dawn Williams, Housekeeper, Government
House, 28.2.01.

Retirements

Jill Yolanda Elizabeth Miller Harris, Assistant Teacher,
Education Department, 15.1.01.

William Edward Bowles, Works Manager, Municipal
Section, Public Works Department, 2.2.01.

NOTICES

No. 9 24th January 2001

RETAIL INDEX

The calculation of the Index for the quarter ended 31
December 2000 has now been completed.

A summary of the Index for the last four quarters is
shown below:

| Date | Index | Annual % Increase | Quarter % Increase |
|----------|--------|----------------------|-----------------------|
| 31.03.00 | 104.27 | 1.657 | 1.154 |
| 30.06.00 | 104.39 | 4.390 | 0.115 |
| 30.09.00 | 106.15 | 7.060 | 1.686 |
| 31.12.00 | 106.82 | 3.628 | 0.631 |

No. 10 1st February 2001

GORDON FORBES CONSTRUCTION (FALKLANDS) LIMITED Company Number 8154

TAKE NOTICE that in accordance with the provisions
of section 353 of the Companies Act 1948 in its
application to the Falkland Islands and the requirements
of the said section having been complied with the
abovenamed company will be removed from the Register
of Companies upon the expiry of three months from the
publication of this notice in the Gazette unless good
cause do be shown as to why such action should not
be taken.

Dated this 1st day of February 2001.

J.C. ROWLAND,
Registrar of Companies.

No. 11

1st February 2001

BERNTSENS LIMITED Company Number 8179

TAKE NOTICE that in accordance with the provisions
of section 353 of the Companies Act 1948 in its
application to the Falkland Islands and the requirements
of the said section having been complied with the
above named company will be removed from the Register
of Companies upon the expiry of three months from the
publication of this notice in the Gazette unless good
cause do be shown as to why such action should not
be taken.

Dated this 1st day of February 2001.

J.C. ROWLAND,
Registrar of Companies.

No. 12

8th February 2001

COMMITTEES (ACCESS TO INFORMATION) ORDINANCE 2000 SUB-COMMITTEES OF BOARD OF EDUCATION

PURSUANT to section 2 of the Committees (Access to
Information) Ordinance 2000, I HEREBY NOTIFY that
all sub-committees of the Board of Education are
excepted committees for the purposes of that Ordinance.

Dated this 8th day of February 2001.

D.A. LAMONT,
Governor.

No. 13

9th February 2001

SUPREME COURT OF THE FALKLAND ISLANDS

Notice under the Administration of Estates Ordinance (Cap. 1)

TAKE NOTICE THAT Richard John Neal deceased of
Stanley, Falkland Islands died on the 16th day of
December 2000 intestate.

WHEREAS Joe Neal has applied for Letters of
Administration to administer the estate of the said
deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to Section 4 of
the Administration of Estates Ordinance to all persons
resident in the Colony who may have prior claim to such
grant that the prayer of the Petitioner will be granted
provided no caveat be entered in the Supreme Court
within 21 days of the publication hereof.

C.J. MITCHELL,
Registrar, Supreme Court.

No. 14

27th February 2001

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Malcolm Jackson has applied through the Principal Immigration Officer for Falkland Islands status to be granted to him by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration Officer, Stanley within twenty-one days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.



THE FALKLAND ISLANDS GAZETTE

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Vol. CX

30th March 2001

No.4

Appointments

Jeremy Ian Thomas Clarke, Plant Operator/Handyman,
Public Works Department, 9.10.00.

Robert Charles Maddocks, Plant Operator/Handyman,
Public Works Department, 9.10.00.

Neil George Hewitt, Employment Programme
Co-ordinator, Human Resources Department, 5.2.01.

Leslie Barber, Clerk of Works, Public Works
Department, 27.2.01.

Paul Brickle, Fisheries Scientist, Fisheries Department,
2.3.01.

Elsbeth Alice Coutts, Learning Support Assistant,
Education Department, 5.3.01.

Ulrik Bjorn Eriksen, Plant Operator/Handyman, Public
Works Department, 12.3.01.

Imogen Fiona Didlick, Clerk, Secretariat, 19.3.01.

Alistair Daem Minto, Labourer, Public Works
Department, 19.3.01.

Ian Peter France, Electrician, Public Works Department,
26.3.01.

Vladimir Sytchov, Computer Technician, Computer
Section, Secretariat, 26.3.01.

Transfer

Janet Margaret Parke, from Senior Clerk, Health Services
Department, to Clerk, Court and Registry, 19.3.01.

Completion of Contract

Richard Carl Wagner, Economic Adviser, Treasury
Department, 21.3.01.

Resignations

Colin Michael Buckland, Carpenter, Public Works
Department, 28.2.01.

Lynsey Leander Davis, Clerk, Public Service, 6.3.01.

Nichola Jane Summers, Clerk, Public Service, 15.3.01.

Determination of Contract

John Thomas Irwin, Clerk of Works, Public Works
Department, 2.3.01.

NOTICES

No. 15 8th March 2001

THE FIGHTING PIG BAND

NOTICE IS HEREBY GIVEN, in accordance with section 51 of the Companies and Private Partnership Ordinance, that Charles Desmond Keenleyside retired as a partner of the above mentioned partnership with effect from 2nd November 1999. The Partnership continues in the name of Peter Thomas King, Len Stanford McGill and Gerard Michael Robson.

No. 16 20th February 2001

MOUNT MARIA DAIRY LIMITED
Company Number 8669

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 20th day of March 2001.

Dated this 20th day of February 2001.

J. C. ROWLAND,
Registrar of Companies.

No. 17 11th March 2001

McADAM DESIGN (FALKLAND ISLANDS)
LIMITED
Company Number 8432

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 11th day of March 2001.

Dated this 11th day of March 2001.

J. C. ROWLAND,
Registrar of Companies.

No. 18

19th March 2001

CAMWOOD LIMITED
Company Number 10492

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 19th day of March 2001.

Dated this 19th day of March 2001.

J. C. ROWLAND,
Registrar of Companies.

No. 19 22nd March 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Catriona Mhairi Mitchell has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:**WO2 N.P. KENNEDY - 24642548**

to be a temporary Customs Officer from 3rd February 2001 to 3rd August 2001.

R.J. KING,
Collector of Customs.



THE
FALKLAND ISLANDS GAZETTE
Extraordinary

PUBLISHED BY AUTHORITY

Vol. CX

12th April 2001

No. 5

The following is published in this Gazette:-

The Register of Electors 2001 - Preliminary List.

15 March 2001

REGISTER OF ELECTORS - PRELIMINARY LIST

The Registration Officer has prepared the preliminary list of all persons who, on the qualifying date (15 May 2000), appear to be entitled to be registered as electors for the purposes of the Electoral Ordinance 1988. In accordance with Section 12 of the Ordinance, the Registration Officer has caused the preliminary list to be published in this edition of the Gazette.

Any person who claims that the name of a person entitled to be registered as a voter in the Falkland Islands, has been omitted from the preliminary list, should notify the Registration Officer (Registry, Town Hall, Stanley) of such claim in writing within 28 days of publication. Additionally, any person who wishes to object to the inclusion of a person whose name appears in the preliminary list should notify the Registration Officer within 28 days of publication. The Registration Officer shall, upon receipt of any such claim or objection, subsequently determine the same in accordance with the provisions of the Electoral Ordinance 1988.

The preliminary list has been prepared from last years Electoral Register. The following is a summary of the deletions from and additions and alterations to last years list: -

Deceased Electors - Camp

Deceased Electors - Stanley

Anderson Gloria
Bennett Lena Grace Gertrude
Birmingham Susan Jane
Jaffray Robin George
McKay James John
Perry Thomas George
Short Joseph Leslie

Electors who have changed Constituency - Camp to Stanley

Faria Basil Harry
Faria Maria Anne

Electors who have changed Constituency - Stanley to Camp

Felton Sonia Ellen

Electors who are no longer resident - Camp

Anderson Ronald
Anderson Marina rose

Electors who are no longer resident - Stanley

Betts Terence Severine
Clarke Petula Jane
Clarke Sacha Michelle
Collins Bernard
Finn Natalie Anne
Fogerty Phillip John
George Magnus John Alexander
Goss Errol Barry Gordon
Hawksworth Christopher
Hill Brian Jarvis
Hill Penelope Anne
Horne-McDonald John Alexander
Kluzniak Boguslaw Sylvester
Lazo Myrian Beatris
Newman Clive Alexander
Newman Dwenda Rose
Robson Anna Jenene
Smith Alexander Gordon
Smith Jean Waddell
Summers Melvyn Mark
Wilkinson Dorothy Ruth

Electors who have changed name by deed poll or by marriage - Camp

Cockwell Clare Marie

Electors who have changed name by deed poll or by marriage - Stanley

Alazia Sandra Marie
Betts Priscilla Violet
East Michelle Jane
Greenough Wanda Rose
Luxton Wendy Jennifer
Ward Alison Denise
Wilkinson Johan

Electors entitled to vote for the first time - Camp

Cockwell Clare Marie
Thomas Ivan Earl
Young Nigel Anthony

Electors entitled to vote for the first time - Stanley

Bedford Arlette Louise
Coutts Elspeth Alice
Greenough Geoffrey
Halliday Priscilla
Lang Phillipa Josephine

Payne Joanne Francis
Rowland Sarah Anne
Ward Dennis

Electors and potential electors are advised that qualification for registration as an elector is governed by the provisions of section 27 of the Constitution. This section provides that, subject to certain exceptions, no person shall be qualified to be registered as an elector unless, on the qualifying date for registration as such an elector -

- (a) he is a Commonwealth citizen;
- (b) he is eighteen years of age or over; and
- (c) he has been resident in the Falkland Islands during the qualifying period.

“Resident” is defined in section 3 of the Electoral Ordinance 1988 as follows”

“Meaning of “resident” for the purpose of qualification to be registered as an elector

3 (1) Subject to subsection (9), for the purpose of qualification to be registered as an elector, a person is to be treated as being resident in the Falkland Islands-

- (a) during such part or parts of the period of twelve months ending on the qualifying date as he was in the Falkland Islands; and
- (b) during such part or parts of the period of twelve months ending on the qualifying date as his absence from the Falkland Islands was by reason of subsection (2) to (7) a permitted absence for the purposes of this section.

(2) Subject to subsection (3) a person’s absence from the Falkland Islands shall for the purposes of subsection (1) be regarded as a permitted absence to the extent that it was occasioned by one or more of the following-

- (a) the performance of duties as a public officer in the employment of the Falkland Islands Government;
- (b) the performance of duties as a member of the Legislative Council or as a member or an employee of the Corporation;
- (c) service in Her Majesty’s regular armed forces; service as a member of the Falkland Islands Defence Force;
- (d) undergoing a course of education or training overseas;
- (e) undergoing a course of medical treatment overseas;
- (f) accompanying a spouse absent overseas for a reason mentioned in paragraphs (a) to (e) of this subsection;
- (g) any other absence for a period or periods not exceeding six months in the period of twelve months immediately preceding the qualifying date.

(3) A person's absence from the Falkland Islands shall not be regarded as a permitted absence if he has not had a home in the Falkland Islands at any time during the five years preceding the qualifying date.

The "qualifying period" is prescribed by section 4 of the Electoral Ordinance 1988 as follows

"Meaning of "resident for the qualifying period"

4 (1) Subject to the provisions of this subsection, for the purposes of the provisions of this Ordinance as to the qualification of a person to be registered as an elector, a person is to be regarded as being resident in the Falkland Islands for the qualifying period if under the provisions of section 3 he is to be treated as being resident in the Falkland Islands for the period of twelve months immediately preceding the qualifying date. Notwithstanding the foregoing, a person not born in the Falkland Islands shall not, in respect of any electoral register prepared in relation to the qualifying date in 2000 (that is to be say, 15 May 2000), be treated as resident in the Falkland Islands for the qualifying period unless on that date he had been ordinarily resident in the Falkland Islands for a period of not less than five years expiring on that date. For the purposes of this subsection, "ordinarily resident" has the same meaning as it has at common law."

| | | | |
|----|-----------|--------------------------|------------------------|
| 1 | Adams | John Harvey | 21 Ross Rd. East |
| 2 | Adams | Marjorie Rose | 21 Ross Rd. East |
| 3 | Alazia | Andrew | 66 Davis St. |
| 4 | Alazia | Anita Jayne | Government House |
| 5 | Alazia | Colleen | 11 Fitzroy Rd. East |
| 6 | Alazia | Freda | 2 Fitzroy Rd. |
| 7 | Alazia | Hazel | 12 McKay Close |
| 8 | Alazia | James Andrew | 2 Fitzroy Rd. |
| 9 | Alazia | Keith | 4 James St. |
| 10 | Alazia | Maggie Ann | 6 John St. |
| 11 | Alazia | Sandra Marie | 66 Davis St. |
| 12 | Alazia | Stuart John | 31 Fitzroy Rd. |
| 13 | Alazia | Yvonne | Flat 2, 1A Moody St. |
| 14 | Aldridge | Caroline Mary | 2 H Jones Rd. |
| 15 | Aldridge | Kenneth John | 2 H Jones Rd. |
| 16 | Aldridge | Stephen John | 2 H Jones Road |
| 17 | Allan | John | 39 Ross Road |
| 18 | Allan | Joyce Ena | 39 Ross Road |
| 19 | Allan | Michael Charles | 3 Philomel Place |
| 20 | Allan | Sarah Louise | 3 Philomel Place |
| 21 | Aimonacid | Orlando | 1 Villiers St. |
| 22 | Anderson | Carol Anne | 22 Endurance Ave. |
| 23 | Anderson | Claudette | 1 Goss Rd |
| 24 | Anderson | Eddie | 22 Endurance Ave. |
| 25 | Anderson | Elizabeth Nellie | 42 Davis St. |
| 26 | Anderson | Helen | 88 Davis St. |
| 27 | Anderson | Jamie Falkland | 18 Murray Heights |
| 28 | Anderson | Margaret Kathleen | 21 John St. |
| 29 | Anderson | Mildred Nessie | 8 St. Marys Walk |
| 30 | Anderson | Paul James | 39 Eliza Cres. |
| 31 | Anderson | Reginald Stanford | 21 John St. |
| 32 | Anderson | Richard Louis | 88 Davis St. |
| 33 | Anderson | Stephen Robert | 6 Jersey Rd |
| 34 | Anthony | Enid Elizabeth | 6 Dairy Paddock Rd |
| 35 | Anthony | Geraldine Sylvia | Flat 6, 6 Jersey Rd. |
| 36 | Anthony | Malcolm James | 17 Brandon Rd. |
| 37 | Barnes | Molly Stella | 70 Davis St. |
| 38 | Barnes | Trevor Marshall | 1 Auster Place |
| 39 | Barton | Alison Mary | 6 Villiers St. |
| 40 | Barton | Arthur John | 6 Villiers St. |
| 41 | Battersby | Jon Alan | 16 Fieldhouse Close |
| 42 | Battersby | Margaret Mary | 16 Fieldhouse Close |
| 43 | Bedford | Arlette Louise | 2 Drury Street Stanley |
| 44 | Bedford | Carole Anne | 68 Davis St |
| 45 | Bedford | Kita Muriel | 2 Drury St. |
| 46 | Berntsen | Cecilia Del Rosario | 14 St Marys Walk |
| 47 | Berntsen | Christian Olaf Alexander | 15a James Street |
| 48 | Berntsen | Falkland | 10 Fitzroy Rd |
| 49 | Berntsen | Gene Stanley | Flat 6 6 Jersey Road |
| 50 | Berntsen | Iain Kenneth | 9 Eliza Cres. |
| 51 | Berntsen | Kathleen Gladys | 1 St Marys Walk |
| 52 | Berntsen | Kenneth Frederick | 20 Ross Road West |
| 53 | Berntsen | Matthew John | 39 Davis St. |
| 54 | Berntsen | Olaf Christian Alexander | 35 Eliza Cres. |
| 55 | Berntsen | Patrick | 10 James St. |

| | | | |
|-----|--------------|---------------------------|-------------------------------|
| 56 | Berntsen | Rachel Bna | 15a James Street |
| 57 | Berntsen | Valdamar Lars | 14 St. Marys Walk |
| 58 | Berntsen | Valorie Marcela | 14 St. Marys Walk |
| 59 | Bertrand | Catherine Gladys | 11 Ross Rd. East |
| 60 | Besley-Clark | Barbara June | 53 Callaghan Rd. |
| 61 | Besley-Clark | Craig Norman Leigh | 53 Callaghan Rd. |
| 62 | Besley-Clark | Douglas James | 53 Callaghan Rd. |
| 63 | Besley-Clark | Norman | 53 Callaghan Rd. |
| 64 | Betts | Ariette | Lafone House, Ross Rd. East |
| 65 | Betts | Donald William | 7 Jeremy Moore Ave. |
| 66 | Betts | Ellen Alma | 21 Fitzroy Rd. |
| 67 | Betts | George Winston Charles | 35 Ross Rd. West |
| 68 | Betts | Ian | 1 Villiers St. |
| 69 | Betts | Lucia Elizabeth | 35 Ross Rd. West |
| 70 | Betts | Owen | 82 Davis Street |
| 71 | Betts | Priscilla Violet Morrison | 82 Davis St. |
| 72 | Betts | Severine | 2B Jeremy Moore Ave. East |
| 73 | Betts | Shirley Rose | 7 Jeremy Moore Ave. |
| 74 | Betts | Simon Keith | Reflections Flat Dean Street. |
| 75 | Betts | Stephen | 7 Jeremy Moore Ave |
| 76 | Biggs | Ailie Christine | 16 Endurance Avenue |
| 77 | Biggs | Alastair Gordon | Trehayle, 50 John St. |
| 78 | Biggs | Althea Maria | 3 Dairy Paddock Rd. |
| 79 | Biggs | Betty Josephine | 9 Moody St. |
| 80 | Biggs | Edith Joan | Trehayle, 50 John St. |
| 81 | Biggs | Frances | 16 Endurance Ave. |
| 82 | Biggs | Frederick James | KEMH |
| 83 | Biggs | Irene Mary | Harbour View, 4 Ross Rd. East |
| 84 | Biggs | Leslie Frederick | 3 Dairy Paddock Rd. |
| 85 | Biggs | Michael Elfed | 21 Fitzroy Rd. |
| 86 | Biggs | Peter Julian Basil | 16 Endurance Ave. |
| 87 | Binnie | Juliet Ann | 33 Eliza Cres. |
| 88 | Binnie | Susan | 3 Brandon Rd. |
| 89 | Birmingham | John | 4 Drury St. |
| 90 | Blackley | Candy Joy | 4 Barrack St. |
| 91 | Blackley | Hilda | 11 Thatcher Drive |
| 92 | Blackley | Maurice | The Lodge, Market Garden |
| 93 | Blackley | Shane David | 4 Barrack St. |
| 94 | Blades | Helen Jean | 10 John St. |
| 95 | Blake | Alexander Charles | 1 Ross Rd |
| 96 | Blake | Lionel Geoffrey | 1 Ross Rd |
| 97 | Blake | Sally Gwynfa | 1 Ross Rd |
| 98 | Blake | Thomas Patrick | 90 Davis St. |
| 99 | Blizard | Malvina Mary | 51 Fitzroy Rd. |
| 100 | Blyth | Agnes Ruth | 2 Brandon Rd. |
| 101 | Blyth | Paz Neri | 5 St Marys Walk |
| 102 | Bonner | Alan Paul | 5 John Street |
| 103 | Bonner | Angela Jane | 5 John St. |
| 104 | Bonner | Cheryl Anne | 4a Ross Road West |
| 105 | Bonner | Donald William | Chaffeurs Cottage |
| 106 | Bonner | Hayley Trina | 41 Ross Rd. West |
| 107 | Bonner | Linda Jane | 4A Ross Rd. West |
| 108 | Bonner | Lindsay Jane | 21 Shackleton Drive |
| 109 | Bonner | Nicholas | 4A Ross Rd. West |
| 110 | Bonner | Paul Roderick | 5 John St. |

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| 111 | Bonner | Terence Leslie | Flat 1 30 Jersey Rd |
| 112 | Bonner | Timothy | 41 Ross Rd. West |
| 113 | Bonner | Vera Ann | 5 John St. |
| 114 | Bonner | Vera Joan | Chaffeurs Cottage |
| 115 | Bonner | Violet | 40 Ross Rd. |
| 116 | Booth | Jessie | Racecourse Cottage |
| 117 | Booth | Joseph Bories | 7 Philomel St. |
| 118 | Booth | Myriam Margaret Lucia | 7 Philomel St. |
| 119 | Booth | Stuart Alfred | Racecourse Cottage |
| 120 | Bound | Joan | Barrack St. |
| 121 | Bowles | Norma Evangeline | 1A Villiers St. |
| 122 | Bowles | William Edward | 1A Villiers St. |
| 123 | Bowles | William George Troyd | 1A Villiers St. |
| 124 | Bragger | Edward Laurence | 14 Jeremy Moore Ave. |
| 125 | Brock | Juanita Lois | Flat5, 1 Jeremy Moore Ave East |
| 126 | Brooks | Cheryl Rose | 25 Callaghan Rd. |
| 127 | Brooks | Peter William | 25 Callaghan Rd. |
| 128 | Browning | Amanda Marie | 3 Dairy Paddock Rd |
| 129 | Browning | Colin George | 1 Moody St. |
| 130 | Browning | Edwina | Davis St. |
| 131 | Browning | Joan Lucy Ann | Rose Hotel Drury St |
| 132 | Browning | Nathan David | 3 Dairy Paddock Road |
| 133 | Browning | Rex | 35 Davis St. |
| 134 | Browning | Richard William | 33 Davis St |
| 135 | Browning | Trevor Osneith | Rose Hotel Drury St |
| 136 | Brownlee | Andrew Samuel | 19 Ross Rd East |
| 137 | Brownlee | Lynn Frances | 19 Ross Rd East |
| 138 | Buckett | Ronald Peter | 49 Fitzroy Rd. |
| 139 | Buckett | Roy Peter | 2 Barrack St |
| 140 | Buckett | Susan Vera | 49 Fitzroy Rd. |
| 141 | Buckland | Colin Michael | 13 Murray Heights |
| 142 | Buckland | Darlene Joanna | 11 James St. |
| 143 | Buckland | Peter John | 9 Callaghan Rd. |
| 144 | Budd | Dennis Raymond | 5 Ian Campbell Drive |
| 145 | Budd | Pamela Joan | 5 Ian Campbell Drive |
| 146 | Bundes | Robert John Christian | 17 Fitzroy Rd. |
| 147 | Burnett | Anthony | 59 Fitzroy Rd. |
| 148 | Burnett | Elizabeth Ann | 59 Fitzroy Rd. |
| 149 | Burns | Mary Anne | 34 Davis St. |
| 150 | Burston | Catherine | 91 Davis St |
| 151 | Burston | Stephen Leslie | 91 Davis St |
| 152 | Bury | Ian Thomas | 63 Davis St. |
| 153 | Butcher | Michael George | 3A Dairy Paddock Rd. |
| 154 | Butcher | Trudi | 3A Dairy Paddock Rd. |
| 155 | Butler | Elsie Maud | 8 John St. |
| 156 | Butler | Frederick Lowther Edward | 8 John St. |
| 157 | Butler | George Joseph | 1A Moody St. |
| 158 | Butler | Jonathan Jeffers | 3 Jeremy Moore Ave |
| 159 | Butler | Laurence Jonathan | 2 Davis St East |
| 160 | Butler | Margaret Orlanda | 5 Short Street. |
| 161 | Butler | Orlanda Betty | 2 Davis St. East |
| 162 | Buxton | Nicole Gabrielle | 19 Jeremy Moore Ave |
| 163 | Cameron | Jane Diana Mary Keith | Old Bakery, Fitzroy Rd. |
| 164 | Cant | Carol Rosine | 37 Callaghan Rd |
| 165 | Cant | Martin Ronald | 37 Callaghan Rd |

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| 166 | Cantlie | Derek William | 27 Callaghan Rd |
| 167 | Card | Patricia Collette | 7 Ian Campbell Drive |
| 168 | Carey | Anthony Michael | 19 Ross Rd. West |
| 169 | Carey | Gladys | 19 Ross Rd. West |
| 170 | Carey | Martin Rex | 21 Bliza Cove Cres. |
| 171 | Carey | Mary Ann Margaret | 18 Ross Rd. West |
| 172 | Carey | Terence James | 18 Ross Rd. West |
| 173 | Cartwright | Stephen | 39 Ross Road West |
| 174 | Castle | David Peter | 26 John St. |
| 175 | Castle | Isobel | 26 John St. |
| 176 | Ceballos | Eulogio Gabriel | 28 Endurance Ave. |
| 177 | Chaloner | Sheila Catherine | 2 Racecourse Rd |
| 178 | Chapman | Helen | 6 Fitzroy Rd. East |
| 179 | Chapman | Paul | 6 Fitzroy Rd. East |
| 180 | Chater | Thomas Frederick | 33 Fitzroy Rd. |
| 181 | Chater | William John | 7 Biggs Road |
| 182 | Cheek | Barbara | 8 Watson Way |
| 183 | Cheek | Gerald Winston | 10 Ross Rd. |
| 184 | Cheek | Janet Linda | 25 Ross Rd. West |
| 185 | Cheek | Marie | 10 Ross Rd. |
| 186 | Cheek | Miranda | 2 Fieldhouse Close |
| 187 | Cheek | Rosalind Catriona | 25 Ross Rd. West |
| 188 | Clapp | Kevin Christopher | 1 Murray Heights |
| 189 | Clark | Hector | 27 Bliza Cres. |
| 190 | Clark | Jonathan Andrew | Flat 10, Jersey Rd |
| 191 | Clark | Joyce Kathleen | 27 Bliza Cres. |
| 192 | Clarke | Amelia | 1 Callaghan Rd. |
| 193 | Clarke | Angela Sindy | Stanley |
| 194 | Clarke | Anika Doreen | 17 Jeremy Moore Avenue |
| 195 | Clarke | Camilla Marie | 8 Drury St. |
| 196 | Clarke | Christopher | 5 Discovery Close |
| 197 | Clarke | David James | 17 Ross Rd. West |
| 198 | Clarke | Derek Simon | 23 Jeremy Moore Ave. |
| 199 | Clarke | Doreen | 17 Ross Rd. West |
| 200 | Clarke | Gwynne Edwina | 17 Jeremy Moore Ave. |
| 201 | Clarke | Ian | 17 Ross Rd. West |
| 202 | Clarke | Isabel Joan | 12 Fieldhouse Close |
| 203 | Clarke | James Martin | 3 McKay Close. |
| 204 | Clarke | Jan Michael | 11 Fieldhouse Close |
| 205 | Clarke | Jeremy Ian Thomas | 7 Fitzroy Road |
| 206 | Clarke | Joan Patricia Marion | 50 Davis St |
| 207 | Clarke | Jonathan Terence | 17 Jeremy Moore Ave. |
| 208 | Clarke | Joseph Gwyn | 17 Jeremy Moore Ave |
| 209 | Clarke | Julie Ann | Globe Tavern |
| 210 | Clarke | Marvin Thomas | 7 Fitzroy Rd. |
| 211 | Clarke | Paul Ian | Stanley |
| 212 | Clarke | Ronald John | 17 Ross Rd. West |
| 213 | Clarke | Rudy Thomas | 8 Drury St. |
| 214 | Clarke | Shane Adrian | 1 Callaghan Rd. |
| 215 | Clarke | Terence John | 17 Jeremy Moore Ave. |
| 216 | Clarke | Tracey Clare | 23 Jeremy Moore Ave. |
| 217 | Clarke | Trudi Ann | 7 Fitzroy Rd. |
| 218 | Clasen | Wayne Ian Summers James | 9 Fitzroy Rd. |
| 219 | Clausen | Andrea Patricia | 3 St. Marys Walk |
| 220 | Clausen | Denzil George Gustavius | 3 St. Marys Walk |

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| 221 | Clausen | Melanie | 1 Hebe St. |
| 222 | Claxton | Frank Brian | 28 Ross Rd. East |
| 223 | Claxton | Margaret | 28 Ross Rd. East |
| 224 | Clayton | Brian | 16 St. Marys Walk |
| 225 | Clayton | Susan | 16 St. Marys Walk |
| 226 | Clement | Gary | 9 Snake Street. |
| 227 | Clement | Jane | 9 Snake Street. |
| 228 | Clement | Lee | 9 Snake Street. |
| 229 | Clement | Wayne | Snake Street. |
| 230 | Cletheroe | Kenneth Stanley | 45 Fitzroy Rd. |
| 231 | Clifton | Charles | 3 Ross Rd. West |
| 232 | Clifton | Darwin Lewis | 53 Davis St. |
| 233 | Clifton | Doreen | 3 Ross Rd. West |
| 234 | Clifton | Marie | 6 Discovery Close |
| 235 | Clifton | Melvyn | Lookout Lodge |
| 236 | Clifton | Neil | 20 Davis St. |
| 237 | Clifton | Stephen Peter | 61 Fitzroy Rd. |
| 238 | Clifton | Terence Charles | 3 Ross Rd. West |
| 239 | Clifton | Teresa Ann | 12 Callaghan Rd. |
| 240 | Clifton | Valerie Ann | 61 Fitzroy Rd. |
| 241 | Clingham | Leslie George | 2 Brisbane Rd. |
| 242 | Clingham | Yvonne Helen | 2 Brisbane Rd. |
| 243 | Cockwell | Jennifer Marie | 90 Davis St |
| 244 | Cockwell | John Richard | 14 Ross Road West |
| 245 | Cockwell | Maurice Adam | 90 Davis St. |
| 246 | Cofre | Anya Evelyn | 1 Brandon Rd West |
| 247 | Cofre | Elvio Miguel | 1 Brandon Rd West |
| 248 | Collier | Mark Walter | 68 Davis St |
| 249 | Collins | Shiralee | Flat 9, 6 Jersey Rd. |
| 250 | Connolly | Kevin Barry | 1 King St. |
| 251 | Coombe | Robert Dean | 12 Ross Road West. |
| 252 | Cotter | Caroline Jane | 9 Jeremy Moore Ave. |
| 253 | Cotter | Jacqueline Ann | 9 Jeremy Moore Ave. |
| 254 | Cotter | Mary Jane | 9 Jeremy Moore Ave. |
| 255 | Cotter | Timothy Stewart | 9 Jeremy Moore Ave. |
| 256 | Coulter | Donald Mark | 9 Fieldhouse Close |
| 257 | Courtney | Anthony Clive | 30 Goss Road. |
| 258 | Coutts | Charles | 12 Endurance Ave. |
| 259 | Coutts | Charles Lindsay | 33 Ross Rd. |
| 260 | Coutts | Diana Marion | 6B Ross Rd. West |
| 261 | Coutts | John | 36 Ross Rd. West |
| 262 | Coutts | Olga | 33 Ross Rd. |
| 263 | Coutts | Peter | 13 Campbell Drive |
| 264 | Crabb | Elizabeth Ann | 38 Eliza Cres. |
| 265 | Crowie | Alan John | 72 Davis Street. |
| 266 | Crowie | Ana Bonita | 72 Davis Street. |
| 267 | Crowie | Breda Marie | 35 Callaghan Rd. |
| 268 | Crowie | Clare Frances | 35 Callaghan Rd |
| 269 | Crowie | David Sean | 51 Callaghan Rd |
| 270 | Crowie | Nicola Jane | 35 Callaghan Rd. |
| 271 | Crowie | Peter James | 35 Callaghan Road. |
| 272 | Crowie | Robert John | 35 Callaghan Rd. |
| 273 | Curtis | Alfred William Hamilton | 6 Brandon Rd. West |
| 274 | Curtis | Barbara Joan | 6 Brandon Rd. West |
| 275 | Curtis | Bonnie Elizabeth Hamilton | 6 Brandon Road West |

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| 276 | Curtis | James William Hamilton | 6 Ross Rd. |
| 277 | Davies | Anthony Warren | 7 Callaghan Rd. |
| 278 | Davies | Christine Susan | 8 Fitzroy Rd. East |
| 279 | Davies | Colin George | 15 Ross Rd. West |
| 280 | Davies | Eileen Wynne | 15 Ross Rd. West |
| 281 | Davies | Jacqueline Nancy | 7 Callaghan Rd. |
| 282 | Davies | Sian Karen | 7 Callaghan Road. |
| 283 | Davies | William | 8 Fitzroy Rd. East |
| 284 | Davis | Ellen Rose | 39 Davis St. |
| 285 | Davis | Maurice | 39 Davis St. |
| 286 | Davis | Nicholas | 15 James St. |
| 287 | Davis | Roy George Victor | 6 Narrows View |
| 288 | Davis | Sharon Sandra Evelyn | 6 Narrows View |
| 289 | Davy | Patrick Alex Field | Flat3, 3 Jeremy Moore Ave East |
| 290 | Decroliere | Carrie Madeline Helen | 5 Discovery Close |
| 291 | Dent | Janice Vanessa | 3C Jersey Est. |
| 292 | Dent | Stephen John | 3c Jersey Est |
| 293 | Desborough | Gladys Malvina | 14 Allardyce Street |
| 294 | Dickson | Caroline Christine Bird | 108 Davis St. |
| 295 | Dickson | Michael Keith | C/o Tamar |
| 296 | Didlick | Christopher Graham | 13 Jeremy Moore Ave |
| 297 | Didlick | Fiona Margaret | 13 Jeremy Moore Ave |
| 298 | Didlick | Graham John | 13 Jeremy Moore Ave |
| 299 | Didlick | Rhiannon Elinore | 13 Jeremy Moore Ave |
| 300 | Diggle | Katherine Elizabeth | 12 Jersey Rd. |
| 301 | Diggle | Roger John | 12 Jersey Rd. |
| 302 | Dobbyns | Kathleen Gay | 60 Davis St. |
| 303 | Dodd | Alison | 1 Pioneer Row |
| 304 | Dodd | Nigel Keith | 1 Pioneer Row |
| 305 | Donnelly | Derek | Y.M.C.A. |
| 306 | Drysdale | Karen Margaret | 1 Watson Way. |
| 307 | Duncan | Delsha Vanessa Jane | 18 Jeremy Moore Ave. |
| 308 | Duncan | Doreen | Tenacres |
| 309 | Duncan | William | Tenacres |
| 310 | Duvall | Kenneth William | 51 Callaghan Rd |
| 311 | Earnshaw | Jacqueline Elizabeth | 32 Ross Rd. West |
| 312 | East | Justin Clive Richard | 1 Fieldhouse Close |
| 313 | East | Michelle Jane | 1 Fieldhouse Close |
| 314 | Eccles | Bernard Leslie | 18 Jeremy Moore Ave. |
| 315 | Eccles | Moirra Cameron | 18 Jeremy Moore Ave. |
| 316 | Edwards | Emma Jane | 41 Ross Road East. |
| 317 | Elliot | Elizabeth Rose | 15 Callaghan Rd |
| 318 | Elliot | Henry James | 15 Callaghan Rd. |
| 319 | Ellis | Cyril | 24 Ross Rd. East |
| 320 | Ellis | Lucy | 11 James St |
| 321 | Ellis | Valerie | 24 Ross Rd. East |
| 322 | Elsby | Barry | Moody Brook House. |
| 323 | Ericksen | Michelle | 1B Capricorn Rd. |
| 324 | Evans | Donna Newell | By-Pass Rd. |
| 325 | Evans | Gladys Alberta | 6 Barrack St. |
| 326 | Evans | Michael David | By-Pass Rd. |
| 327 | Evans | Russell | 45 Ross Rd East |
| 328 | Evans | Susan Maureen | 45 Ross Rd East |
| 329 | Ewing | Gordon | 4 Jeremy Moore Ave |
| 330 | Ewing | Irene | 4 Jeremy Moore Ave |

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| 331 | Bynon | Carol | 8 Villiers St. |
| 332 | Bynon | Christopher Huntlee | 8 Villiers St. |
| 333 | Bynon | David John | 8 Villiers St. |
| 334 | Faria | Mary Ann | 6A Jeremy Moore Ave |
| 335 | Felton | Violet Regina Margaret | German Camp, Callaghan Rd. |
| 336 | Ferguson | Ellen Rose | 51 Callaghan Rd. |
| 337 | Ferguson | Finlay James | 51 Callaghan Road |
| 338 | Ferguson | John William | 47 Ross Rd East |
| 339 | Ferguson | Marie Anne | 2 Davis St |
| 340 | Ferguson | Robert John | 4 Capricorn Rd. |
| 341 | Ferguson | Rose | Flat7, 1 Jeremy Moore Ave East |
| 342 | Ferguson | Stephanie Janet | 47 Ross Rd East |
| 343 | Ferguson | Thelma | 4 Capricorn Rd. |
| 344 | Ferriby | Deborah Susana | Market Garden Airport Rd |
| 345 | Fiddes | Douglas Graham | 18 Ross Rd. East |
| 346 | Fiddes | Gardner Walker | 3 Watson Way |
| 347 | Fiddes | Julia Bertrand | 18 Ross Rd. East |
| 348 | Fiddes | Mary McKinnon Livingstone | 4 Moody St. |
| 349 | Fiddes | Melody Christine | 3 Watson Way |
| 350 | Fiddes | Robert | 4 Moody St. |
| 351 | Finlayson | Iris Dwenda Margaret | 7 John St. |
| 352 | Finlayson | Marc Ian | Y.M.C.A |
| 353 | Finlayson | Peter | 6 Brandon Rd. |
| 354 | Finlayson | Phyllis | 6 Brandon Rd. |
| 355 | Fisher-Smith | Julie Anne | 8 Fieldhouse Close |
| 356 | Fleming | Richard Ian | 7 Ian Campbell Drive |
| 357 | Floyd | Amanda Susan | 7 Pitaluga Place |
| 358 | Floyd | Michael | 7 Pitaluga Place |
| 359 | Fogerty | Richard Edwin John | Stone Cottage |
| 360 | Ford | Alison Jane Marie | 5 Jersey Rd. |
| 361 | Ford | Arthur Henry | 6 Drury St. |
| 362 | Ford | Cherry Rose | 1 James St. |
| 363 | Ford | Christopher James | 11 Fieldhouse Close |
| 364 | Ford | Colin Stewart | 15 Kent Rd. |
| 365 | Ford | Colleen Mary | Lady Hunt House John St. |
| 366 | Ford | Darrel | 1 James Street. |
| 367 | Ford | David | 1 Davis St. |
| 368 | Ford | Frederick James | Lady Hunt House John St. |
| 369 | Ford | Gerard Allan | Flat 1, 3 Jeremy Moore Ave |
| 370 | Ford | Jonathan | 3 Pitaluga Place. |
| 371 | Ford | Julie Ann | 3 Pitaluga Place. |
| 372 | Ford | Leann Caroline | 15 Kent Rd. |
| 373 | Ford | Leonard | 5 Jersey Rd. |
| 374 | Ford | Marilyn Christina | 24 James St. |
| 375 | Ford | Michael | 1 James St. |
| 376 | Ford | Paul Edward | 2 Philomel Place |
| 377 | Ford | Robert | 1 Davis St. |
| 378 | Ford | Sara | 11 Fieldhouse Close. |
| 379 | Ford | Simon | 1 James St. |
| 380 | Forrest | Jennifer Carol | 16 Kent Rd. |
| 381 | Forrest | Michael John | 16 Kent Rd |
| 382 | Forster | Amanda | 39 Bliza Cres. |
| 383 | Forster | Lynne | 5 Discovery Close |
| 384 | Forster | Sarah | 9 Fitzroy Rd. |
| 385 | Fowler | Daniel Martin | 2 Glasgow Rd |

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| 386 | Fowler | John Andrew Thomas | 2 Glasgow Road |
| 387 | Fowler | Rachael Jane | 2 Glasgow Rd |
| 388 | Fowler | Veronica May | 2 Glasgow Road |
| 389 | France | Graham Brian | 7 Snake St |
| 390 | France | Ian Peter | 7 Snake St |
| 391 | France | Jane Aileen Marie | 7 Snake St |
| 392 | Freeman | Carl Francis | 10 James St. |
| 393 | Freeman | Dianne May | 10 James St. |
| 394 | Freeman | Rachael | 10 James Street |
| 395 | Freeman | Tracy | 10 James St |
| 396 | Fullerton | Mary Ellen | Government House |
| 397 | Geach | Alan John | 37 Eliza Crescent |
| 398 | Gilbert | Christopher Paul | 22 Jeremy Moore Ave. |
| 399 | Gilbert | Judith Elizabeth | 22 Jeremy Moore Ave. |
| 400 | Gilbert | Mark Ian | 22 Jeremy Moore Ave |
| 401 | Gilbert | Neil Robert | 22 Jeremy Moore Ave |
| 402 | Gilbert | Robert Ernest | 22 Jeremy Moore Ave. |
| 403 | Gilding | Sara Jane | Snake Street. |
| 404 | Gilson Clarke | Dustin James | 1 Discovery Close |
| 405 | Gilson-Clarke | Martyn Ian | Globe Tavern. |
| 406 | Gisby | Annie | 33 Fitzroy Rd. |
| 407 | Goodwin | Angela Jane | 11 Jersey Road. |
| 408 | Goodwin | Bonita Colleen | Flat 1 30 Jersey Road. |
| 409 | Goodwin | Colin Valentine | 86 Davis St. |
| 410 | Goodwin | Derek Samuel | Flat 1 30 Jersey Road. |
| 411 | Goodwin | Emily Rose | 7 Brisbane Rd. |
| 412 | Goodwin | Gareth Kevin | 86 Davis St. |
| 413 | Goodwin | Hazel Rose | 3 Police Cottages, 7 Ross Rd. |
| 414 | Goodwin | June Elizabeth | 86 Davis St. |
| 415 | Goodwin | Kathleen Edith Marguerite | 6 Thatcher Drive |
| 416 | Goodwin | Margaret Ann | 3 H Jones Rd. |
| 417 | Goodwin | Robin Christopher | 27 Callaghan Rd. |
| 418 | Goodwin | Simon James | Flat 3, 2 Eliza Place |
| 419 | Goodwin | Una | 27 Callaghan Rd. |
| 420 | Goodwin | William John Maurice | 7 Brisbane Rd. |
| 421 | Goss | Annagret | 16 Jeremy Moore Ave. |
| 422 | Goss | Corina Rose | 20 Murray Heights |
| 423 | Goss | Dorothy Ellen | 4 Discovery Close |
| 424 | Goss | Eric Miller | 2 Fitzroy Rd East |
| 425 | Goss | Grace Elizabeth | 5 Ross Rd. East |
| 426 | Goss | Ian Ernest Barle | Fieldhouse Close |
| 427 | Goss | Morgan Edmund | 16 Jeremy Ave. |
| 428 | Goss | Odette Ellen May | 15 Jersey Estate |
| 429 | Goss | Roderick Jacob | Fitzroy Rd. |
| 430 | Goss | Roger Simon | 15 Callaghan Rd |
| 431 | Goss | Roy Shepherd | 4 Discovery Close |
| 432 | Goss | Sandra Kathleen | 11 Kent Rd. |
| 433 | Goss | Shirley Ann | 2 Fitzroy Rd East |
| 434 | Goss | Simon Peter Miller | 11 Kent Rd. |
| 435 | Goss | Susan Diann | Fieldhouse Close |
| 436 | Goss | William Henry (jnr) | 7 Brandon Rd. |
| 437 | Goss | William Henry (snr) | 5 Ross Rd. East |
| 438 | Gough | Phyllis Candy | 11 Callaghan Rd. |
| 439 | Gould | Arthur William | Moody St. |
| 440 | Grant | Lennard John | 3 Moody St. |

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| 441 | Grant | Milly | 3 Moody St. |
| 442 | Gray | David Edward | 22 Ross Rd West |
| 443 | Gray | Patricia May | 22 Ross Rd West |
| 444 | Green | David William | 5 Police Cottages, Ross Rd. |
| 445 | Greenland | James Andrew William | 9 Beaver Rd |
| 446 | Greenough | Geoffrey | 50 Davis Street. |
| 447 | Greenough | Wanda Rose | 50 Davis Street. |
| 448 | Grimmer | Keith | 15 Pioneer Row |
| 449 | Grimmer | Marilyn | 15 Pioneer Row |
| 450 | Hadden | Alexander Burnett | 27 Fitzroy Rd. |
| 451 | Hadden | Sheila Peggy | 27 Fitzroy Rd. |
| 452 | Halford | Rodney John | Tenacres |
| 453 | Halford | Sara Jayne | Tenacres |
| 454 | Halford | Sharon | Tenacres |
| 455 | Hall | Marilyn Joyce | 56 Davis St. |
| 456 | Halliday | Gerald | Flat 1, 6 Racecourse Rd. |
| 457 | Halliday | Jeffrey James | Fieldhouse Close |
| 458 | Halliday | John Arthur Leslie | 108 Davis St. |
| 459 | Halliday | Leslie John | 31 Ross Road East. |
| 460 | Halliday | Priscilla Alison | Y.M.C.A |
| 461 | Halliday | Raynor | 9 Brisbane Rd. |
| 462 | Hancox | Rachel Mary | 9 Ross Rd. West |
| 463 | Hancox | Robert James | 9 Ross Rd. West |
| 464 | Hansen | Douglas John | 6 Fitzroy Rd. |
| 465 | Hansen | Keva Elizabeth | 1 Dairy Paddock Rd. |
| 466 | Hansen | Terence Joseph | 1 Dairy Paddock Rd. |
| 467 | Hardcastle | Simon Brook | 5 Pioneer Row |
| 468 | Harris | Christopher James | 8 Pioneer Row |
| 469 | Harris | Heather | 3 Ross Rd. East |
| 470 | Harris | Jill Yolanda Miller | 19 Fitzroy Rd. |
| 471 | Harris | Karl Henry | 19 Fitzroy Rd. |
| 472 | Harris | Leeann Watson | 10 Dairy Paddock Rd. |
| 473 | Harris | Leslie Sidney | 19 Fitzroy Rd. |
| 474 | Harris | Michael Ronald | 3 Ross Rd. East |
| 475 | Harris | Nicola Jane | 3 Ross Rd East |
| 476 | Harris | Ralph Aaron | 10 Dairy Paddock Rd. |
| 477 | Harris | Roslyn | 19 Fitzroy Rd. |
| 478 | Harvey | Muriel Elizabeth Elsie | 2 King St. |
| 479 | Harvey | Sheila | Flat 3, 5 Jeremy Moore Ave. |
| 480 | Harvey | William | 21 Fitzroy Rd. |
| 481 | Hawksworth | David | 29 Fitzroy Rd. |
| 482 | Hawksworth | Jeanette | 24 Murray Heights |
| 483 | Hawksworth | Mary Catherine | 5 A Brisbane Rd. |
| 484 | Hawksworth | Pauline May | 29 Fitzroy Rd. |
| 485 | Hawksworth | Terence | 5A Brisbane Rd. |
| 486 | Hayward | Marjorie | 30 Eliza Rd. |
| 487 | Hayward | Neville | Cemetery Cottage |
| 488 | Hayward | Peter Dennis | 30 Eliza Rd. |
| 489 | Hazell | Lee Felton | 3 Drury Street |
| 490 | Heathman | Malcolm Keith | 15 Eliza Cove Rd. |
| 491 | Heathman | Mandy Gail | 15 Eliza Cove Rd. |
| 492 | Henry | Alan Richard | 8 Beaver Rd. |
| 493 | Henry | Patricia Denise | 8 Beaver Rd. |
| 494 | Hernandez Mantero | Miguel Angel | 3 Murray Heights |
| 495 | Hernandez Trevell | Maria Elena | 3 Murray Heights |

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| 496 | Hewitt | Clare Ann | 1c Capricorn Rd. |
| 497 | Hewitt | Frances Agnes | Flat 3 1 Moody Street. |
| 498 | Hewitt | Gary George | 3 Hebe Place |
| 499 | Hewitt | Kevin John | 14 Jeremy Moore Ave |
| 500 | Hewitt | Margaret Ann | 3 Hebe Place |
| 501 | Hewitt | Neil George | 1C Capricorn Rd |
| 502 | Hewitt | Rachel Catherine Orissa | 4 St. Marys Walk |
| 503 | Hewitt | Robert John David | 3 Thatcher Drive |
| 504 | Higgins | Dawn | 2 Dean Street |
| 505 | Hills | Heather Margaret | 5 Davis St. |
| 506 | Hills | Richard William | 5 Davis St. |
| 507 | Hirtle | Christine | 5 Capricorn Rd. |
| 508 | Hirtle | Debbie Ann | Flat 7 Jeremy Moore Ave |
| 509 | Hirtle | Leonard John | 20 Jeremy Moore Ave |
| 510 | Hirtle | Leonard Lloyd | 20 Jeremy Moore Ave. |
| 511 | Hirtle | Mary Ann | 12 Drury St. |
| 512 | Hirtle | Michael Barry | 20 Jeremy Moore Ave. |
| 513 | Hirtle | Rose Ann Shirley | 4 Villiers St. |
| 514 | Hirtle | Shirley | 20 Jeremy Moore Ave. |
| 515 | Hirtle | Zane Eric | Eliza Cove Rd. |
| 516 | Hobman | Anilda Marilu | 34 Ross Rd. West Flat |
| 517 | Hobman | Carol Margaret | 17 Scoresby Close |
| 518 | Hobman | David Gonsalo | 34 Ross Rd. West Flat |
| 519 | Hobman | Luis Alfonzo | 34 Ross Rd. West Flat |
| 520 | Hoggarth | Agnes Christina | 2 James St. |
| 521 | Howatt | Derek Frank | 4 Racecourse Rd. |
| 522 | Howatt | Suzanna Margaret | 4 Racecourse Rd. |
| 523 | Howe | Alison Delia | 36 Davis St. |
| 524 | Howe | Paul Anthony | 36 Davis St. |
| 525 | Howells | Anne Stephanie | 112 Davis St. |
| 526 | Howells | Lorna Marie | 112 Davis St. |
| 527 | Howells | Martin Edward Derek | 112 Davis St |
| 528 | Howells | Melissa Louise | 112 Davis St. |
| 529 | Howells | Roger | 112 Davis St. |
| 530 | Hoy | Dawn | 7 Murray Heights |
| 531 | Humphreys | Dennis James | 7 Dean St. |
| 532 | Humphreys | Hannah Elaine | 7 Dean Street. |
| 533 | Humphreys | Margaret Anne | 7 Dean St. |
| 534 | Hutton | Elizabeth Isabella | 3 John St. |
| 535 | Hutton | Philip | 3 John St. |
| 536 | Igao | Noel Neri | 10 Goss Road. |
| 537 | Igao | Pauline Lynx | 10 Goss Road. |
| 538 | Inglis | Alison Anne MacKenzie | 9 Short Street. |
| 539 | Jackson | Mark Malcolm | 23 Fitzroy Road |
| 540 | Jacobsen | Alistair | 1A Philomel St. |
| 541 | Jacobsen | Catherine Joan | 1A Philomel St. |
| 542 | Jaffray | Dereck Charles | 2 Arch Green. |
| 543 | Jaffray | Donald | 15 Brandon Rd. |
| 544 | Jaffray | Eileen | 5 Hebe St. |
| 545 | Jaffray | Elaine Michele | 8 Discovery Close |
| 546 | Jaffray | Estelle Anita | Snake Street. |
| 547 | Jaffray | Frank Alexander | 8 Discovery Close |
| 548 | Jaffray | Gerard Alan | 5 Hebe St. |
| 549 | Jaffray | Helen Rose | 84 Davis St. |
| 550 | Jaffray | Ian | 5 Hebe St. |

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| 551 | Jaffray | Jacqueline Ann | 17 Watson Way |
| 552 | Jaffray | Janet | 40 Eliza Cres. |
| 553 | Jaffray | John | 40 Eliza Cres. |
| 554 | Jaffray | John Summers | 84A Davis St. |
| 555 | Jaffray | John Willie | 21 Watson Way. |
| 556 | Jaffray | June Elizabeth | 17 Ross Rd. East |
| 557 | Jaffray | Kenneth Ian | 2 Dean St. |
| 558 | Jaffray | Lisa Jane | 3 Biggs Road. |
| 559 | Jaffray | Marina Morrison | 15 Brandon Rd. |
| 560 | Jaffray | Phyllis | 21 Watson Way. |
| 561 | Jaffray | Stephen James | 11 James St. |
| 562 | Jaffray | Tanya Fiona | 5 Hebe Street |
| 563 | Jaffray | Terence Roy | Flat 3, 1 Jeremy Moore Ave |
| 564 | Jaffray | Terri-Ann | 24 Endurance Ave. |
| 565 | Jaffray | Tony | 84 Davis St. |
| 566 | Jaffray | Wayne Neil | 5 Hebe St. |
| 567 | Jennings | Neil | Flat 4, 30 Jersey Rd. |
| 568 | Jennings | Stephen | 5 Fitzroy Rd. |
| 569 | Johnson | Jacqueline | 5 Kent Rd. |
| 570 | Johnson | Lily Ann | 5 Hebe St |
| 571 | Johnson | Michael Neil | 5 Kent Rd. |
| 572 | Jones | Alan Smith | 26 Ross Rd. West |
| 573 | Jones | David Richard | 6 Allardyce Street |
| 574 | Jones | Deena Marie | Y.M.C.A |
| 575 | Jones | Doreen Evelyn Margaret | 6 Allardyce Street |
| 576 | Jones | Jennifer | 26 Ross Rd. West |
| 577 | Jones | John Hugh | 35 Ross Road East. |
| 578 | Jones | Kevin Richard | Callaghan Rd |
| 579 | Jones | Michelle | 35 Ross Road East. |
| 580 | Jones | Yvonne Malvina | 3 Discovery Close |
| 581 | Jonson | Amy Elizabeth | The Rose Hotel Brisbane Rd |
| 582 | Jordon | Ian | 12 Goss Road. |
| 583 | Keane | Alva Rose Marie | 18 Davis St. |
| 584 | Keane | Olaf James | 18 Davis St. |
| 585 | Keane | Thomas James | 18 Davis St. |
| 586 | Keenleyside | Charles Desmond | 3 Pioneer Row |
| 587 | Keenleyside | Dorothy Maud | 3 Pioneer Row |
| 588 | Keenleyside | Manfred Michael Ian | 2 Snake Street. |
| 589 | Keenleyside | Nanette Barbara | 2 Snake Street. |
| 590 | Kenny | Brling | 20 James St. |
| 591 | Kiddle | Robert Karl | Flat 3. 6 Racecourse Rd. |
| 592 | King | Anna Constance Eve | 38 Davis St. |
| 593 | King | Desmond George Buckley | 38 Davis St. |
| 594 | King | Glynis Margaret | 13 Ross Road East. |
| 595 | King | Michelle Beverley | 4 Biggs Rd |
| 596 | King | Peter Thomas | 10 Jeremy Moore Ave. |
| 597 | King | Robert John | 22/24 Davis Street |
| 598 | King | Rosemarie | 10 Jeremy Moore Ave |
| 599 | King | Vernon Thomas | 39 Fitzroy Rd. |
| 600 | Kirkham | Campbell Joseph | 5 Capricorn Rd. |
| 601 | Kultschar | John William | 4 Davis St. East |
| 602 | Kultschar | Richard Paul | 4 Davis St. East |
| 603 | Kultschar | Yvonne Rosina | 4 Davis St. East |
| 604 | Laffi | Atilio Segundo | 3 Brisbane Rd. |
| 605 | Laffi | Kathleen Mary | 3 Brisbane Rd. |

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| 606 | Lang | Alexander Peter | 28 Goss Rd |
| 607 | Lang | David Geoffrey | 28 Goss Rd |
| 608 | Lang | James Patrick | Flat2, 3 Jeremy Moore Ave East |
| 609 | Lang | Marie-Bernard Therese | 28 Goss Rd |
| 610 | Lang | Phillippa Josephine | 28 Goss Road. |
| 611 | Lang | Sandra Shirleen | 2 Allardyce St. |
| 612 | Lang | Theresa Margaret | 28 Goss Rd |
| 613 | Lang | William Frank | 3 James St. |
| 614 | Larsen | Ellen | 74 Davis St. |
| 615 | Lazo | Joanna Rose | 7 Eliza Cres. |
| 616 | Lee | Alfred Leslie | 11 Drury St. |
| 617 | Lee | Angela Audrey | 8 Jersey Rd. |
| 618 | Lee | Anthony John | 8 Jersey Rd. |
| 619 | Lee | Beverley Christina | 5 Villiers St. |
| 620 | Lee | Derek William | 2 Davis St. |
| 621 | Lee | Gladys | 11 Drury St. |
| 622 | Lee | Leslie James | 10 Allardyce St. |
| 623 | Lee | Mandy John | 15 James St. |
| 624 | Lee | Mervyn Richard | 10 Allardyce Street |
| 625 | Lee | Owen Henry | 4 Pioneer Row |
| 626 | Lee | Tanya | 15 Campbell Drive |
| 627 | Lee | Trudi Dale | 10 Allardyce St. |
| 628 | Lennie | Gordon Carnie | 9 Narrows View |
| 629 | Lewis | David James | 3 Campbell Drive |
| 630 | Lewis | James | 2 St. Marys Walk |
| 631 | Lewis | Jason | 9 Short St |
| 632 | Lewis | Jean | 2 St. Marys Walk |
| 633 | Lewis | Pamela Irene | 3 Campbell Drive |
| 634 | Lewis | Sharon | 11 Campbell Drive |
| 635 | Leyland | Frank | 10 Brandon Rd. |
| 636 | Leyland | Vera | 10 Brandon Rd. |
| 637 | Livermore | Anton | 33 Callaghan Rd. |
| 638 | Livermore | Darren | 5 Philomel Place |
| 639 | Loveridge | Daniel Nolan | 1 Ross Road West. |
| 640 | Loveridge | Marie Pearl | 1 Ross Rd West |
| 641 | Lowe | Anthony Trevor | 54 Davis St. |
| 642 | Lowe | Fiona Alison | 54 Davis St. |
| 643 | Luxton | Anna | 1A Pioneer Row. |
| 644 | Luxton | Blisabeth Mary | 1 Kent Rd |
| 645 | Luxton | Michael | 1A Pioneer Row |
| 646 | Luxton | Nicola | 1A Pioneer Row |
| 647 | Luxton | Robin | 1 Jersey Rd |
| 648 | Luxton | Stephen Charles | 7 Narrows View |
| 649 | Luxton | Sybil Grace | 38 John St. |
| 650 | Luxton | Wendy Jennifer | 1 Jersey Road. |
| 651 | Luxton | Winifred Ellen | 15 Fitzroy Rd. |
| 652 | Luxton | Zoe | 1A Pioneer Row |
| 653 | Lyse | Ethel Malvina | 65 Fitzroy Rd. |
| 654 | Lyse | George Walter | 8 Moody St. |
| 655 | Lyse | Linda Margaret | 65 Fitzroy Rd. |
| 656 | Macaskill | Angus Lindsay | 8 Jeremy Moore Ave. |
| 657 | Macaskill | Jeanette May | 8 Jeremy Moore Ave. |
| 658 | Macaskill | John | 34 Ross Rd. West |
| 659 | MacBeth | Phyllis Elizabeth Grace | 17 Brandon Rd. |
| 660 | MacDonald | Colin George | 26 Endurance Ave. |

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| 661 | MacDonald | Derek George | 26 Endurance Ave. |
| 662 | MacDonald | Irene | 26 Endurance Ave. |
| 663 | MacDonald | Kathleen Rose | 26 Endurance Ave |
| 664 | Maciello | Susan Ovedia Franz De | 12 Watson Way. |
| 665 | Malcolm | Velma | 7 Allardyce St. |
| 666 | May | Brian Roy | 21 Jeremy Moore Ave. |
| 667 | May | Bruce Raymond | Wardens House, KBMH |
| 668 | May | Christopher Raymond | 9 Callaghan Rd |
| 669 | May | Connie | Wardens House, KBMH |
| 670 | May | Donna Monica | 13 Murray Heights |
| 671 | May | Heather | 1 Glasgow Rd. |
| 672 | May | Jonathan Roy | 33 Davis St |
| 673 | May | Lindsey Olga | 9 Callaghan Rd |
| 674 | May | Lucinda Vikki | 33 Davis St. |
| 675 | May | Monica | 21 Jeremy Moore Ave. |
| 676 | May | Roger | 13 Jersey Road. |
| 677 | May | William Albert | 1 Glasgow Rd. |
| 678 | McCallum | Bettina Kay | 14 Drury St. |
| 679 | McCallum | Christopher John | 8A Jeremy Moore Ave. |
| 680 | McCallum | Timothy Andrew | 14A Drury St. |
| 681 | McCormick | Dale Ronald | 29 Callaghan Rd. |
| 682 | McCormick | Pauline Margaret Ruth | 29 Callaghan Rd. |
| 683 | McCormick | Richard Paul | 29 Callaghan Rd. |
| 684 | McCormick | Wayne Stanley James | 29 Callaghan Rd. |
| 685 | McBachern | Gloria Jane | 2 H Jones Rd. |
| 686 | McBachern | James | 2 H Jones Rd. |
| 687 | McGill | Coral Elizabeth | 6 Ross Rd. |
| 688 | McGill | Darrel Ian | 2 Campbell Drive |
| 689 | McGill | David William | 17 James St. |
| 690 | McGill | Derek Gary | 12 Scoresby Close |
| 691 | McGill | Diane Beverley | 2 James St. |
| 692 | McGill | Doris Mary | 32 Davis St. |
| 693 | McGill | Glenda | Barrack St. |
| 694 | McGill | Ian Peter | Barrack St. |
| 695 | McGill | Jane | 10 Ross Rd. East |
| 696 | McGill | Len Stanford | 2 James St. |
| 697 | McGill | Lorraine Iris | 10 Ross Rd. East |
| 698 | McGill | Teresa Rose | 9 Drury St. |
| 699 | McGinness | Janice | 10 Beaver Rd. |
| 700 | McKay | Clara Mary | 20 Ross Rd. West |
| 701 | McKay | Georgina Rose | Flat 5 6 Jersey Bstate. |
| 702 | McKay | Heather Valerie | 16 Eliza Cres. |
| 703 | McKay | Jane Elizabeth | 7 Villiers St. |
| 704 | McKay | Jeannie Paullina | 64 Davis St. |
| 705 | McKay | Jennifer Coral | 29 Callaghan Rd |
| 706 | McKay | Josephine Ann | 5 James St. |
| 707 | McKay | Kenneth Andrew | 5 James St. |
| 708 | McKay | Kevin Derek Charles | 51 Callaghan Rd |
| 709 | McKay | Mandy Rose | 51 Callaghan Rd |
| 710 | McKay | Melvyn Andrew | 5 James Street. |
| 711 | McKay | Michael John | 64 Davis St. |
| 712 | McKay | Neil | 62 Davis St. |
| 713 | McKay | Paul Anthony | 3 Nutt Cartmel Drive |
| 714 | McKay | Peter John | 21 Ross Rd. West |
| 715 | McKay | Rex | 16 Eliza Cres. |

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| 716 | McKay | Shelley Jane | 7 Villiers St. |
| 717 | McKay | Trudi Ann | 3 Nutt Cartmel Drive |
| 718 | McKay | Wayne Lawrence Kenneth | Discovery Close |
| 719 | McKay | William Robert | 20 Ross Rd. West |
| 720 | McKenzie | Alice Maude | Moody Brook Homestead |
| 721 | McKenzie | Charles Alexander Albert John | Moody Brook Homestead |
| 722 | McKinley | Melissa Jane | Flat 3,2 Bliza Place |
| 723 | McLaren | Caroline Mary | 12 Allardyce St. |
| 724 | McLaren | Tony Eugene Terence | 12 Allardyce St. |
| 725 | McLeod | David | 49 Callaghan Rd. |
| 726 | McLeod | Henry Donald Alexander | 36 Bliza Cres. |
| 727 | McLeod | Ian | 9 Fitzroy Rd. |
| 728 | McLeod | Ian James | YMCA |
| 729 | McLeod | Jane Elizabeth Diana | 36 Bliza Cres. |
| 730 | McLeod | Janet Wensley | 75 Davis St. |
| 731 | McLeod | Janice | 2 Ross Rd. West |
| 732 | McLeod | John (1) | 1 Campbell Drive |
| 733 | McLeod | John (2) | 23 Murray Heights |
| 734 | McLeod | Louise | 1 Campbell Drive |
| 735 | McLeod | Madeline Jean | 1 Campbell Drive |
| 736 | McLeod | Mally | 9 Fitzroy Rd. |
| 737 | McLeod | Margaret Ann | Fitzroy Rd. East |
| 738 | McLeod | Michael William | 5 Short Street. |
| 739 | McLeod | Pearl Mary Ann | 3 Brisbane Rd. |
| 740 | McLeod | Robert | 75 Davis St. |
| 741 | McLeod | Robert John | 2 Ross Rd. West |
| 742 | McMullen | Lucille Anne | 8 Brandon Rd. |
| 743 | McMullen | Mathew John | 8 Brandon Rd |
| 744 | McNally | Patricia Jayne | 18 Ross Rd. East |
| 745 | McPhee | Denise | 4 Brandon Rd. West |
| 746 | McPhee | Iris Blanche | 14 Davis St. |
| 747 | McPhee | Justin Owen | 4 Brandon Rd. West |
| 748 | McPhee | Marjorie May | 14 John St. |
| 749 | McPhee | Owen Horace | 14 John St. |
| 750 | McPhee | Patrick | 14 Davis St. |
| 751 | McRae | Elvis Richard | Stanley |
| 752 | McRae | Mandy | Flat 1, 6 Jersey Rd |
| 753 | McRae | Michael | 8 Goss Road Stanley |
| 754 | McRae | Richard Winston | Flat 2, 6 Racecourse Rd. |
| 755 | Middleton | Brian | 13 McKay Close |
| 756 | Middleton | Caroline Ann | 7 James St. |
| 757 | Middleton | Dennis Michael | Dolphin Cottage |
| 758 | Middleton | Graham Cyril | 50 Davis St. |
| 759 | Middleton | Joan Bliza | 8 James St. |
| 760 | Middleton | Kerry Ann | Dolphin Cottage |
| 761 | Middleton | Leonard | 67 Fitzroy Rd. |
| 762 | Middleton | Phillip John | 5 St. Marys Walk |
| 763 | Middleton | Sharon Elizabeth | Dolphin Cottage |
| 764 | Middleton | Stephanie Anne | 13 McKay Close |
| 765 | Miller | Andrew Nigal | 2 Fieldhouse Close |
| 766 | Miller | Betty Lois | 6 St. Marys Walk |
| 767 | Miller | Bruce Graham | 10 Pioneer Row |
| 768 | Miller | Carol | Kent Rd. |
| 769 | Miller | Florence Roberta | 5 Moody St. |
| 770 | Miller | Gail Marie | 2 Police Cottages, 8 Ross Rd. |

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| 771 | Miller | Janet Mary | Market Gdn. Stly Airport Rd. |
| 772 | Miller | Jayne Elizabeth | 2 Fieldhouse Close |
| 773 | Miller | Jeanette | 10 Pioneer Row |
| 774 | Miller | Simon Roy | Kent Rd. |
| 775 | Miller | Timothy John Durose | Market Gdn Airport Rd. |
| 776 | Mills | Terence Kenneth | 43 Callaghan Rd. |
| 777 | Minnell | Adrian James | 24 Murray Heights |
| 778 | Minnell | Michelle Rose | 41 Eliza Crescent |
| 779 | Minto | Alistair Daen | Flat 5, 6 Racecourse Rd. |
| 780 | Minto | Dilys Rose | 18 Endurance Ave |
| 781 | Minto | Graham Stewart | 12 Brisbane Rd. |
| 782 | Minto | May Doreen | Flat 5, 6 Racecourse Rd. |
| 783 | Minto | Timothy Ian | 18 Enurance Ave |
| 784 | Miranda | Augusto | 31 Davis St. |
| 785 | Miranda | Carmen | Globe Tavern |
| 786 | Miranda | Ramon | 3 Drury St. |
| 787 | Miranda | Winifred Dorothy | 3 Drury St. |
| 788 | Mitchell | Cherilyn Julie | 32 Ross Rd East |
| 789 | Mitchell | Lee Robertson | 32 Ross Rd East |
| 790 | Mitchell | Leon John | 6 Discovery Close. |
| 791 | Moffatt | Angela | 20 Ross Rd East |
| 792 | Moffatt | James | 20 Ross Rd East |
| 793 | Moffatt | Kelly | 20 Ross Rd East |
| 794 | Molkenbuhr | Jill Edith | Flat 3, 30 Jersey Rd |
| 795 | Molkenbuhr | Lee Charles | Flat 3 30 Jersey Rd |
| 796 | Monti | Elizabeth Ellen | 4 Fitzroy Rd. |
| 797 | Morris | Alana Marie | 4 Callaghan Rd. |
| 798 | Morris | David | 4 Callaghan Rd. |
| 799 | Morris | Jason Paul | 4 Callaghan Rd. |
| 800 | Morris | Michelle Jane | 6 McKay Close |
| 801 | Morris | Trevor Alan | 6 McKay Close |
| 802 | Morrison | Basil | 4 Philomel St |
| 803 | Morrison | Catherine Rose | 4 Philomel St |
| 804 | Morrison | Doreen | 82 Davis St. |
| 805 | Morrison | Edgar Ewen | 13 Jersey Road. |
| 806 | Morrison | Fayan | 54 John St. |
| 807 | Morrison | Graham Stewart | 46 Davis St. |
| 808 | Morrison | Joan Margaret | Flat 6, 1 Jeremy Moore Ave. |
| 809 | Morrison | Lewis Ronald | 82 Davis St. |
| 810 | Morrison | Marcus Lewis | 82 Davis Street. |
| 811 | Morrison | Michael John | 10 Fitzroy Rd East |
| 812 | Morrison | Muriel Eliza Ivy | 40 Eliza Cres. |
| 813 | Morrison | Nanette Rose | 46 Davis St. |
| 814 | Morrison | Nigel Peter | 7 James St. |
| 815 | Morrison | Patrick | 1 Brandon Road West |
| 816 | Morrison | Paul Roderick | 3 Racecourse Rd East |
| 817 | Morrison | Ronald Terence | 5 Racecourse Rd. |
| 818 | Morrison | Russell John Allan | 6A Jeremy Moore Ave |
| 819 | Morrison | Stewart | 46 Davis St. |
| 820 | Morrison | Susan Margaret | 10 Fitzroy Rd East |
| 821 | Morrison | Trevor | 6A Jeremy Moore Ave. |
| 822 | Morrison | Valerie Anne | 6A Jeremy Moore Ave. |
| 823 | Morrison | Violet Sarah | 5 Racecourse Rd. |
| 824 | Morrison | William Roderick Halliday | 54 John St. |
| 825 | Munro | Grant Mackintosh | 69 Fitzroy Rd |

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| 826 | Murphy | Ann Susan | 2 King St. |
| 827 | Murphy | Bessie | 68 Davis St. |
| 828 | Neilson | Barry Marwood | 23 Ross Rd. |
| 829 | Neilson | Harold Ian | 23 Ross Road |
| 830 | Neilson | Margaret | 23 Ross Rd. |
| 831 | Newell | Cara Jane | 12 Goss Road. |
| 832 | Newell | Joseph Orr | 3 Villiers St. |
| 833 | Newell | Paula Michelle | 6 Pioneer Row |
| 834 | Newell | Trudi Malvina | 3 Villiers St. |
| 835 | Newman | Andrew Raymond | 17 Ross Rd. East |
| 836 | Newman | Glynis Karen | 4 James St. |
| 837 | Newman | Ingrid Helen | 5 Brandon Road. |
| 838 | Newman | Lisa Jeraine | Flat 5, 6 Jersey Rd. |
| 839 | Newman | Marlene | 11 Jeremy Moore Ave. |
| 840 | Newman | Raymond Winston | 11 Jeremy Moore Ave. |
| 841 | Newman | Tansy Fiona | Jersey Rd. |
| 842 | Newman | Terence | 24 Endurance Ave. |
| 843 | Nutter | Arthur Albert | 9 Brandon Rd. |
| 844 | Nutter | Josephine Lesley | 9 Brandon Rd. |
| 845 | O'Shea | Cynthia Kay | 9 Campbell Drive |
| 846 | O'Shea | Desmond | 9 Campbell Drive |
| 847 | Olmedo | Alex | 76 Davis St |
| 848 | Ormond | Christina Helen | 6 Goss Rd |
| 849 | Ormond | Kevin Micheal Patrick Joseph | 6 Goss Rd |
| 850 | Parrin | Norman George | 108 Davis St. |
| 851 | Patterson-Smith | Ian Colin | 15 Watson Way. |
| 852 | Pauloni | Hilary Maud | 63 Fitzroy Rd. |
| 853 | Pauloni | Romolo Vittorio | 63 Fitzroy Rd. |
| 854 | Paver | Bernadette Marguerite | Moody Brook House. |
| 855 | Payne | Dily's Agnes | 2 Racecourse Road East |
| 856 | Payne | Joanne Francis | 2 Racecourse Road. |
| 857 | Payne | Samantha Jane | 2 Racecourse Road. |
| 858 | Payne | St. John Peter | 2 Racecourse Road East |
| 859 | Peake | Arthur | 19 James St. |
| 860 | Peck | Burnard Brian | 22 James St. |
| 861 | Peck | Carol Margaret | 2 Discovery Close |
| 862 | Peck | Christine | 2 Barrack St |
| 863 | Peck | David John | 15 Villiers St |
| 864 | Peck | David Patrick | 78 Davis St. |
| 865 | Peck | Eleanor Margaret | 26 Shackleton Drive |
| 866 | Peck | Evelyn Elizabeth | 22 James St. |
| 867 | Peck | Gordon Pedro James | 17 Brandon Rd. |
| 868 | Peck | Harwood John Charles | C/o Tamar |
| 869 | Peck | James | 2 Discovery Close |
| 870 | Peck | Maureen Heather | 78 Davis St. |
| 871 | Peck | Patrick William | 78 Davis St. |
| 872 | Peck | Shirley | 2 Barrack St. |
| 873 | Peck | Terence John | 26 Shackleton Drive |
| 874 | PBD | | 6 Beaver Rd. |
| 875 | Perkins | Vivienne Esther Mary | 33 John St. |
| 876 | Perry | Beatrice Annie Jane | 1 Thatcher Drive |
| 877 | Perry | Hilda Blanche | 10 Campbell Drive |
| 878 | Perry | Robert Juan Carlos | 5 Brisbane Rd |
| 879 | Perry | Thora Virginia | 17 Fitzroy Rd. |
| 880 | Pettersson | Derek Richard | 21 Eliza Cres. |

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| 881 | Pettersson | Tony | 30 Davis St. |
| 882 | Pettersson | Trudi Ann | 21 Eliza Cres. |
| 883 | Phillips | Albert James | 16 Brandon Rd. |
| 884 | Phillips | David Dawson | 35 Fitzroy Rd. |
| 885 | Phillips | Gillian Carol | Flat 4,1 Jeremy Moore Ave |
| 886 | Phillips | Linda | 16 Brandon Rd. |
| 887 | Phillips | Paul David | Drury St. |
| 888 | Phillips | Shula Louise | Flat 4, 5 Jeremy Moore Ave. |
| 889 | Platt | Claire | Rose Hotel Drury St |
| 890 | Pole-Evans | Amy Rose | 4 Harbour View |
| 891 | Pole-Evans | John | 4 Harbour View |
| 892 | Pole-Evans | Michael Anthony | 4 Harbour View |
| 893 | Pole-Evans | Paula | 9 Fieldhouse Close |
| 894 | Pollard | Andrew Keith | 4 Hebe Place |
| 895 | Pollard | Elizabeth Eve | 23 Ross Rd. East |
| 896 | Pollard | John | 23 Ross Rd. East |
| 897 | Pollard | Mark John | 23 Ross Road East |
| 898 | Pompert | Joost Herman Willem | 11 Ross Rd. West |
| 899 | Poole | Andrea Joan | 52 John St |
| 900 | Poole | Evelyn May | 31 Fitzroy Rd. |
| 901 | Poole | Nancy Margaret | 52 John St. |
| 902 | Poole | Raymond John | 52 John St. |
| 903 | Poole | Ross William | 52 John Street. |
| 904 | Poole | William John | 31 Fitzroy Rd. |
| 905 | Porter | Charles | 11 Fitzroy Rd. |
| 906 | Porter | Elizabeth | 5 Thatcher Drive |
| 907 | Porter | Geoffrey Bell | 5 Jeremy Moore Ave. |
| 908 | Porter | Jean Lavinia | 11 Fitzroy Rd. |
| 909 | Porter | Tracy | 5 Jeremy Moore Ave. |
| 910 | Prindle-Middleton | Stella Margaret | 5 St Mary's Walk |
| 911 | Purvis | Alan | 3 Narrows View |
| 912 | Purvis | Marion Louise | 3 Narrows View |
| 913 | Reddick | Keith John | By-Pass Rd. |
| 914 | Reeves | Carolyn Wendy | 2 Moody St |
| 915 | Reeves | Michael | 2 Moody St. |
| 916 | Reid | Ann | 5 Police Cottages, Ross Rd. |
| 917 | Reid | Beverley Rose | 9 Fitzroy Road East |
| 918 | Reid | Colleen Rose | 9 Fitzroy Rd. East |
| 919 | Reid | Emily Margaret | 14 Endurance Ave |
| 920 | Reid | John Alexander | 7 Ross Rd. |
| 921 | Reid | Reynold Gus | 9 Fitzroy Rd. East |
| 922 | Reive | Roma Endora Mary | St Marys Walk |
| 923 | Rendell | Michael | 8 Ross Rd. West |
| 924 | Rendell | Nicholas Simon Oliver | 8 Ross Rd West |
| 925 | Rendell | Phyllis Mary | 8 Ross Rd. West |
| 926 | Richards | Shirley | 8 James St |
| 927 | Riddell | Lisa Marie | 9 Discovery Close |
| 928 | Riddell | Paul Robert | 9 Discovery Close |
| 929 | Roberts | Cheryl Ann Spencer | 49 Ross Road East. |
| 930 | Roberts | David Anthony | 7 Jersey Rd |
| 931 | Roberts | Diana Christine | 7 Kent Rd. |
| 932 | Roberts | Jill Christine | 10 Watson Way. |
| 933 | Roberts | Joselynn Lynette Margaret | Flat 3, 6 Jersey Rd |
| 934 | Roberts | Laura May | 7 Kent Rd. |
| 935 | Roberts | Peter James | 49 Ross Road East. |

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| 936 | Roberts | Simon Theodore Nathaniel | 10 Watson Way. |
| 937 | Robertson | Sally Jean | 43 John Street |
| 938 | Robertson Pompert | Janet | 11 Ross Rd. West |
| 939 | Robson | Alison Emily | 15 Villiers St. |
| 940 | Robson | Debbi Louisa | 6 Brisbane Road. |
| 941 | Robson | Gerard Michael | 1 Philomel Place |
| 942 | Robson | Gladys Mary | 5 Philomel St. |
| 943 | Robson | Miranda Gay | 6 Brisbane Rd. |
| 944 | Robson | Phyllis Ann | 1 Philomel Place |
| 945 | Robson | Raymond Nigel | 6 Brisbane Rd. |
| 946 | Robson | William Charles | 18 Ross Rd. East |
| 947 | Ross | Andrea Joanna Ampuero | Cemetery Cottage |
| 948 | Ross | Cara Jane | 21 John Street. |
| 949 | Ross | Glenn Stephen | 22 Shackleton Drive |
| 950 | Ross | Janet | 22 Shackleton Drive |
| 951 | Ross | Kevin John | 21 John St |
| 952 | Ross | Lachlan Neil | 7 Discovery Close |
| 953 | Ross | Marie | 21 John St. |
| 954 | Ross | Roy | 21 John St. |
| 955 | Ross | Sheena Margaret | 12 Jeremy Moore Ave. |
| 956 | Rowland | Charlene Rose | 5A Ross Rd. West |
| 957 | Rowland | John Christopher | 5A Ross Rd. West |
| 958 | Rowland | Sarah Anne | 5a Racecourse Road. |
| 959 | Rowlands | Catherine Annie | 3 Hebe St. |
| 960 | Rowlands | Daisy Malvina | 106 Davis St. |
| 961 | Rowlands | Harold Theodore | 8 Ross Rd. East |
| 962 | Rowlands | Neil | 3A Hebe St. |
| 963 | Rowlands | Robert John | 13 Callaghan Rd. |
| 964 | Rozee | Betty Ellen | 16 Davis St. |
| 965 | Rozee | Derek Robert Thomas | 16 Davis St. |
| 966 | Rozee | Shona Mary | 5 Pitaluga Place. |
| 967 | Rozee | Tamara Colette | 16 Davis Street. |
| 968 | Sackett | Albert John | 25 Ross Rd. East |
| 969 | Sackett | Michael John Carlos | 30 Eliza Rd |
| 970 | Sackett | Pauline | 25 Ross Rd East |
| 971 | Sawle | Judith Margaret | Seaview Cottage, Ross Rd. |
| 972 | Sawle | Richard | Seaview Cottage, Ross Rd. |
| 973 | Seron | Jose Segundo | M/V Tamar, C/o Bryon Marine |
| 974 | Shepherd | Colin David | 11 Narrows View |
| 975 | Shepherd | David Samuel Dick | 30 Endurance Ave. |
| 976 | Shepherd | Elizabeth | 30 Endurance Ave. |
| 977 | Shepherd | Ramsey | Discovery Close |
| 978 | Short | Brenda | Barrack St. |
| 979 | Short | Celia Soledad | 1 Racecourse Rd. |
| 980 | Short | Christina Ethel | 12 Brandon Rd. |
| 981 | Short | Derek Patrick | 42 Bliza Cres. |
| 982 | Short | Dilys Margaret Ann | 6A Pioneer Row. |
| 983 | Short | Donald Robert Gordon | Bliza Cove Rd. |
| 984 | Short | Emily Christina | 1 Fitzroy Rd. East |
| 985 | Short | Gavin Phillip | 14 Pioneer Row |
| 986 | Short | Isobel Rose | 15 Brandon Rd |
| 987 | Short | Joseph Leslie | 12 Brandon Rd. |
| 988 | Short | Marc Peter | 1 Racecourse Rd. |
| 989 | Short | Marlene Cindy | 9 Pitaluga Place |
| 990 | Short | Matias Ricardo | 4 Dairy Paddock Rd |

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| 991 | Short | Montana Tyrone | 4 Dairy Paddock Rd. |
| 992 | Short | Patrick Warburton | 15 Brandon Rd |
| 993 | Short | Peter Robert | 1 Fitzroy Rd East |
| 994 | Short | Richard Edward | 9 Pitaluga Place |
| 995 | Short | Riley Ethroe | Barrack St. |
| 996 | Short | Robert Charles | 12A Brandon Rd. |
| 997 | Short | Vilma Alicia | 4 Dairy Paddock Rd. |
| 998 | Sigaton | Joan | 3 Auster Place. |
| 999 | Simpson | Bertha Veronica | 6 Police Cottages, 4 Ross Rd. |
| 1000 | Simpson | James Alexander Bruce | 7 Racecourse Rd. |
| 1001 | Simpson | James Garry | 7 Racecourse Rd. |
| 1002 | Simpson | John Frederick | 6 Police Cottages, 4 Ross Rd. |
| 1003 | Simpson | Mirabelle Hermoine | 7 Racecourse Rd. |
| 1004 | Sinclair | Serena Samantha | 6 Biggs Rd |
| 1005 | Sinclair | Veronica Joyce | 21 Ross Rd. West |
| 1006 | Skene | Greta Winnora Miller | 22 Ross Rd. East |
| 1007 | Smallwood | Margo Ameer | 105 Davis St. |
| 1008 | Smallwood | Michael Anthony | 105 Davis St. |
| 1009 | Smith | Adeline Jane | 2 Thatcher Drive |
| 1010 | Smith | Anthony David | 10 Fieldhouse Close. |
| 1011 | Smith | Caroline | Murray Heights. |
| 1012 | Smith | Colin David | 6 James St. |
| 1013 | Smith | Derek | 8 Eliza Cres. |
| 1014 | Smith | Elenore Olive | 3 Brisbane Rd. |
| 1015 | Smith | Eric | 3 Allardyce St. |
| 1016 | Smith | Gerard Alexander | 8 Barrack St. |
| 1017 | Smith | Gina Ruth Mary | 28 Jersey Road |
| 1018 | Smith | Ian Lars | 2 Ross Rd. West |
| 1019 | Smith | Ileen Rose | 28 Ross Rd. West |
| 1020 | Smith | James Terence | 3 Fitzroy Rd. West |
| 1021 | Smith | Jennifer Ethel | 6 Watson Way |
| 1022 | Smith | John | 28 Ross Rd. West |
| 1023 | Smith | Julia Trinidad | 8 Eliza Cres. |
| 1024 | Smith | Lisa Margaret | Flat 8 2 Eliza Place. |
| 1025 | Smith | Martyn James | 6A Ross Rd West |
| 1026 | Smith | Natalie Marianne | 6 James St. |
| 1027 | Smith | Nora Kathleen | 5 Fitzroy Rd. East |
| 1028 | Smith | Osmund Raymond | 3 Brisbane Rd. |
| 1029 | Smith | Owen Archibald | 3 Fitzroy Rd. |
| 1030 | Smith | Paul | 2 Ross Rd West |
| 1031 | Smith | Paulette Rose | KBMH |
| 1032 | Smith | Rhona | 8 Fitzroy Rd. |
| 1033 | Smith | Russell James | 8 Fieldhouse Close |
| 1034 | Smith | Susan | 1 Hebe Place |
| 1035 | Smith | Tyssen John Richard | 28 Jersey Road |
| 1036 | Sollis | Sarah Emma Maude | 20 Drury St. |
| 1037 | Spall | Christopher Richard | German Camp West, Callaghan Rd |
| 1038 | Spink | Roger Kenneth | 4 Hebe St. |
| 1039 | Spinks | Malvina Ellen | Flat6, 7Jeremy Moore Ave East |
| 1040 | Spruce | Helena Joan | 29 Ross Rd. West |
| 1041 | Spruce | Mark Felton | 29 Ross Road West |
| 1042 | Spruce | Terence George | 29 Ross Rd. West |
| 1043 | Steen | Barbara Ingrid | 39 Ross Rd. West |
| 1044 | Steen | Emma Jane | 36 Ross Rd. |
| 1045 | Steen | Gail | 7 St. Marys Walk |

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| 1046 | Steen | Karen Lucetta | 7 St. Marys Walk |
| 1047 | Steen | Vernon Robert | 7 St Marys Walk |
| 1048 | Steen MacDonald | Vanda Joan | 38 Ross Rd. |
| 1049 | Stenning | Anna Russalka | 5B Ross Rd. West |
| 1050 | Stenning | Timothy Charles | 5B Ross Road West |
| 1051 | Stephenson | James | Moody Valley |
| 1052 | Stephenson | Joan Margaret | Moody Valley |
| 1053 | Stephenson | Katrina | 4 Davis St. |
| 1054 | Stephenson | Zachary | 4 Davis St. |
| 1055 | Stevens | Paul Theodore | 9 Drury St. |
| 1056 | Stewart | Aarron Stephen | 6 Pioneer Row |
| 1057 | Stewart | Celia Joyce | 12 St. Marys Walk |
| 1058 | Stewart | David William | 55 Davis St. |
| 1059 | Stewart | Hulda Fraser | 24 Ross Rd. West |
| 1060 | Stewart | Ian Bremner | 34 Ross Road East. |
| 1061 | Stewart | Irene Anne | Racecourse Rd. |
| 1062 | Stewart | Kenneth Barry | 3 Discovery Close |
| 1063 | Stewart | Pam Ellen | 18 Endurance Ave. |
| 1064 | Stewart | Robert | 12 St. Marys Walk |
| 1065 | Stewart | Robert William | Racecourse Rd. |
| 1066 | Stewart | Sheila Olga | 34 Ross Road East. |
| 1067 | Stewart | Sylvia Rose | 7 Ross Rd. West |
| 1068 | Stewart-Reid | Carol Ellen Eva | 7 Ross Rd. West |
| 1069 | Strange | Georgina | The Dolphins Snake St |
| 1070 | Strange | Maria Marta | The Dolphins, Snake St. |
| 1071 | Strange | Shona Marguerite | 36 Ross Rd. West |
| 1072 | Summers | Alastair Peter | 1 Ross Rd. East |
| 1073 | Summers | Brian | 1 Ross Rd. East |
| 1074 | Summers | Deborah | Murray Heights |
| 1075 | Summers | Dennis David | 18 Endurance Ave. |
| 1076 | Summers | Donna | 15 Ross Rd. East |
| 1077 | Summers | Dorothy Constance | 42 Bliza Cres |
| 1078 | Summers | Edith Catherine | 5 Dean St. |
| 1079 | Summers | Irvin Gerard | Sir Rex Hunt House. |
| 1080 | Summers | Jacqueline | 11 Pioneer Row |
| 1081 | Summers | Jonathan Derek | 5 Allardyce St. |
| 1082 | Summers | Judith Orissa | 1 Ross Rd East |
| 1083 | Summers | Lynn Jane | 2 Campbell Drive |
| 1084 | Summers | Michael Kenneth | 6A Brisbane Rd. |
| 1085 | Summers | Michael Victor | 11 Pioneer Row |
| 1086 | Summers | Naomi Christine | Sir Rex Hunt House |
| 1087 | Summers | Nichola Jane | 13 Jersey Road. |
| 1088 | Summers | Nigel Clive | 32 Fitzroy Rd. |
| 1089 | Summers | Owen William | 5 Brandon Rd. |
| 1090 | Summers | Pamela Rosemary Cheek | 32 Fitzroy Rd. |
| 1091 | Summers | Rowena Elsie | 5 Allardyce St. |
| 1092 | Summers | Roy | 9 Murray Heights |
| 1093 | Summers | Sheila | Sir Rex Hunt House, John St. |
| 1094 | Summers | Sybella Catherine Ann | 1 Ross Rd. West |
| 1095 | Summers | Sylvia Jean | 8 Racecourse Rd. |
| 1096 | Summers | Terence | 1 Ross Rd. West. |
| 1097 | Summers | Tony | 8 Racecourse Rd. |
| 1098 | Summers | Veronica | 5 Brandon Rd. |
| 1099 | Summers | Yona | 37 Davis St. |
| 1100 | Sutherland | Elizabeth Margaret | 13/14 Bliza Cove Rd. |

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| 1101 | Sutherland | James David | Reflections Flat, Dean St. |
| 1102 | Sutherland | John Gall | 3B Jersey Est. |
| 1103 | Sutherland | William John Munro | 13/14 Eliza Cove Rd. |
| 1104 | Teale | Colin Edwin | 8 Brisbane Rd. |
| 1105 | Teale | Jeannette | 8 Brisbane Rd. |
| 1106 | Tellez | Jose Hector | 2 Hodson Villa West |
| 1107 | Thain | John | 8 Davis St. |
| 1108 | Thain | Stephanie Ann | 8 Davis St. |
| 1109 | Thom | David Anderson | 47 Fitzroy Rd. |
| 1110 | Thom | Dorothy Irene | 47 Fitzroy Rd. |
| 1111 | Thom | John Currie | 25 Ross Rd East |
| 1112 | Thom | Norma Ann | 92 Davis St. |
| 1113 | Thompson | William John | Flat 2, 1 Moody St. |
| 1114 | Toase | Aidan Edward | 7 Ross Road East |
| 1115 | Toase | Cora Agnes | 7 Ross Rd. East |
| 1116 | Triggs | Diane | 3 Fieldhouse Close |
| 1117 | Triggs | Michael David | 3 Fieldhouse Close |
| 1118 | Tuckwood | John Rodney | 1 Drury St. |
| 1119 | Tuckwood | Phyllis Majorie | 1 Drury St. |
| 1120 | Turner | Melvyn George | 36 John St. |
| 1121 | Tyrrell | Garry Bernard | 1 Beaver Rd. |
| 1122 | Tyrrell | Gina Michelle | 1 Beaver Rd. |
| 1123 | Valler | Glyndwr Huw | Flat 4 8 Jersey Rd |
| 1124 | Valler | Robert Hugh | 9 Philomel St. |
| 1125 | Valler | Robert Stanley Ernest | 22 Murray Heights |
| 1126 | Vidal | Bileen Nora | 12 Jeremy Moore Ave. |
| 1127 | Vidal Roberts | Leona Lucila | 7 Jersey Rd |
| 1128 | Villalon | Elizabeth Alice | 7 McKay Close |
| 1129 | Villalon | Hector Ricardo | 7 McKay Close |
| 1130 | Villalon | Pamela Marisol | 7 McKay Close |
| 1131 | Villegas | Caroline | 2 Fieldhouse Close |
| 1132 | Vincent | Janette Mary | 10 Endurance Avenue |
| 1133 | Vincent | Stephen Lawrence | 10 Endurance Ave. |
| 1134 | Wade | Donald Harold | 41 Fitzroy Rd. |
| 1135 | Wade | June Rose Elizabeth | 41 Fitzroy Rd. |
| 1136 | Wagner | Mary Elizabeth | 6 Jeremy Moore Ave. |
| 1137 | Wagner | Richard Karl | 6 Jeremy Moore Ave. |
| 1138 | Wallace | Fiona Alice | 38 Ross Rd. West |
| 1139 | Wallace | Fraser Barrett | 10 John St. |
| 1140 | Wallace | James Barrett | 38 Ross Rd West |
| 1141 | Wallace | Maria Lilian | 38 Ross Rd. West |
| 1142 | Wallace | Michael Ian | 23 Callaghan Rd. |
| 1143 | Wallace | Stuart Barrett | 38 Ross Rd. West |
| 1144 | Wallace | Una | 23 Callaghan Rd. |
| 1145 | Ward | Alison Denise | 23 Shackleton Drive |
| 1146 | Watson | Ben | 7 Moody St. |
| 1147 | Watson | Paul | 20 Endurance Ave. |
| 1148 | Watson | Ruth Jane | 20 Endurance Ave. |
| 1149 | Watt | Stephen Robert | 11 Narrows View |
| 1150 | Watt | Sylvia Ann | 11 Narrows View |
| 1151 | Watts | Amara Theresa | 7 Brandon Rd. |
| 1152 | Watts | Patrick James | 13 Brisbane Rd. |
| 1153 | Webb | Loretta Isobel | 1C Capricorn Rd. |
| 1154 | White | Judy Marie | 11 Callaghan Road. |
| 1155 | White | Kathleen Elizabeth | 9 Thatcher Drive |

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| 1156 | Whitney | Frederick William | 1 Police Cottages, 9 Ross Rd. |
| 1157 | Whitney | Henry Leslie | 3 St. Marys Walk |
| 1158 | Whitney | Jason | 15 Ross Rd. East |
| 1159 | Whitney | Kurt Ian | 2 Pioneer Row |
| 1160 | Whitney | Lana Rose | 22 Eliza Cres. |
| 1161 | Whitney | Robert Michael | Stanley |
| 1162 | Whitney | Susan Joan | 1 Police Cottages, 9 Ross Rd. |
| 1163 | Wilkinson | Alistair Graham | 6 Murray Heights. |
| 1164 | Wilkinson | Johan | 6 Murray Heights. |
| 1165 | Wilkinson | Robert John | YMCA |
| 1166 | Williams | Gene | 23 Ross Rd. West |
| 1167 | Williams | Glen | 33 Ross Rd East |
| 1168 | Williams | Margaret Elizabeth | 33 Ross Rd East |
| 1169 | Williams | Marlene Rose | 23 Ross Rd. West |
| 1170 | Winter | Teresa Irene | 4A Jeremy Moore Ave. East |
| 1171 | Wylie | Julian Richard | 1 McKay Close |
| 1172 | Yon | Rodney Kevin | Flat 1 Church House |
| 1173 | Zuvic-Bulic | Kuzma Mario | 16 Ross Rd. West |
| 1174 | Zuvic-Bulic | Sharon Marie | 16 Ross Rd. West |

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| 1 | Alazia | George Robert | Hope Cottage, East Falkland |
| 2 | Alazia | Jason Neville | Goose Green, East Falkland |
| 3 | Alazia | Mandy Gwyneth | Port Edgar Farm, West Falkland |
| 4 | Alazia | Michael Robert | Port Edgar Farm, West Falkland |
| 5 | Alazia | Thora Lilian | North Arm, East Falkland |
| 6 | Aldridge | Brian George | Walker Creek East Falkland |
| 7 | Aldridge | Olive Elizabeth | Hill Cove, West Falkland |
| 8 | Aldridge | Terence William | Hill Cove, West Falkland |
| 9 | Anderson | Andrew Ronald | Port Howard, West Falkland |
| 10 | Anderson | Jenny | Port San Carlos, East Falkland |
| 11 | Anderson | Lynda June | New House East Falkland |
| 12 | Anderson | Marina Rose | North Arm, East Falkland |
| 13 | Anderson | Ronald | North Arm, East Falkland |
| 14 | Anderson | Tony James | Port San Carlos, East Falkland |
| 15 | Anderson | William John Stanley | New House East Falkland |
| 16 | Ashworth | Glennis | Beckside Farm, East Falkland |
| 17 | Ashworth | Iain | Beckside Farm, East Falkland |
| 18 | Ashworth | Malcolm | Beckside Farm, East Falkland |
| 19 | Bagley | Jacqueline Elizabeth | Riverview Farm, East Falkland |
| 20 | Barnes | Dierdre | Dunbar Farm, West Falkland |
| 21 | Barnes | Marlene Estela | Hope Harbour, West Falkland |
| 22 | Barnes | Marshall | Dunbar Farm, West Falkland |
| 23 | Barnes | Paul | Hope Harbour, West Falkland |
| 24 | Barrientos | Jose Sixto Ruiz | Walker Creek East Falkland |
| 25 | Beattie | Ian Robert Ewen | North Arm, East Falkland |
| 26 | Benjamin | Raymond John | Turners, MPA, East Falkland |
| 27 | Benjamin | Walter George | Turners, MPA, East Falkland |
| 28 | Berntsen | Arina Janis | Pebble Island, West Falkland |
| 29 | Berntsen | Benjamin John | Elephant Beach Farm East Falkland |
| 30 | Berntsen | Diana Mary | Walker Creek East Falkland |
| 31 | Berntsen | John Alexander | Goose Green, East Falkland |
| 32 | Berntsen | Leon | Albermarle Stn. West Falkland |
| 33 | Berntsen | Pamela Margaret | Albermarle Stn. West Falkland |
| 34 | Berntsen | Patrick | The Pod, Port San Carlos |
| 35 | Betts | Bernard Keith | Boundary Farm, West Falkland |
| 36 | Betts | Diane Joan | Boundary Farm, West Falkland |
| 37 | Betts | Irene Marion | Boundary Farm, West Falkland |
| 38 | Binnie | Horace James | Fox Bay Village, West Falkland |
| 39 | Binnie | Linda Rose | Fitzroy Farm, East Falkland |
| 40 | Binnie | Ronald Eric | Fitzroy Farm, East Falkland |
| 41 | Blake | Anthony Thomas | Little Chartres, West Falkland |
| 42 | Blake | Lyndsay Rae | Little Chartres, West Falkland |
| 43 | Bober | John | Turners, MPA, East Falkland |
| 44 | Bonner | Avril Margaret Rose | Salvador, East Falkland |
| 45 | Bonner | Keith James | Salvador, East Falkland |
| 46 | Bonner | Simon | Port Howard, West Falkland |
| 47 | Bonner | Stevie Connell | Port Howard |
| 48 | Bonner | Susan Anne | Port Howard, West Falkland |
| 49 | Browning | Gavin | Fitzroy, East Falkland |
| 50 | Butler | James Donald | Goose Green East Falkland |
| 51 | Chandler | Ann Beatrice | Port Howard, West Falkland |
| 52 | Chandler | Edward | Port Howard, West Falkland |
| 53 | Chandler | Lee | Port Howard, West Falkland |
| 54 | Chater | Anthony Richard | Port Howard, West Falkland |
| 55 | Clark | Frederick Thomas | New Island, West Falkland |
| | | | Hawkbit, MPA, Rd. East Falkland |

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| 56 | Clarke | Jeanette | Kings Ridge, East Falkland |
| 57 | Clarke | Michael Jan | Kings Ridge Farm Douglas. |
| 58 | Clarke | Violet Rose | Elephant Beach Farm E Falkland |
| 59 | Clausen | Denzil | Weddell Island West Falkland |
| 60 | Clausen | Henry Edward | Port Louis, East Falkland |
| 61 | Clausen | Sophie Marina | Port Howard West Falkland |
| 62 | Clifton | Leonard | North Arm, East Falkland |
| 63 | Clifton | Thora Janeene | North Arm, East Falkland |
| 64 | Cockwell | Benjamin William | Fox Bay Village, West Falkland |
| 65 | Cockwell | Grizelda Susan | Fox Bay Village, West Falkland |
| 66 | Collins | Bernard | Turners, MPA. East Falkland |
| 67 | Davis | Aase | Evelyn Station, East Falkland |
| 68 | Davis | Doreen Susan | Goose Green East Falkland |
| 69 | Davis | Ian John | Evelyn Station, East Falkland |
| 70 | Davis | Reginald John | Evelyn Station, East Falkland |
| 71 | Davis | William James | Goose Green, East Falkland |
| 72 | Decroliere | Eric Ernest Albert | Fox Bay Village, West Falkland |
| 73 | Dickson | Charles George | Brookfield, East Falkland |
| 74 | Dickson | Doreen | Wreck Point, East Falkland |
| 75 | Dickson | Gerald William | Wreck Point, East Falkland |
| 76 | Dickson | Iris | Bleaker Island East Falklands |
| 77 | Dickson | Ronald Edward | Bleaker Island East Falklands |
| 78 | Dickson | Steven Charles | Goose Green, East Falkland |
| 79 | Doherty | Ian | Mullet Creek, East Falkland |
| 80 | Donnelly | Daniel | Crooked Inlet, West Falkland |
| 81 | Donnelly | Joyce Elizabeth | Crooked Inlet, West Falkland |
| 82 | Duncan | Peter Ree Howard | Hill Cove, West Falkland |
| 83 | Dunford | David Philip | The Saddle, West Falkland |
| 84 | Edwards | Norma | Lake Sullivan, West Falkland |
| 85 | Edwards | Rebecca Elizabeth | Lake Sullivan, West Falkland |
| 86 | Edwards | Roger Anthony | Lake Sullivan, West Falkland |
| 87 | Evans | Michelle Paula | Fitzroy, East Falkland |
| 88 | Evans | Raymond | Pebble Island, West Falkland |
| 89 | Evans | Richard Gregory | Fitzroy, East Falkland |
| 90 | Evans | Tracy | Saunders Is. West Falkland |
| 91 | Fairley | John | Port Stephens, West Falkland |
| 92 | Faria | Basil Harry | Fitzroy Farm East Falkland |
| 93 | Faria | Maria Anne | Fitzroy Farm East Falkland |
| 94 | Faria | Paul | North Arm East Falkland |
| 95 | Faria | Susana Caroline Berntsen | North Arm East Falkland |
| 96 | Felton | Anthony Terence | North Arm, East Falkland |
| 97 | Felton | Sonia Ellen | Fitzroy |
| 98 | Felton | Trudi Eileen | Weddell Island West Falkland |
| 99 | Felton | Walter Arthur | North Arm, East Falkland |
| 100 | Pindlay | Andrew John | Fox Bay Village, West Falkland |
| 101 | Pindlay | Cathy Ann | Fox Bay Village, West Falkland |
| 102 | Finlayson | Barry Donald | North Arm, East Falkland |
| 103 | Finlayson | Iris Heather | North Arm, East Falkland |
| 104 | Finlayson | Neil Roderick | North Arm, East Falkland |
| 105 | Ford | Marvyn Neil | Mossvale West Falkland |
| 106 | Ford | Neil Fraser | Mossvale, West Falkland |
| 107 | Ford | Penelope Rose | Mossvale, West Falkland |
| 108 | Forster | Gwyneth May | Bold Cove, West Falkland |
| 109 | Forster | James | Bold Cove, West Falkland |
| 110 | Gilding | Melanie Carol | Port Louis, East Falkland |

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| 111 | Gilding | Peter Bernard | Port Louis, East Falkland |
| 112 | Giles | Gilbert | Walker Creek, East Falkland |
| 113 | Giles | Theresa Kathleen | Walker Creek, East Falkland |
| 114 | Gleadell | Ian Keith | East Bay, West Falkland |
| 115 | Gleadell | Marklin John | East Bay, West Falkland |
| 116 | Goodwin | Christopher Sturdee | Swan Inlet, East Falkland |
| 117 | Goodwin | Mandy Hazel | Greenfield, East Falkland |
| 118 | Goodwin | Margo Jane | Chartres West Falkland. |
| 119 | Goodwin | Neil Alexander William | Chartres West Falkland. |
| 120 | Goodwin | Robin | Greenfield, East Falkland |
| 121 | Goss | Margaret Rose | Horseshoe Bay, East Falkland. |
| 122 | Goss | Peter | Horseshoe Bay, East Falkland |
| 123 | Greenland | Bonita Doreen | Darwin House Darwin E Falkland |
| 124 | Greenland | Kenneth David | Darwin House Darwin E Falkland |
| 125 | Halliday | Joyce Isabella Patience | Fox Bay Village, West Falkland |
| 126 | Halliday | Kenneth William | Fox Bay Village, West Falkland |
| 127 | Hansen | Ian | Main Point, West Falkland |
| 128 | Hansen | Lionel Raymond | Hill Cove, West Falkland |
| 129 | Hansen | Rose Idina | Hill Cove, West Falkland |
| 130 | Hansen | Susan Ann | Main Point, West Falkland |
| 131 | Hardcastle | Brook | Darwin, East Falkland |
| 132 | Hardcastle | Eileen Beryl | Darwin, East Falkland |
| 133 | Harvey | Jen | Hill Cove, West Falkland |
| 134 | Harvey | Valerie Ann | Hill Cove, West Falkland |
| 135 | Heathman | Ailsa | Estancia, East Falkland |
| 136 | Heathman | Ewart Tony | Estancia, East Falkland |
| 137 | Heathman | Nyree | Estancia, East Falkland |
| 138 | Hewitt | Brian David | Goose Green, East Falkland |
| 139 | Hewitt | Joan May | Goose Green, East Falkland |
| 140 | Hill | Jennifer Bileen | Pebble Island, West Falkland |
| 141 | Hirtle | Anthony | The Peaks Farm, West Falkland |
| 142 | Hirtle | Doris Linda | Port Howard, West Falkland |
| 143 | Hirtle | Odetta Susan | Port Howard, West Falkland |
| 144 | Hirtle | Samantha | Peaks Farm, Hill Cive |
| 145 | Hirtle | Susan Mary | The Peaks Farm, West Falkland |
| 146 | Hobman | John Malcolm | Saladero East Falkland |
| 147 | Hobman | Juan Jose Eleuterio | Chartres, West Falkland |
| 148 | Hobman | Vivien | Saladero, East Falkland |
| 149 | Hooper | Peter Bernard | Mount Alice, West Falkland |
| 150 | Howatt | Eileen Rose | Port Edgar, West Falkland |
| 151 | Jaffray | Alexander | Lively Island, East Falkland |
| 152 | Jaffray | Brian | Walker Creek, East Falkland |
| 153 | Jaffray | Elliott Jessie | Lively Island, East Falkland |
| 154 | Jones | Mark Henry | Port Louis |
| 155 | Jones | Michael David | Port Louis, East Falkland |
| 156 | Jones | Sheila Janice | Port Louis, East Falkland |
| 157 | Jonson | Carl | Bombilla, East Falkland |
| 158 | Jonson | Rita Elizabeth | Bombilla, East Falkland |
| 159 | Keeley | John Gabriel | Turners, MPA. East Falkland |
| 160 | Kidd | John Nathan | Goose Green East Falkland. |
| 161 | Kidd | Lillian Rose Orissa | Goose Green East Falkland. |
| 162 | Kilmartin | Dinah May | Bluff Cove, East Falkland |
| 163 | Kilmartin | Kevin Seaton | Bluff Cove, East Falkland |
| 164 | Knight | Justin Robert Campbell | Coast Ridge, West Falkland |
| 165 | Knight | Keith Andrew | Port Howard, West Falkland |

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| 166 | Knight | Nigel Arthur | Coast Ridge, West Falkland |
| 167 | Knight | Shirley Louvain Patricia | Coast Ridge, West Falkland |
| 168 | Lakin | Bernard | Turners, MPA. East Falkland |
| 169 | Lang | Patrick Andrew | North Arm, East Falkland |
| 170 | Lang | Velma Emily | North Arm, East Falkland |
| 171 | Larsen | Josephine Mary | Speedwell Island, East Falkland |
| 172 | Larsen | Ronald Ivan | Speedwell Island, East Falkland |
| 173 | Larsen | Yvonne | Speedwell Island, East Falkland |
| 174 | Lee | Carole | Port Howard, West Falkland |
| 175 | Lee | Elizabeth | Goose Green, East Falkland |
| 176 | Lee | John Alfred | Goose Green, East Falkland |
| 177 | Lee | Myles | Port Howard, West Falkland |
| 178 | Lee | Nicola | Port Howard West Falkland |
| 179 | Lee | Rodney William | Port Howard, West Falkland |
| 180 | Leo | Brenda May | NAAFI, MPA. East Falkland |
| 181 | Lloyd | Melvyn John | Swan Inlet, East Falkland |
| 182 | Lloyd | Roanna Eileen | Swan Inlet, East Falkland |
| 183 | Lloyd | Valerie Ann | Swan Inlet, East Falkland |
| 184 | Lowe | Adrian Stewart | Murrel, East Falkland |
| 185 | Lowe | Lisa Helen | Murrel, East Falkland |
| 186 | Luxton | Jennifer Mary | Sealion Island |
| 187 | Luxton | William Robert | Chartres, West Falkland |
| 188 | MacBeth | Raymond John | Narrows Farm, West Falkland |
| 189 | Maddocks | Robert Charles | Saunders Island, West Falkland |
| 190 | Marsh | Alastair Roy | Shallow Harbour, West Falkland |
| 191 | Marsh | Anna Dierdre | Fox Bay Village, West Falkland |
| 192 | Marsh | Arlette Sharon | Rincon Ridge, West Falkland |
| 193 | Marsh | Gavin Nicholas | Fox Bay Village, West Falkland |
| 194 | Marsh | James Justin | Philomel Farm, Fox Bay East |
| 195 | Marsh | June Helen | Rincon Ridge, West Falkland |
| 196 | Marsh | Karen Diana | Fox Bay Village West Falkland |
| 197 | Marsh | Kevin Roy | Shallow Harbour |
| 198 | Marsh | Leon Peter | Rincon Ridge, West Falkland |
| 199 | Marsh | Marlane Rose | Shallow Harbour, West Falkland |
| 200 | Marsh | Patricia Ann | Lakelands, West Falkland |
| 201 | Marsh | Robin Frank | Lakelands, West Falkland |
| 202 | McBain | Arthur | Douglas Station East Falkland |
| 203 | McBain | Rhoda Margaret | Douglas Station East Falkland |
| 204 | McGhie | James | Pebble Island, West Falkland |
| 205 | McGhie | Roy | Port North, West Falkland |
| 206 | McGhie | Thomas Forsyth | Saunders Island, West Falkland |
| 207 | McGill | Gary | Goose Green, East Falkland |
| 208 | McGill | Robin Perry | Carcass Island, West Falkland |
| 209 | McKay | Christine | Teal River, West Falkland |
| 210 | McKay | Frazer Roderick | Teal River, West Falkland |
| 211 | McKay | Gerard | Goose Green East Falkland |
| 212 | McKay | Isabella Alice | Westley, West Falkland |
| 213 | McLeod | Albert John | Goose Green, East Falkland |
| 214 | McLeod | Dawn | K.D.Cabin MPA Rd E Falkland |
| 215 | McLeod | Isabella Diana Frances | Johnsons Harbour, East Falkland |
| 216 | McLeod | Kenneth Benjamin John | K.D.Cabin MPA E Falkland |
| 217 | McLeod | Sarah Rose | Goose Green, East Falkland |
| 218 | McMullen | June | Goose Green, East Falkland |
| 219 | McMullen | Tony | Goose Green, East Falkland |
| 220 | McPhee | June Iris | Brookfield, East Falkland |

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| 221 | McPhee | Kenneth John | Brookfield, East Falkland |
| 222 | McPhee | Sheila Margaret | Kingsford Valley, East Falkland |
| 223 | McPhee | Terence Owen | Kingsford Valley, East Falkland |
| 224 | McPhee | Trudi Lynette | Brookfield, East Falkland |
| 225 | McRae | David Michael | South Harbour, West Falkland |
| 226 | McRae | Gloria Linda | South Harbour, West Falkland |
| 227 | Miller | Betty | Walker Creek, East Falkland |
| 228 | Miller | James Albert | Fox Bay Village, West Falkland |
| 229 | Miller | Phillip Charles | Cape Dolphin, East Falkland |
| 230 | Miller | Sheena Melanie | Cape Dolphin, East Falkland |
| 231 | Minnell | Benjamin James | San Carlos East Falkland |
| 232 | Minnell | Donna Marie | Moss Side, East Falkland |
| 233 | Minnell | Hazel Eileen | San Carlos East Falkland |
| 234 | Minnell | Michael Robert | Moss Side, East Falkland |
| 235 | Minto | Patrick Andrew | Goose Green, East Falkland |
| 236 | Morrison | Eric George | Goose Green, East Falkland |
| 237 | Morrison | Gerald | Goose Green, East Falkland |
| 238 | Morrison | Jacqueline Denise Anita | Port Howard, West Falkland |
| 239 | Morrison | John | Port Howard, West Falkland |
| 240 | Morrison | Kathleen Iris | Goose Green, East Falkland |
| 241 | Morrison | Kenneth | Port Howard, West Falkland |
| 242 | Morrison | Lena | Port Howard, West Falkland |
| 243 | Morrison | Leslie Theodore Norman | Port Howard, West Falkland |
| 244 | Morrison | Timothy | West Lagoons, West Falkland |
| 245 | Murphy | Roy David | Port Howard, West Falkland |
| 246 | Napier | Lily | West Point, West Falkland |
| 247 | Napier | Roderick Bertrand | West Point, West Falkland |
| 248 | Nightingale | Charlene | West Lagoons, West Falkland |
| 249 | Nightingale | Peter Richard | West Lagoons, West Falkland |
| 250 | Parkinson | Allen | Turners, MPA. East Falkland |
| 251 | Peck | Davina Margaret | Shallow Bay, West Falkland |
| 252 | Peck | Paul | Shallow Bay, West Falkland |
| 253 | Phillips | Carol Joan | Hope Cottage, East Falkland |
| 254 | Phillips | Terence | Hope Cottage, East Falkland |
| 255 | Pitaluga | Antoinette Margaretha Mary B. | Salvador East Falkland |
| 256 | Pitaluga | Jene Ellen | Salvador, East Falkland |
| 257 | Pitaluga | Nicholas Alexander R. | Salvador, East Falkland |
| 258 | Pitaluga | Robin Andreas McIntosh | Salvador, East Falkland |
| 259 | Pitt | Myra May | Goose Green, East Falkland |
| 260 | Pole-Evans | Anthony Reginald | Saunders Island, West Falkland |
| 261 | Pole-Evans | David Llewellyn | Saunders Island, West Falkland |
| 262 | Pole-Evans | Ian | Manybranch, West Falkland |
| 263 | Pole-Evans | Lisa | Port Howard, West Falkland |
| 264 | Pole-Evans | Martin | Manybranch, West Falkland |
| 265 | Pole-Evans | Shirley Helen | Manybranch, West Falkland |
| 266 | Pole-Evans | Suzan | Saunders Island, West Falkland |
| 267 | Pole-Evans | William Reginald | Manybranch, West Falkland |
| 268 | Poncet | Dion Michael | Beaver Island, West Falkland |
| 269 | Poncet | Jerome Pierre | Beaver Island, West Falkland |
| 270 | Poncet | Leiv | Beaver Island West Falkland |
| 271 | Poncet | Sally Elizabeth | Beaver Island, West Falkland |
| 272 | Poole | Ella Josephine | Port San Carlos, East Falkland |
| 273 | Poole | Steven Charles | Port San Carlos, East Falkland |
| 274 | Porter | Joan | Shallow Harbour, West Falkland |
| 275 | Porter | William Kenneth | Fox Bay Village, West Falkland |

| | | | |
|-----|-----------|-------------------------|---------------------------------|
| 276 | Pratlett | Patricia Carol Ann | The Pod, Port San Carlos |
| 277 | Reeves | Ronald James | Port Howard, West Falkland |
| 278 | Robertson | Ann | Port Stephens, West Falkland |
| 279 | Robertson | Paul Jonathan | Port Stephens, West Falkland |
| 280 | Robertson | Peter Charles | Port Stephens, West Falkland |
| 281 | Ross | William Henry | Rincon Grande, East Falkland |
| 282 | Rozee | Fiona | Spring Point, West Falkland |
| 283 | Rozee | Ronald David | Spring Point, West Falkland |
| 284 | Saunders | Felicity Joan Carlie | Hawkbit, East Falkland |
| 285 | Short | George Godfrey Ivan | Wymea, East Falkland |
| 286 | Short | Lindsay Marie | Wineglass Stn, East Falkland |
| 287 | Short | Robert George | Wineglass Stn, East Falkland |
| 288 | Sinclair | Simon Keith | Goose Green, East Falkland |
| 289 | Slater | Clare Marie | Fox Bay East, West Falkland |
| 290 | Smith | Andrew John | Port San Carlos, East Falkland |
| 291 | Smith | George Patterson | Johnsons Harbour, East Falkland |
| 292 | Smith | Georgina Carol Anderson | Port San Carlos, East Falkland |
| 293 | Smith | Heather | Harps Farm, West Falkland |
| 294 | Smith | Jacqueline | Stoney Ridge, West Falkland |
| 295 | Smith | Jenny Lorraine | Johnsons Harbour, East Falkland |
| 296 | Smith | Marlaine Rose | North Arm, East Falkland |
| 297 | Smith | Michael Edmund | Johnsons Harbour, East Falkland |
| 298 | Smith | Robert William | North Arm, East Falkland |
| 299 | Smith | Robin Charles | Harps Farm, West Falkland |
| 300 | Smith | Roy Alan | Stoney Ridge, West Falkland |
| 301 | Smith | Terence George | North Arm, East Falkland |
| 302 | Stevens | Richard James | Port Sussex, East Falkland |
| 303 | Stevens | Toni Donna | Port Sussex, East Falkland |
| 304 | Strange | Ian John | New Island South West Falkland |
| 305 | Taylor | Christopher John | Goose Green, East Falkland |
| 306 | Tellez | Arturo | North Arm, East Falkland |
| 307 | Tellez | Charlotte Melize | North Arm, East Falkland |
| 308 | Tellez | Rodolfo | Goose Green, East Falkland |
| 309 | Thomas | Ivan Earl | Turners, GCMS |
| 310 | Thorsen | David Moller | Teal Inlet, East Falkland |
| 311 | Thorsen | Gloria Penelope | Teal Inlet, East Falkland |
| 312 | Towersey | Diane | Port Stephens, West Falkland |
| 313 | Turner | Arthur Leonard Pitaluga | Rincon Grande, East Falkland |
| 314 | Turner | Diana Jane | Rincon Grande, East Falkland |
| 315 | Turner | Elaine Ellen | Rincon Grande, East Falkland |
| 316 | Turner | Ronald | Rincon Grande, East Falkland |
| 317 | Tuson | Olwyn Carol | Saunders Island, West Falkland |
| 318 | Velasquez | Arleen | North Arm, East Falkland |
| 319 | Velasquez | Oscar Hernan | North Arm, East Falkland |
| 320 | Watson | Glenda Joyce | Long Island, East Falkland |
| 321 | Watson | Neil | Long Island, East Falkland |
| 322 | Whitney | Daneila Grace | Mount Kent, East Falkland |
| 323 | Whitney | Dennis | Fitzroy, East Falkland |
| 324 | Whitney | Keith | Home Farm, East Falkland |
| 325 | Whitney | Leona Ann | Home Farm, East Falkland |
| 326 | Whitney | Patrick George | Mount Kent, East Falkland |
| 327 | Whitney | Tyrone | Home Farm, East Falkland |
| 328 | Wilkinson | David Clive Walter | Dunnose Head, West Falkland |
| 329 | Wilkinson | Rosemary | Dunnose Head, West Falkland |
| 330 | Yon | Gillian Rose | KIS. MPA. East Falkland |

331 Youde
332 Young

Maxin Arthur
Nigel Anthony

Turners, MPA. East Falkland
Turners, MPA. East Falkland



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CX

30th April 2001

No. 6

Appointments

Marion Elizabeth Bagley, Part-time Assistant Housekeeper, Government House, 2.4.01.

Larry Arthur Joshua, Handyman, Public Works Department, 2.4.01.

Lucille Anne McMullen, Part-time Clerk, Education Department, 2.4.01.

Viatcheslav Alexandrovich Bizikov, Fisheries Observer, Fisheries Department, 9.4.01.

Tanya Lee, Receptionist, Leisure Centre, 9.4.01.

Acting Appointment

Graham Brian France, Planning Officer, Environmental Planning Office, from 14.4.01. to 29.4.01.

Promotion

Christopher Graham Didlick, Assistant Taxation Officer, Treasury Department, 5.12.00.

Transfer

Felicity Marie Clarke, from Part-time Clerk, Education Department, to Clerk, Public Works Department, 2.4.01.

Completion of Contracts

Dr. Alexandre Ivanovich Arkhipkin, Senior Fisheries Scientist, Fisheries Department, 16.4.01.

Douglas Cartridge, Sheep Scientist/Wool Adviser, Agriculture Department, 12.4.01.

Jeremy Challacombe, Beef Adviser, Agriculture Department, 27.4.01.

Renewal of Contract

Dr. Alexandre Ivanovich Arkhipkin, Senior Fisheries Scientist, Fisheries Department, 17.4.01.

Resignations

Nigel Peter Morrison, Plant Operator/Handyman, Public Works Department, 30.3.01.

Gillian Carol Phillips, Agricultural Officer, Agricultural Department, 11.4.01.

Carolyn Wendy Reeves, School Secretary, Education Department, 12.4.01.

NOTICES

No. 20 3rd April 2001

SUPREME COURT OF THE FALKLAND ISLANDS**Notice under the Administration of
Estates Ordinance (Cap. 1)**

TAKE NOTICE THAT Joseph Leslie Short deceased of Stanley, Falkland Islands died on the 18th day of March 2001 intestate.

WHEREAS Christina Ethel Short has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to Section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within 21 days of the publication hereof.

C. J. MITCHELL,
Registrar, Supreme Court.

No. 21 5th April 2001

POLAR FURY LIMITED**Company Number 11053**

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 5th day of April 2001.

Dated this 5th day of April 2001.

J. C. ROWLAND,
Registrar of Companies.

No. 22 5th April 2001

POLAR WARRIOR LIMITED**Company Number 11686**

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 5th day of April 2001.

Dated this 5th day of April 2001.

J. C. ROWLAND,
Registrar of Companies.

No. 23 20th April 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Caroline Jane Richards has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J. E. SMITH,
Immigration Officer.

No. 24 26th April 2001

SAN CARLOS CO-OPERATIVE LIMITED**Company Number 7689**

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 26th day of April 2001.

Dated this 26th day of April 2001.

J. C. ROWLAND,
Registrar of Companies.

No. 25 30th April 2001

SECTION 11A OF THE LAND ORDINANCE**Title 45.2 (As Amended)**

TAKE NOTICE THAT James Andrew Alazia of 22 Fitzroy Road, Stanley, East Falkland, has applied in accordance with section 11A of the Land Ordinance to have executed in his favour a Vesting Deed of All That piece or parcel of land situate in the town of Stanley, East Falkland forming part or portion of Crown Grant 220 being part of Lot 82C in Section 0 comprising 187 square yards more or less situate to the rear of the Speedwell Store, John Street, Stanley.

The applicant's Statutory Declaration may be inspected by any person at the Registrar General's Office during normal working hours.

NOTICE IS HEREBY GIVEN that unless any objection has been received within 30 days following the publication of this notice the Registrar General under the terms of section 11A of the Land Ordinance will execute in favour of the said James Andrew Alazia a Vesting Deed of the said land.

J. C. ROWLAND,
Registrar General.

**Appointment of Temporary Customs Officer
Customs Ordinance 1943**

In exercise of the powers conferred by Section 4 of the
Customs Ordinance 1943,

I hereby appoint:

CPL PAUL STAFFORD - G8401624

to be a temporary Customs Officer from 6th February
2001 to 6th June 2001.

R.J. KING,
Collector of Customs.

**Appointment of Temporary Customs Officer
Customs Ordinance 1943**

In exercise of the powers conferred by Section 4 of the
Customs Ordinance 1943,

I hereby appoint:

CPL DAVID JOHN EALES - Q8254594

to be a temporary Customs Officer from 16th March
2001 to 16th July 2001.

R.J. KING,
Collector of Customs.

CORRIGENDUM

Notice No. 16 - Mount Maria Dairy Limited

Please take notice that in Gazette No. 4, published on 30th March 2001, Notice No. 16 relating to the Mount Maria Dairy Limited - Company Number 8669 - was incorrectly dated.

The correct date for this notice is in fact 20th February 2001, not 20th March 2001 as indicated in the main body text.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CX

31st May 2001

No. 7

Appointments

Henry Herman Guala, Cook, Health Services, 1.4.01.

Marie Pearl Loveridge, Clerk, Public Service, 23.4.01.

Sheelagh Helen Farrow, Special Education Needs Co-Ordinator, Education Department, 30.4.01.

Dawn Hoy, Customs & Immigration Officer, Customs & Immigration Department, 14.5.01.

Transfers

Fiona Alice Wallace, from Graduate Trainee, Secretariat, to Clerk, Public Service, 30.4.01.

Tracy Freeman, from Clerk, Environmental Planning Office, to Sports Attendant, Leisure Centre, 1.5.01.

Wendy Jennifer Luxton, from Senior Clerk, Health Services Department, to Clerk, Education Department, 14.5.01.

Completion of Contracts

David Graham Clarke, Teacher, Education Department, 29.4.01.

Stephen Bruce Shillitoe, Design Draughtsman, Public Works Department, 18.5.01.

Renewal of Contracts

David Graham Clarke, Teacher, Education Department, 30.4.01.

Stephen Bruce Shillitoe, Design Draughtsman, Public Works Department, 19.5.01.

NOTICES

No. 26

3rd May 2001

IMPORT PROHIBITION (FOOT AND MOUTH DISEASE) PROCLAMATION

The following country is notified for the purposes of the Import Prohibition (Foot and Mouth Disease) Proclamation 2001:-

Uruguay

Dated this third day of May 2001.

R. REID,
Director of Agriculture.

No. 27

7th May 2001

INDEX

The calculation of the Index for the quarter ended 31 March 2001 has now been completed.

A summary of the Index for the last four quarters is shown below.

| Date | Index | Annual % Increase | Quarter % Increase |
|----------|--------|----------------------|-----------------------|
| 30.06.00 | 104.39 | 4.390 | 0.115 |
| 30.09.00 | 106.15 | 7.060 | 1.686 |
| 31.12.00 | 106.82 | 3.628 | 0.631 |
| 31.03.01 | 106.52 | 2.158 | (0.281) |

C.S. DAVIES,
for Government Secretary.

No. 28

11th May 2001

CORRECTION NOTICE

Extraordinary Gazette No. 5 of 12 April 2001 contained a number of factual inaccuracies which should be corrected as follows:

At line 2 of paragraph 1 of page 1, for "(15 May 2000)" read "(15 March 2001)".

The summarised provisions of section 27 of the Constitution of the Falkland Islands set out at paragraph 2 of page 1 are incorrect. Correctly stated section 27 of the Constitution provides that, subject to certain exceptions, no person shall be qualified to be registered as an elector unless he is a Commonwealth citizen who has attained the age of 18 years and:-

- (a) he enjoys Falkland Islands Status; or
- (b) his name appeared on the Register of Electors for a constituency in force on 1 September 1997; and

in either case, he was resident in the Falkland Islands on the qualifying date in relation to which his entitlement to be registered as an elector fails to be considered and had on that qualifying date been so resident for the qualifying period.

Section 3 of the Electoral Ordinance 1988 has been incorrectly quoted. At section 3(1) at line 1 as quoted, for "Subject to sub-section (9)" read "Subject to sub-section (3)".

At section 3(1)(b) at line 3 as quoted, for "sub-section (2) to (7)" read "sub-section (2)".

At section 3(2)(c) at line 1 as quoted, insert (d) between "forces" and "service". All subsequent lettering changes accordingly.

Section 4 of the Electoral Ordinance 1988 has been incorrectly quoted. For "2000" and "15 May 2000" appearing in the seventh line of section 4(1) as

quoted should read "1997" and "15 May 1997" respectively. However, from the words "notwithstanding" at the fifth line to "on that date" in the tenth line of section 4(1) as quoted were transitional provisions and only had effect in relation to the electoral roll of 1997.

J. C. ROWLAND,
Registrar General.

No. 29

15th May 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that De Fu Yan also known as Tommy Yan has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 30

15th May 2001

**FALKLAND ISLANDS STATUS
APPLICATION**

Notice is hereby given that Mark Malcolm Jackson has applied through the Principal Immigration Officer for Falkland Islands status to be granted to him by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration officer, Stanley within twenty-one days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.

No. 31

18th May 2001

APPOINTMENT OF NOTARY PUBLIC

In accordance with section 43 of the Administration of Justice Ordinance, His Excellency, Donald Alexander Lamont, Governor of the Colony of the Falkland Islands

Hereby Appoints -

Graham James Cripps

to be a Notary Public.

Given under my hand the eighteenth day of May 2001.

D.A. LAMONT,
Governor.

No. 32

21st May 2001

**NOTICE OF FINAL MEETING OF
MEMBERS AND CREDITORS**

**ISLANDS CONSTRUCTION LIMITED
(IN LIQUIDATION)**

NOTICE IS HEREBY GIVEN, pursuant to Sections 290 and 300 of the Companies Act 1948 that final meetings of the members and creditors of the above named company will be held at Stonecutter Court, 1 Stonecutter Street, London EC4A 4TR on 2 July 2001 at 10.45am and 11.00am respectively for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and of hearing any explanation that may be given by the liquidator.

A member or creditor entitled to attend and vote at the above meeting may appoint a proxy to attend and vote on his/her behalf. It is not necessary for the proxy to be a member or creditor.

Dated this 21st May 2001.

C.G. WISEMAN,
Liquidator.

No. 33

23rd May 2001

**APPOINTMENT OF MEMBER OF
EDUCATION BOARD**

Notice is hereby given that His Excellency the Governor has approved the appointment of the following person to be a Member of the Education Board with effect from 14 May 2001:

Ms Diane Towersey

Dated this 23rd day of May 2001.

No. 34

24th May 2001

**APPLICATION FOR PERMANENT
RESIDENCE**

Notice is hereby given that Sarah Davies has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is

invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 35

24th May 2001

**APPLICATION FOR PERMANENT
RESIDENCE**

Notice is hereby given that Richard Andrew Davies has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 36

29th May 2001

**DOUGLAS STATION LIMITED
Company Number: 1614**

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been complied with the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 29th day of May 2001.

J.C. ROWLAND,
Registrar of Companies.

CORRIGENDUM

In Gazette Number 6 of 30th April 2001, Jeremy Challacombe, Beef Adviser, Agriculture Department is listed under "Completion of Contract". This should in fact be a "Determination of Contract".



**THE
FALKLAND ISLANDS GAZETTE
Extraordinary**

PUBLISHED BY AUTHORITY

Vol. CX

15th June 2001

No. 8

The following is published in this Gazette:-

The Register of Electors 2001.

| | | | |
|----|------------|----------------------|---------------------------------|
| 1 | Alazia | George Robert | Hope Cottage, East Falkland |
| 2 | Alazia | Jason Neville | Goose Green, East Falkland |
| 3 | Alazia | Mandy Gwyneth | Port Edgar Farm, West Falkland |
| 4 | Alazia | Michael Robert | Port Edgar Farm, West Falkland |
| 5 | Alazia | Thora Lilian | North Arm, East Falkland |
| 6 | Aldridge | Brian George | Walker Creek East Falkland |
| 7 | Aldridge | Diana Mary | Walker Creek East Falkland |
| 8 | Aldridge | Olive Elizabeth | Hill Cove, West Falkland |
| 9 | Aldridge | Terence William | Hill Cove, West Falkland |
| 10 | Anderson | Jenny | Port San Carlos, East Falkland |
| 11 | Anderson | Lynda June | New House East Falkland |
| 12 | Anderson | Tony James | Port San Carlos, East Falkland |
| 13 | Anderson | William John Stanley | New House East Falkland |
| 14 | Ashworth | Glennis | Beckside Farm, East Falkland |
| 15 | Ashworth | Iain | Beckside Farm, East Falkland |
| 16 | Ashworth | Malcolm | Beckside Farm, East Falkland |
| 17 | Bagley | Darren Clive | Riverview Farm East Falkland |
| 18 | Bagley | Jacqueline Elizabeth | Riverview Farm, East Falkland |
| 19 | Barnes | Dierdre | Dunbar Farm, West Falkland |
| 20 | Barnes | Marshall | Dunbar Farm, West Falkland |
| 21 | Barrientos | Jose Sixto Ruiz | Walker Creek East Falkland |
| 22 | Beattie | Ian Robert Ewen | North Arm, East Falkland |
| 23 | Benjamin | Raymond John | Turners, MPA, East Falkland |
| 24 | Benjamin | Walter George | Turners, MPA, East Falkland |
| 25 | Berntsen | Arina Janis | Pebble Island, West Falkland |
| 26 | Berntsen | Benjamin John | Elephant Beach Farm E Falkland |
| 27 | Berntsen | John Alexander | Goose Green, East Falkland |
| 28 | Berntsen | Leon | Albermarle Stn. West Falkland |
| 29 | Berntsen | Pamela Margaret | Albermarle Stn. West Falkland |
| 30 | Berntsen | Patrick | The Pod, Port San Carlos |
| 31 | Betts | Bernard Keith | Boundary Farm, West Falkland |
| 32 | Betts | Diane Joan | Boundary Farm, West Falkland |
| 33 | Betts | Irene Marion | Boundary Farm, West Falkland |
| 34 | Binnie | Horace James | Fox Bay Village, West Falkland |
| 35 | Binnie | Linda Rose | Fitzroy Farm, East Falkland |
| 36 | Binnie | Ronald Eric | Fitzroy Farm, East Falkland |
| 37 | Blake | Anthony Thomas | Little Chartres, West Falkland |
| 38 | Blake | Lyndsay Rae | Little Chartres, West Falkland |
| 39 | Bober | John | Turners, MPA, East Falkland |
| 40 | Bonner | Simon | Port Howard, West Falkland |
| 41 | Bonner | Susan Anne | Port Howard, West Falkland |
| 42 | Butler | James Donald | Goose Green East Falkland |
| 43 | Chater | Anthony Richard | New Island, West Falkland |
| 44 | Clark | Frederick Thomas | Hawkbit, MPA, Rd. East Falkland |
| 45 | Clarke | Jeanette | Kings Ridge, East Falkland |
| 46 | Clarke | Michael Jan | Kings Ridge Farm Douglas. |
| 47 | Clarke | Violet Rose | Elephant Beach Farm E.F.I |
| 48 | Clausen | Denzil | Weddell Island West Falkland |
| 49 | Clausen | Henry Edward | Port Louis, East Falkland |
| 50 | Clausen | Sophie Marina | Port Howard West Falkland |
| 51 | Clifton | Leonard | North Arm, East Falkland |
| 52 | Clifton | Thora Janeene | North Arm, East Falkland |
| 53 | Cockwell | Benjamin William | Fox Bay Village, West Falkland |
| 54 | Cockwell | Clare Marie | Fox Bay East, West Falkland |
| 55 | Cockwell | Grizelda Susan | Fox Bay Village, West Falkland |

| | | | |
|-----|------------|-------------------------|--------------------------------|
| 56 | Collins | Bernard | Turners, MPA. East Falkland |
| 57 | Davis | Aase | Evelyn Station, East Falkland |
| 58 | Davis | Doreen Susan | Goose Green East Falkland |
| 59 | Davis | Ian John | Evelyn Station, East Falkland |
| 60 | Davis | Reginald John | Evelyn Station, East Falkland |
| 61 | Davis | William James | Goose Green, East Falkland |
| 62 | Decroliere | Carrie Madeline Helen | Fox Bay West Falkland |
| 63 | Decroliere | Eric Ernest Albert | Fox Bay Village, West Falkland |
| 64 | Dickson | Charles George | Brookfield, East Falkland |
| 65 | Dickson | Doreen | Wreck Point, East Falkland |
| 66 | Dickson | Gerald William | Wreck Point, East Falkland |
| 67 | Dickson | Iris | Bleaker Island East Falklands |
| 68 | Dickson | Ronald Edward | Bleaker Island East Falklands |
| 69 | Dickson | Steven Charles | Goose Green, East Falkland |
| 70 | Doherty | Ian | Mullet Creek, East Falkland |
| 71 | Donnelly | Daniel | Crooked Inlet, West Falkland |
| 72 | Donnelly | Joyce Elizabeth | Crooked Inlet, West Falkland |
| 73 | Duncan | Peter Ree Howard | Hill Cove, West Falkland |
| 74 | Dunford | David Philip | The Saddle, West Falkland |
| 75 | Edwards | Norma | Lake Sullivan, West Falkland |
| 76 | Edwards | Rebecca Elizabeth | Lake Sullivan, West Falkland |
| 77 | Edwards | Roger Anthony | Lake Sullivan, West Falkland |
| 78 | Evans | Michelle Paula | Fitzroy, East Falkland |
| 79 | Evans | Raymond | Pebble Island, West Falkland |
| 80 | Evans | Richard Gregory | Fitzroy, East Falkland |
| 81 | Fairley | John | Port Stephens, West Falkland |
| 82 | Faria | Basil Harry | Fitzroy Farm East Falkland |
| 83 | Faria | Maria Anne | Fitzroy Farm East Falkland |
| 84 | Felton | Anthony Terence | North Arm, East Falkland |
| 85 | Felton | Sonia Ellen | Fitzroy East Falkland |
| 86 | Felton | Trudi Bileen | Weddell Island West Falkland |
| 87 | Felton | Walter Arthur | North Arm, East Falkland |
| 88 | Findlay | Andrew John | Fox Bay Village, West Falkland |
| 89 | Finlayson | Barry Donald | North Arm, East Falkland |
| 90 | Finlayson | Iris Heather | North Arm, East Falkland |
| 91 | Finlayson | Neil Roderick | North Arm, East Falkland |
| 92 | Ford | Marvyn Neil | Mossvale West Falkland |
| 93 | Ford | Neil Fraser | Mossvale, West Falkland |
| 94 | Ford | Penelope Rose | Mossvale, West Falkland |
| 95 | Forster | Gwyneth May | Bold Cove, West Falkland |
| 96 | Forster | James | Bold Cove, West Falkland |
| 97 | Gilding | Melanie Carol | Port Louis, East Falkland |
| 98 | Gilding | Peter Bernard | Port Louis, East Falkland |
| 99 | Giles | Gilbert | Walker Creek, East Falkland |
| 100 | Giles | Theresa Kathleen | Walker Creek, East Falkland |
| 101 | Gleadell | Ian Keith | East Bay, West Falkland |
| 102 | Gleadell | Marklin John | East Bay, West Falkland |
| 103 | Goodwin | Christopher Sturdee | Swan Inlet, East Falkland |
| 104 | Goodwin | Margo Jane | Chartres West Falkland. |
| 105 | Goodwin | Neil Alexander William | Chartres West Falkland. |
| 106 | Goss | Margaret Rose | Horseshoe Bay, East Falkland |
| 107 | Goss | Peter | Horseshoe Bay, East Falkland |
| 108 | Greenland | Bonita Doreen | Darwin House Darwin E Falkland |
| 109 | Greenland | Kenneth David | Darwin House Darwin E Falkland |
| 110 | Halliday | Joyce Isabella Patience | Fox Bay Village, West Falkland |

| | | | |
|-----|------------|--------------------------|---------------------------------|
| 111 | Halliday | Kenneth William | Fox Bay Village, West Falkland |
| 112 | Hansen | Ian | Main Point, West Falkland |
| 113 | Hansen | Lionel Raymond | Hill Cove, West Falkland |
| 114 | Hansen | Rose Idina | Hill Cove, West Falkland |
| 115 | Hansen | Susan Ann | Main Point, West Falkland |
| 116 | Hardcastle | Brook | Darwin, East Falkland |
| 117 | Hardcastle | Eileen Beryl | Darwin, East Falkland |
| 118 | Harvey | Jen | Hill Cove, West Falkland |
| 119 | Harvey | Valerie Ann | Hill Cove, West Falkland |
| 120 | Hawksworth | David | Plot 8 MPA Road East Falkland |
| 121 | Heathman | Ailsa | Estancia, East Falkland |
| 122 | Heathman | Ewart Tony | Estancia, East Falkland |
| 123 | Heathman | Nyree | Estancia, East Falkland |
| 124 | Hewitt | Brian David | Goose Green, East Falkland |
| 125 | Hewitt | Joan May | Goose Green, East Falkland |
| 126 | Hill | Jennifer Eileen | Port North West Falkland |
| 127 | Hirtle | Anthony | The Peaks Farm, West Falkland |
| 128 | Hirtle | Doris Linda | Port Howard, West Falkland |
| 129 | Hirtle | Odette Susan | Port Howard, West Falkland |
| 130 | Hirtle | Samantha | Peaks Farm, Hill Cive |
| 131 | Hirtle | Susan Mary | The Peaks Farm, West Falkland |
| 132 | Hobman | John Malcolm | Saladero East Falkland |
| 133 | Hobman | Juan Jose Eleuterio | Chartres, West Falkland |
| 134 | Hobman | Vivien | Saladero, East Falkland |
| 135 | Hooper | Peter Bernard | Mount Alice, West Falkland |
| 136 | Hovatt | Eileen Rose | Port Edgar, West Falkland |
| 137 | Jaffray | Alexander | Lively Island, East Falkland |
| 138 | Jaffray | Brian | Walker Creek, East Falkland |
| 139 | Jaffray | Eileen | North Arm |
| 140 | Jaffray | Elliott Jessie | Lively Island, East Falkland |
| 141 | Jaffray | Ian | North Arm |
| 142 | Jennings | Jacqueline | West Point Island |
| 143 | Jones | Mark Henry | Head Of Bay East Falkland |
| 144 | Jones | Michael David | Head Of Bay East Falkland |
| 145 | Jones | Sheila Janice | Head Of Bay East Falkland |
| 146 | Jonson | Carl | Bombilla, East Falkland |
| 147 | Jonson | Rita Elizabeth | Bombilla, East Falkland |
| 148 | Leeley | John Gabriel | Turners, MPA. East Falkland |
| 149 | Kidd | John Nathan | Goose Green East Falkland. |
| 150 | Kilmartin | Dinah May | Bluff Cove, East Falkland |
| 151 | Kilmartin | Kevin Seaton | Bluff Cove, East Falkland |
| 152 | Knight | Justin Robert Campbell | Coast Ridge, West Falkland |
| 153 | Knight | Keith Andrew | Port Howard, West Falkland |
| 154 | Knight | Nigel Arthur | Coast Ridge, West Falkland |
| 155 | Knight | Shirley Louvain Patricia | Coast Ridge, West Falkland |
| 156 | Lakin | Bernard | Turners, MPA. East Falkland |
| 157 | Lang | Patrick Andrew | North Arm, East Falkland |
| 158 | Lang | Velma Emily | North Arm, East Falkland |
| 159 | Larsen | Ronald Ivan | Speedwell Island, East Falkland |
| 160 | Larsen | Yvonne | Speedwell Island, East Falkland |
| 161 | Lee | Carole | Port Howard, West Falkland |
| 162 | Lee | Elizabeth | Goose Green, East Falkland |
| 163 | Lee | John Alfred | Goose Green, East Falkland |
| 164 | Lee | Myles | Port Howard, West Falkland |
| 165 | Lee | Nicola | Port Howard West Falkland |

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| 166 | Lee | Rodney William | Port Howard, West Falkland |
| 167 | Leo | Brenda May | NAAFI, MPA. East Falkland |
| 168 | Lloyd | Melvyn John | Swan Inlet, East Falkland |
| 169 | Lloyd | Roanna Bileen | Swan Inlet, East Falkland |
| 170 | Lloyd | Valerie Ann | Swan Inlet, East Falkland |
| 171 | Lowe | Adrian Stewart | Murrel, East Falkland |
| 172 | Lowe | Lisa Helen | Murrel, East Falkland |
| 173 | Luxton | Jennifer Mary | Sealion Island |
| 174 | Luxton | William Robert | Chartres, West Falkland |
| 175 | MacBeth | Raymond John | Narrows Farm, West Falkland |
| 176 | Maddocks | Robert Charles | Saunders Island, West Falkland |
| 177 | Marsh | Alastair Roy | Shallow Harbour, West Falkland |
| 178 | Marsh | Anna Dierdre | Fox Bay Village, West Falkland |
| 179 | Marsh | Arlette Sharon | Rincon Ridge, West Falkland |
| 180 | Marsh | Gavin Nicholas | Fox Bay Village, West Falkland |
| 181 | Marsh | James Justin | Philomel Farm, Fox Bay East |
| 182 | Marsh | June Helen | Rincon Ridge, West Falkland |
| 183 | Marsh | Karen Diana | Fox Bay Village West Falkland |
| 184 | Marsh | Kevin Roy | Shallow Harbour |
| 185 | Marsh | Leon Peter | Rincon Ridge, West Falkland |
| 186 | Marsh | Marlane Rose | Shallow Harbour, West Falkland |
| 187 | Marsh | Patricia Ann | Lakelands, West Falkland |
| 188 | Marsh | Robin Frank | Lakelands, West Falkland |
| 189 | McBain | Arthur | Douglas Station East Falkland |
| 190 | McBain | Rhoda Margaret | Douglas Station East Falkland |
| 191 | McGhie | James | Port North West Falkland |
| 192 | McGhie | Roy | Port North, West Falkland |
| 193 | McGhie | Thomas Forsyth | Saunders Island, West Falkland |
| 194 | McGill | Robin Perry | Carcass Island, West Falkland |
| 195 | McKay | Christine | Teal River, West Falkland |
| 196 | McKay | Frazer Roderick | Teal River, West Falkland |
| 197 | McKay | Gerard | Goose Green East Falkland |
| 198 | McKay | Isabella Alice | Westley, West Falkland |
| 199 | McKay | Josephine Ann | Sheffield Farm West Falkland |
| 200 | McKay | Kenneth Andrew | Sheffield Farm West Falkland |
| 201 | McLeod | Albert John | Goose Green, East Falkland |
| 202 | McLeod | Isabella Diana Frances | Weddell Island West Falkland |
| 203 | McLeod | Sarah Rose | Goose Green, East Falkland |
| 204 | McPhee | June Iris | Brookfield, East Falkland |
| 205 | McPhee | Kenneth John | Brookfield, East Falkland |
| 206 | McPhee | Sheila Margaret | Kingsford Valley, East Falkland |
| 207 | McPhee | Terence Owen | Kingsford Valley, East Falkland |
| 208 | McPhee | Trudi Lynette | Brookfield, East Falkland |
| 209 | McRae | David Michael | South Harbour, West Falkland |
| 210 | McRae | Gloria Linda | South Harbour, West Falkland |
| 211 | Miller | Betty | Walker Creek, East Falkland |
| 212 | Miller | James Albert | Fox Bay Village, West Falkland |
| 213 | Miller | Phillip Charles | Cape Dolphin, East Falkland |
| 214 | Miller | Sheena Melanie | Cape Dolphin, East Falkland |
| 215 | Minnell | Benjamin James | San Carlos East Falkland |
| 216 | Minnell | Donna Marie | Moss Side, East Falkland |
| 217 | Minnell | Hazel Bileen | San Carlos East Falkland |
| 218 | Minnell | Michael Robert | Moss Side, East Falkland |
| 219 | Minto | Patrick Andrew | Goose Green, East Falkland |
| 220 | Morrison | Bric George | Goose Green, East Falkland |

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| 221 | Morrison | Gerald | Goose Green, East Falkland |
| 222 | Morrison | Jacqueline Denise Anita | Port Howard, West Falkland |
| 223 | Morrison | John | Port Howard, West Falkland |
| 224 | Morrison | Kathleen Iris | Goose Green, East Falkland |
| 225 | Morrison | Kenneth | Port Howard, West Falkland |
| 226 | Morrison | Lena | Port Howard, West Falkland |
| 227 | Morrison | Leslie Theodore Norman | Port Howard, West Falkland |
| 228 | Murphy | Roy David | Port Howard, West Falkland |
| 229 | Napier | Lily | West Point, West Falkland |
| 230 | Napier | Roderick Bertrand | West Point, West Falkland |
| 231 | Nightingale | Charlene | West Lagoons, West Falkland |
| 232 | Nightingale | Peter Richard | West Lagoons, West Falkland |
| 233 | Parkinson | Allen | Turners, MPA. East Falkland |
| 234 | Peck | Davina Margaret | Shallow Bay, West Falkland |
| 235 | Peck | Paul | Shallow Bay, West Falkland |
| 236 | Phillips | Carol Joan | Hope Cottage, East Falkland |
| 237 | Phillips | Terence | Hope Cottage, East Falkland |
| 238 | Pitaluga | Antoinette Margaretha Mary B. | Salvador East Falkland |
| 239 | Pitaluga | Jene Ellen | Salvador, East Falkland |
| 240 | Pitaluga | Nicholas Alexander R. | Salvador, East Falkland |
| 241 | Pitaluga | Robin Andreas McIntosh | Salvador, East Falkland |
| 242 | Pitt | Myra May | Goose Green, East Falkland |
| 243 | Pole-Evans | Anthony Reginald | Saunders Island, West Falkland |
| 244 | Pole-Evans | David Llewellyn | Saunders Island, West Falkland |
| 245 | Pole-Evans | Lisa | Port Howard, West Falkland |
| 246 | Pole-Evans | Shirley Helen | Manybranch, West Falkland |
| 247 | Pole-Evans | Suzan | Saunders Island, West Falkland |
| 248 | Pole-Evans | William Reginald | Manybranch, West Falkland |
| 249 | Poncet | Dion Michael | Beaver Island, West Falkland |
| 250 | Poncet | Jerome Pierre | Beaver Island, West Falkland |
| 251 | Poncet | Leiv | Beaver Island West Falkland |
| 252 | Poncet | Sally Elizabeth | Beaver Island, West Falkland |
| 253 | Poole | Ella Josephine | Port San Carlos, East Falkland |
| 254 | Poole | Steven Charles | Port San Carlos, East Falkland |
| 255 | Porter | Joan | Shallow Harbour, West Falkland |
| 256 | Porter | William Kenneth | Fox Bay Village, West Falkland |
| 257 | Pratlett | Patricia Carol Ann | The Pod, Port San Carlos |
| 258 | Reeves | Ronald James | Port Howard, West Falkland |
| 259 | Robertson | Ann | Port Stephens, West Falkland |
| 260 | Robertson | Paul Jonathan | Port Stephens, West Falkland |
| 261 | Robertson | Peter Charles | Port Stephens, West Falkland |
| 262 | Ross | William Henry | Rincon Grande, East Falkland |
| 263 | Rozee | Fiona | Spring Point, West Falkland |
| 264 | Rozee | Ronald David | Spring Point, West Falkland |
| 265 | Saunders | Felicity Joan Carlie | Hawkbit, East Falkland |
| 266 | Short | George Godfrey Ivan | Great Britain Hotel E.P.I |
| 267 | Short | Lindsay Marie | Wineglass Stn, East Falkland |
| 268 | Short | Robert George | Wineglass Stn, East Falkland |
| 269 | Sinclair | Simon Keith | Goose Green, East Falkland |
| 270 | Smith | Andrew John | Port San Carlos, East Falkland |
| 271 | Smith | George Patterson | Johnsons Harbour, East Falkland |
| 272 | Smith | Georgina Carol Anderson | Port San Carlos, East Falkland |
| 273 | Smith | Jenny Lorraine | Johnsons Harbour, East Falkland |
| 274 | Smith | Marlaine Rose | North Arm, East Falkland |
| 275 | Smith | Michael Edmund | Johnsons Harbour, East Falkland |

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| 276 | Smith | Robert William | North Arm, East Falkland |
| 277 | Smith | Susan | Blue Beach East Falkland |
| 278 | Smith | Terence George | North Arm, East Falkland |
| 279 | Stevens | Richard James | Port Sussex, East Falkland |
| 280 | Stevens | Toni Donna | Port Sussex, East Falkland |
| 281 | Strange | Ian John | New Island South West Falkland |
| 282 | Tellez | Arturo | North Arm, East Falkland |
| 283 | Tellez | Charlotte Melize | North Arm, East Falkland |
| 284 | Tellez | Rodolfo | Goose Green, East Falkland |
| 285 | Thorsen | David Moller | Teal Inlet, East Falkland |
| 286 | Thorsen | Gloria Penelope | Teal Inlet, East Falkland |
| 287 | Towersey | Diane | Port Stephens, West Falkland |
| 288 | Turner | Arthur Leonard Pitaluga | Rincon Grande, East Falkland |
| 289 | Turner | Elaine Ellen | Rincon Grande, East Falkland |
| 290 | Tuson | Olwyn Carol | Saunders Island, West Falkland |
| 291 | Velasquez | Arleen | North Arm, East Falkland |
| 292 | Velasquez | Oscar Hernan | North Arm, East Falkland |
| 293 | Watson | Glenda Joyce | Long Island, East Falkland |
| 294 | Watson | Neil | Long Island, East Falkland |
| 295 | Whitney | Daneila Grace | Mount Kent, East Falkland |
| 296 | Whitney | Dennis | Fitzroy, East Falkland |
| 297 | Whitney | Keith | Home Farm, East Falkland |
| 298 | Whitney | Leona Ann | Home Farm, East Falkland |
| 299 | Whitney | Patrick George | Mount Kent, East Falkland |
| 300 | Whitney | Tyrone | Home Farm, East Falkland |
| 301 | Wilkinson | David Clive Walter | Dunnose Head, West Falkland |
| 302 | Wilkinson | Rosemary | Dunnose Head, West Falkland |
| 303 | Yon | Gillian Rose | KIS. MPA. East Falkland |
| 304 | Youde | Maxin Arthur | Turners, MPA. East Falkland |

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| 1 | Adams | John Harvey | 21 Ross Rd. East |
| 2 | Adams | Marjorie Rose | 21 Ross Rd. East |
| 3 | Adeoye | Anneliese Rose | Flat 8 6 Jersey Road |
| 4 | Alazia | Andrew | 66 Davis St. |
| 5 | Alazia | Anita Jayne | Government House |
| 6 | Alazia | Colleen | 11 Fitzroy Rd. East |
| 7 | Alazia | Freda | 2 Fitzroy Rd. |
| 8 | Alazia | Freda Evelyn | Jersey Road |
| 9 | Alazia | Hazel | 12 McKay Close |
| 10 | Alazia | James Andrew | 2 Fitzroy Rd. |
| 11 | Alazia | Keith | 4 James St. |
| 12 | Alazia | Maggie Ann | 6 John St. |
| 13 | Alazia | Sandra Marie | 66 Davis St. |
| 14 | Alazia | Stuart John | 31 Fitzroy Rd. |
| 15 | Alazia | Yvonne | Flat 2, 1A Moody St. |
| 16 | Aldridge | Caroline Mary | 2 H Jones Rd. |
| 17 | Aldridge | Kenneth John | 2 H Jones Rd. |
| 18 | Aldridge | Stephen John | 2 H Jones Road |
| 19 | Allan | John | 39 Ross Road |
| 20 | Allan | Joyce Ena | 39 Ross Road |
| 21 | Allan | Michael Charles | 3 Philomel Place |
| 22 | Allan | Sarah Louise | 3 Philomel Place |
| 23 | Almonacid | Orlando | 1 Villiers St. |
| 24 | Anderson | Carol Anne | 22 Endurance Ave. |
| 25 | Anderson | Claudette | 1 Goss Rd |
| 26 | Anderson | Eddie | 22 Endurance Ave. |
| 27 | Anderson | Elizabeth Nellie | 42 Davis St. |
| 28 | Anderson | Helen | 88 Davis St. |
| 29 | Anderson | Jamie Falkland | 18 Murray Heights |
| 30 | Anderson | Margaret Kathleen | 21 John St. |
| 31 | Anderson | Marina Rose | Davis Street |
| 32 | Anderson | Mildred Nessie | 8 St. Marys Walk |
| 33 | Anderson | Paul James | 9 Fieldhouse Close |
| 34 | Anderson | Reginald Stanford | 21 John St. |
| 35 | Anderson | Richard Louis | 88 Davis St. |
| 36 | Anderson | Ronald | Davis Street |
| 37 | Anderson | Stephen Robert | 6 Jersey Rd |
| 38 | Anthony | Enid Elizabeth | 6 Dairy Paddock Rd |
| 39 | Anthony | Geraldine Sylvia | Flat 6, 6 Jersey Rd. |
| 40 | Anthony | Malcolm James | 17 Brandon Rd. |
| 41 | Barnes | Marlene Estela | 1 Auster Place |
| 42 | Barnes | Molly Stella | 70 Davis St. |
| 43 | Barnes | Paul | 1 Auster Place |
| 44 | Barnes | Trevor Marshall | 1 Auster Place |
| 45 | Barton | Alison Mary | 6 Villiers St. |
| 46 | Barton | Arthur John | 6 Villiers St. |
| 47 | Battersby | Jon Alan | 16 Fieldhouse Close |
| 48 | Battersby | Margaret Mary | 16 Fieldhouse Close |
| 49 | Beckett | Vivien Delia | Jersey Road Flats |
| 50 | Bedford | Arlette Louise | 2 Drury Street Stanley |
| 51 | Bedford | Carole Anne | 68 Davis St |
| 52 | Bedford | Kita Muriel | 2 Drury St. |
| 53 | Berntsen | Cecilia Del Rosario | 14 St Marys Walk |
| 54 | Berntsen | Christian Olaf Alexander | 15a James Street |
| 55 | Berntsen | Falkland | 10 Fitzroy Rd |

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| 56 | Berntsen | Gene Stanley | Flat 6 6 Jersey Road |
| 57 | Berntsen | Iain Kenneth | 9 Eliza Cres. |
| 58 | Berntsen | Kathleen Gladys | 1 St Marys Walk |
| 59 | Berntsen | Kenneth Frederick | 20 Ross Road West |
| 60 | Berntsen | Matthew John | 39 Davis St. |
| 61 | Berntsen | Olaf Christian Alexander | 35 Eliza Cres. |
| 62 | Berntsen | Patrick | 10 James St. |
| 63 | Berntsen | Rachel Ena | 15a James Street |
| 64 | Berntsen | Valdamar Lars | 14 St. Marys Walk |
| 65 | Berntsen | Valorie Marcela | 14 St. Marys Walk |
| 66 | Bertrand | Catherine Gladys | 11 Ross Rd. East |
| 67 | Besley-Clark | Barbara June | 53 Callaghan Rd. |
| 68 | Besley-Clark | Craig Norman Leigh | 53 Callaghan Rd. |
| 69 | Besley-Clark | Douglas James | 53 Callaghan Rd. |
| 70 | Besley-Clark | Norman | 53 Callaghan Rd. |
| 71 | Betts | Arlette | Lafone House, Ross Rd. East |
| 72 | Betts | Donald William | 7 Jeremy Moore Ave. |
| 73 | Betts | Ellen Alma | 21 Fitzroy Rd. |
| 74 | Betts | George Winston Charles | 35 Ross Rd. West |
| 75 | Betts | Ian | 1 Villiers St. |
| 76 | Betts | Lucia Elizabeth | 35 Ross Rd. West |
| 77 | Betts | Owen | 82 Davis Street |
| 78 | Betts | Peter James | Racecourse Road Flats |
| 79 | Betts | Priscilla Violet Morrison | 82 Davis St. |
| 80 | Betts | Severine | 2B Jeremy Moore Ave. East |
| 81 | Betts | Shirley Rose | 7 Jeremy Moore Ave. |
| 82 | Betts | Simon Keith | Reflections Flat Dean Street. |
| 83 | Betts | Stephen | 7 Jeremy Moore Ave |
| 84 | Biggs | Aillie Christine | 16 Endurance Avenue |
| 85 | Biggs | Alastair Gordon | Trehayle, 50 John St. |
| 86 | Biggs | Althea Maria | 3 Dairy Paddock Rd. |
| 87 | Biggs | Betty Josephine | 9 Moody St. |
| 88 | Biggs | Edith Joan | Trehayle, 50 John St. |
| 89 | Biggs | Frances | 16 Endurance Ave. |
| 90 | Biggs | Frederick James | KRMH |
| 91 | Biggs | Irene Mary | Harbour View, 4 Ross Rd. East |
| 92 | Biggs | Leslie Frederick | 3 Dairy Paddock Rd. |
| 93 | Biggs | Michael Elfed | 21 Fitzroy Rd. |
| 94 | Biggs | Peter Julian Basil | 16 Endurance Ave. |
| 95 | Binnie | Juliet Ann | 33 Eliza Cres. |
| 96 | Binnie | Susan | 3 Brandon Rd. |
| 97 | Birmingham | John | 4 Drury St. |
| 98 | Blackley | Candy Joy | 4 Barrack St. |
| 99 | Blackley | Hilda | 11 Thatcher Drive |
| 100 | Blackley | Maurice | The Lodge, Market Garden |
| 101 | Blackley | Shane David | 4 Barrack St. |
| 102 | Blades | Helen Jean | 10 John St. |
| 103 | Blake | Alexander Charles | 1 Ross Rd |
| 104 | Blake | Lionel Geoffrey | 1 Ross Rd |
| 105 | Blake | Sally Gwynfa | 1 Ross Rd |
| 106 | Blake | Thomas Patrick | 90 Davis St. |
| 107 | Blizard | Malvina Mary | 51 Fitzroy Rd. |
| 108 | Blyth | Agnes Ruth | 2 Brandon Rd. |
| 109 | Blyth | Paz Neri | 5 St Marys Walk |
| 110 | Bonner | Alan Paul | 5 John Street |

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| 111 | Bonner | Angela Jane | 5 John St. |
| 112 | Bonner | Avril Margaret Rose | 14 Jersey Road |
| 113 | Bonner | Cheryl Anne | 4a Ross Road West |
| 114 | Bonner | Donald William | Chaffeurs Cottage |
| 115 | Bonner | Hayley Trina | 41 Ross Rd. West |
| 116 | Bonner | Keith James | 14 Jersey Road |
| 117 | Bonner | Linda Jane | 4A Ross Rd. West |
| 118 | Bonner | Lindsay Jane | 21 Shackleton Drive |
| 119 | Bonner | Nicholas | 4A Ross Rd. West |
| 120 | Bonner | Paul Roderick | 5 John St. |
| 121 | Bonner | Stevie Coppell | Dolphin Cottage |
| 122 | Bonner | Terence Leslie | Flat 1 30 Jersey Rd |
| 123 | Bonner | Timothy | 41 Ross Rd. West |
| 124 | Bonner | Vera Ann | 5 John St. |
| 125 | Bonner | Vera Joan | Chaffeurs Cottage |
| 126 | Bonner | Violet | 40 Ross Rd. |
| 127 | Booth | Jessie | Racecourse Cottage |
| 128 | Booth | Joseph Bories | 7 Philomel St. |
| 129 | Booth | Myriam Margaret Lucia | 7 Philomel St. |
| 130 | Booth | Stuart Alfred | Racecourse Cottage |
| 131 | Bound | Joan | Barrack St. |
| 132 | Bowles | Norma Evangeline | 1A Villiers St. |
| 133 | Bowles | William Edward | 1A Villiers St. |
| 134 | Bowles | William George Troyd | 9 Drury Street |
| 135 | Bragger | Edward Laurence | 14 Jeremy Moore Ave. |
| 136 | Brock | Juanita Lois | Flat5, 1 Jeremy Moore Ave East |
| 137 | Brooks | Cheryl Rose | 25 Callaghan Rd. |
| 138 | Brooks | Peter William | 25 Callaghan Rd. |
| 139 | Browning | Amanda Marie | 3 Dairy Paddock Rd |
| 140 | Browning | Cólin George | 1 Moody St. |
| 141 | Browning | Edwina | Davis St. |
| 142 | Browning | Gavin | Moody Street |
| 143 | Browning | Joan Lucy Ann | Rose Hotel Drury St |
| 144 | Browning | Nathan David | 3 Dairy Paddock Road |
| 145 | Browning | Rex | 35 Davis St. |
| 146 | Browning | Richard William | 33 Davis St |
| 147 | Browning | Trevor Osneith | Rose Hotel Drury St |
| 148 | Brownlee | Andrew Samuel | 19 Ross Rd East |
| 149 | Brownlee | Lynn Frances | 19 Ross Rd East |
| 150 | Bucket | Ronald Peter | 49 Fitzroy Rd. |
| 151 | Bucket | Roy Peter | Jersey Road |
| 152 | Bucket | Susan Vera | 49 Fitzroy Rd. |
| 153 | Buckland | Colin Michael | 13 Murray Heights |
| 154 | Buckland | Darlene Joanna | 11 James St. |
| 155 | Buckland | Peter John | 9 Callaghan Rd. |
| 156 | Budd | Dennis Raymond | 5 Ian Campbell Drive |
| 157 | Budd | Pamela Joan | 5 Ian Campbell Drive |
| 158 | Bundes | Robert John Christian | 17 Fitzroy Rd. |
| 159 | Burns | Mary Anne | 34 Davis St. |
| 160 | Burston | Catherine | 91 Davis St |
| 161 | Burston | Stephen Leslie | 91 Davis St |
| 162 | Bury | Ian Thomas | 63 Davis St. |
| 163 | Butcher | Michael George | 3A Dairy Paddock Rd. |
| 164 | Butcher | Trudi | 3A Dairy Paddock Rd. |
| 165 | Butler | Elsie Maud | 10 Thatcher Drive |

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| 166 | Butler | Frederick Lowther Edward | 10 Thatcher Drive |
| 167 | Butler | George Joseph | 1A Moody St. |
| 168 | Butler | Jonathan Jeffers | 3 Jeremy Moore Ave |
| 169 | Butler | Laurence Jonathan | 2 Davis St East |
| 170 | Butler | Margaret Orlanda | 5 Short Street. |
| 171 | Butler | Orlanda Betty | 2 Davis St. East |
| 172 | Buxton | Nicole Gabrielle | 19 Jeremy Moore Ave |
| 173 | Cameron | Jane Diana Mary Keith | Old Bakery, Fitzroy Rd. |
| 174 | Cant | Carol Rosine | 37 Callaghan Rd |
| 175 | Cant | Martin Ronald | 37 Callaghan Rd |
| 176 | Cantlie | Derek William | 27 Callaghan Rd |
| 177 | Card | Patricia Collette | 7 Ian Campbell Drive |
| 178 | Carey | Anthony Michael | 19 Ross Rd. West |
| 179 | Carey | Gladys | 19 Ross Rd. West |
| 180 | Carey | Martin Rex | 21 Eliza Cove Cres. |
| 181 | Carey | Mary Ann Margaret | 18 Ross Rd. West |
| 182 | Carey | Terence James | 18 Ross Rd. West |
| 183 | Cartwright | Stephen | 39 Ross Road West |
| 184 | Castle | David Peter | 26 John St. |
| 185 | Castle | Isobel | 26 John St. |
| 186 | Ceballos | Bulogio Gabriel | 28 Endurance Ave. |
| 187 | Chaloner | Sheila Catherine | 2 Racecourse Rd |
| 188 | Chandler | Ann Beatrice | 6 Biggs Road |
| 189 | Chandler | Edward | 6 Biggs Road |
| 190 | Chapman | Helen | 6 Fitzroy Rd. East |
| 191 | Chapman | Paul | 6 Fitzroy Rd. East |
| 192 | Chater | Thomas Frederick | 33 Fitzroy Rd. |
| 193 | Chater | William John | 7 Biggs Road |
| 194 | Cheek | Barbara | 8 Watson Way |
| 195 | Cheek | Gerald Winston | 10 Ross Rd. |
| 196 | Cheek | Janet Linda | 25 Ross Rd. West |
| 197 | Cheek | Marie | 10 Ross Rd. |
| 198 | Cheek | Miranda | 2 Fieldhouse Close |
| 199 | Cheek | Rosalind Catriona | 25 Ross Rd. West |
| 200 | Clapp | Kevin Christopher | 1 Murray Heights |
| 201 | Clark | Hector | 27 Eliza Cres. |
| 202 | Clark | Jonathan Andrew | Flat 10, Jersey Rd |
| 203 | Clark | Joyce Kathleen | 27 Eliza Cres. |
| 204 | Clarke | Amelia | 1 Callaghan Rd. |
| 205 | Clarke | Angela Sindy | Stanley |
| 206 | Clarke | Anika Doreen | 17 Jeremy Moore Avenue |
| 207 | Clarke | Camilla Marie | 8 Drury St. |
| 208 | Clarke | Christopher | 5 Discovery Close |
| 209 | Clarke | David James | 17 Ross Rd. West |
| 210 | Clarke | Derek Simon | 23 Jeremy Moore Ave. |
| 211 | Clarke | Doreen | 17 Ross Rd. West |
| 212 | Clarke | Fiona Alison | Racecourse Road Flats |
| 213 | Clarke | Gwynne Edwina | 17 Jeremy Moore Ave. |
| 214 | Clarke | Ian | 17 Ross Rd. West |
| 215 | Clarke | Isabel Joan | 12 Fieldhouse Close |
| 216 | Clarke | James Martin | 3 McKay Close. |
| 217 | Clarke | Jan Michael | 11 Fieldhouse Close |
| 218 | Clarke | Jeremy Ian Thomas | 7 Fitzroy Road |
| 219 | Clarke | Joan Patricia Marion | 50 Davis St |
| 220 | Clarke | Jonathan Terence | 17 Jeremy Moore Ave. |

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| 221 | Clarke | Joseph Gwyn | 17 Jeremy Moore Ave |
| 222 | Clarke | Julie Ann | Globe Tavern |
| 223 | Clarke | Marvin Thomas | 7 Fitzroy Rd. |
| 224 | Clarke | Paul Ian | Stanley |
| 225 | Clarke | Ronald John | 17 Ross Rd. West |
| 226 | Clarke | Rudy Thomas | 8 Drury St. |
| 227 | Clarke | Shane Adrian | 1 Callaghan Rd. |
| 228 | Clarke | Suzanna | 11 Fieldhouse Close |
| 229 | Clarke | Terence John | 17 Jeremy Moore Ave. |
| 230 | Clarke | Tracey Clare | 23 Jeremey Moore Ave. |
| 231 | Clarke | Trudi Ann | 7 Fitzroy Rd. |
| 232 | Clasen | Wayne Ian Summers James | 9 Fitzroy Rd. |
| 233 | Clausen | Andrea Patricia | 3 St. Marys Walk |
| 234 | Clausen | Denzil George Gustavius | 3 St. Marys Walk |
| 235 | Clausen | Melanie | 24 Murray Heights |
| 236 | Claxton | Frank Brian | 28 Ross Rd. East |
| 237 | Claxton | Margaret | 28 Ross Rd. East |
| 238 | Clayton | Brian | Dorada |
| 239 | Clayton | Susan | 16 St. Marys Walk |
| 240 | Clement | Gary | 9 Snake Street. |
| 241 | Clement | Jane | 9 Snake Street. |
| 242 | Clement | Lee | 9 Snake Street. |
| 243 | Clement | Wayne | Snake Street. |
| 244 | Clerheroe | Kenneth Stanley | 45 Fitzroy Rd. |
| 245 | Clifton | Charles | 3 Ross Rd. West |
| 246 | Clifton | Darwin Lewis | 53 Davis St. |
| 247 | Clifton | Doreen | 3 Ross Rd. West |
| 248 | Clifton | Marie | 6 Discovery Close |
| 249 | Clifton | Melvyn | Lookout Lodge |
| 250 | Clifton | Neil | 20 Davis St. |
| 251 | Clifton | Stephen Peter | 61 Fitzroy Rd. |
| 252 | Clifton | Terence Charles | 3 Ross Rd. West |
| 253 | Clifton | Teresa Ann | 12 Callaghan Rd. |
| 254 | Clifton | Valerie Ann | 61 Fitzroy Rd. |
| 255 | Cockwell | Jennifer Marie | 90 Davis St |
| 256 | Cockwell | John Richard | 14 Ross Road West |
| 257 | Cockwell | Maurice Adam | 90 Davis St. |
| 258 | Cofre | Anya Evelyn | 1 Brandon Rd West |
| 259 | Cofre | Elvio Miguel | 1 Brandon Rd West |
| 260 | Collier | Mark Walter | 68 Davis St |
| 261 | Collins | Shiralee | Flat 9, 6 Jersey Rd. |
| 262 | Connolly | Kevin Barry | 1 King St. |
| 263 | Coombe | Robert Dean | 12 Ross Road West. |
| 264 | Cotter | Mary Jane | 9 Jeremy Moore Ave. |
| 265 | Cotter | Timothy Stewart | 9 Jeremy Moore Ave. |
| 266 | Coulter | Donald Mark | 9 Fieldhouse Close |
| 267 | Courtney | Anthony Clive | 30 Goss Road. |
| 268 | Courtney | Julie | 30 Goss Road |
| 269 | Coutts | Charles | 12 Endurance Ave. |
| 270 | Coutts | Charles Lindsay | 33 Ross Rd. |
| 271 | Coutts | Elsbeth Alice | 12 Endurance Avenue |
| 272 | Coutts | John | 36 Ross Rd. West |
| 273 | Coutts | Olga | 33 Ross Rd. |
| 274 | Coutts | Peter | 13 Campbell Drive |
| 275 | Crabb | Elizabeth Ann | 38 Eliza Cres. |

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| 276 | Crowie | Alan John | 72 Davis Street. |
| 277 | Crowie | Ana Bonita | 72 Davis Street. |
| 278 | Crowie | Breda Marie | 35 Callaghan Rd. |
| 279 | Crowie | Clare Frances | 35 Callaghan Rd |
| 280 | Crowie | David Sean | 51 Callaghan Rd |
| 281 | Crowie | Nicola Jane | 35 Callaghan Rd. |
| 282 | Crowie | Peter James | 35 Callaghan Road. |
| 283 | Crowie | Robert John | 35 Callaghan Rd. |
| 284 | Curtis | Alfred William Hamilton | 6 Brandon Rd. West |
| 285 | Curtis | Barbara Joan | 6 Brandon Rd. West |
| 286 | Curtis | Bonnie Elizabeth Hamilton | 6 Brandon Road West |
| 287 | Curtis | James William Hamilton | 6 Ross Rd. |
| 288 | Davies | Anthony Warren | 7 Callaghan Rd. |
| 289 | Davies | Christine Susan | 8 Fitzroy Rd. East |
| 290 | Davies | Colin George | 15 Ross Rd. West |
| 291 | Davies | Bileen Wynne | 15 Ross Rd. West |
| 292 | Davies | Jacqueline Nancy | 7 Callaghan Rd. |
| 293 | Davies | Sian Karen | 7 Callaghan Road. |
| 294 | Davies | William | 8 Fitzroy Rd. East |
| 295 | Davis | Ellen Rose | 39 Davis St. |
| 296 | Davis | Maurice | 39 Davis St. |
| 297 | Davis | Nicholas | 15 James St. |
| 298 | Davis | Roy George Victor | 6 Narrows View |
| 299 | Davis | Sharon Sandra Evelyn | 6 Narrows View |
| 300 | Davy | Patrick Alex Field | Flat3, 3 Jeremy Moore Ave East |
| 301 | Dent | Janice Vanessa | 3C Jersey Bst. |
| 302 | Dent | Stephen John | 3c Jersey Bst |
| 303 | Desborough | Gladys Malvina | 14 Allardyce Street |
| 304 | Dickson | Caroline Christine Bird | 108 Davis St. |
| 305 | Didlick | Christopher Graham | 13 Jeremy Moore Ave |
| 306 | Didlick | Fiona Margaret | 13 Jeremy Moore Ave |
| 307 | Didlick | Graham John | 13 Jeremy Moore Ave |
| 308 | Didlick-Smith | Rhiannon Elinore | 13 Jeremy Moore Ave |
| 309 | Diggle | Katherine Elizabeth | 12 Jersey Rd. |
| 310 | Diggle | Roger John | 12 Jersey Rd. |
| 311 | Dobbyns | Kathleen Gay | 60 Davis St. |
| 312 | Dodd | Alison | 1 Pioneer Row |
| 313 | Dodd | Nigel Keith | 1 Pioneer Row |
| 314 | Donnelly | Derek | 38 Ross Road East |
| 315 | Drysdale | Karen Margaret | 1 Watson Way. |
| 316 | Duncan | Delsha Vanessa Jane | 18 Jeremy Moore Ave. |
| 317 | Duncan | Doreen | Tenacres |
| 318 | Duncan | William | Tenacres |
| 319 | Duvall | Kenneth William | 51 Callaghan Rd |
| 320 | Barnshaw | Jacqueline Elizabeth | 32 Ross Rd. West |
| 321 | East | Justin Clive Richard | 1 Fieldhouse Close |
| 322 | East | Michelle Jane | 1 Fieldhouse Close |
| 323 | Eccles | Bernard Leslie | 18 Jeremy Moore Ave. |
| 324 | Eccles | Moira Cameron | 18 Jeremy Moore Ave. |
| 325 | Edwards | Bmma Jane | 41 Ross Road East. |
| 326 | Elliot | Elizabeth Rose | 15 Callaghan Rd |
| 327 | Elliot | Henry James | 15 Callaghan Rd. |
| 328 | Ellis | Cyril | 24 Ross Rd. East |
| 329 | Ellis | Lucy | 11 James St |
| 330 | Ellis | Valerie | 24 Ross Rd. East |

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| 331 | Elsby | Barry | Moody Brook House. |
| 332 | Erickson | Michelle | 1B Capricorn Rd. |
| 333 | Evans | Donna Newell | By-Pass Rd. |
| 334 | Evans | Gladys Alberta | 6 Barrack St. |
| 335 | Evans | Michael David | By-Pass Rd. |
| 336 | Evans | Russell | 45 Ross Rd East |
| 337 | Evans | Susan Maureen | 45 Ross Rd East |
| 338 | Ewing | Gordon | 4 Jeremy Moore Ave |
| 339 | Ewing | Irene | 4 Jeremy Moore Ave |
| 340 | Bynon | Carol | 8 Villiers St. |
| 341 | Bynon | Christopher Huntlee | 8 Villiers St. |
| 342 | Bynon | David John | 8 Villiers St. |
| 343 | Faria | Mary Ann | 6A Jeremy Moore Ave |
| 344 | Faria | Paul | 14 Brandon Road |
| 345 | Faria | Susanna Caroline Berntsen | 14 Brandon Road |
| 346 | Felton | Violet Regina Margaret | German Camp, Callaghan Rd. |
| 347 | Ferguson | Ellen Rose | 51 Callaghan Rd. |
| 348 | Ferguson | Finlay James | 51 Callaghan Road |
| 349 | Ferguson | John William | 47 Ross Rd East |
| 350 | Ferguson | Marie Anne | 2 Davis St |
| 351 | Ferguson | Robert John | 4 Capricorn Rd. |
| 352 | Ferguson | Rose | Flat7, 1 Jeremy Moore Ave East |
| 353 | Ferguson | Stephanie Janet | 47 Ross Rd East |
| 354 | Ferguson | Thelma | 4 Capricorn Rd. |
| 355 | Fiddes | Douglas Graham | Moody Brook |
| 356 | Fiddes | Gardner Walker | 3 Watson Way |
| 357 | Fiddes | Julia Bertrand | Moody Brook |
| 358 | Fiddes | Mary McKinnon Livingstone | 4 Moody St. |
| 359 | Fiddes | Melody Christine | 3 Watson Way |
| 360 | Fiddes | Robert | 4 Moody St. |
| 361 | Finlayson | Iris Dwenda Margaret | 7 John St. |
| 362 | Finlayson | Marc Ian | Y.M.C.A |
| 363 | Finlayson | Peter | 6 Brandon Rd. |
| 364 | Finlayson | Phyllis | 6 Brandon Rd. |
| 365 | Finn | Natalie Anne | 9 Eliza Crescent |
| 366 | Fisher-Smith | Julie Anne | 8 Fieldhouse Close |
| 367 | Fleming | Richard Ian | 7 Ian Campbell Drive |
| 368 | Floyd | Amanda Susan | Globe Hotel |
| 369 | Floyd | Michael | 7 Pitaluga Place |
| 370 | Floyd | Michael Anthony | 7 Pitaluga Place |
| 371 | Floyd | Steven Paul | 7 Pitaluga Place |
| 372 | Fogerty | Richard Edwin John | Stone Cottage |
| 373 | Ford | Alison Jane Marie | 5 Jersey Rd. |
| 374 | Ford | Arthur Henry | 6 Drury St. |
| 375 | Ford | Cherry Rose | 1 James St. |
| 376 | Ford | Christopher James | 11 Fieldhouse Close |
| 377 | Ford | Colin Stewart | 15 Kent Rd. |
| 378 | Ford | Colleen Mary | Lady Hunt House John St. |
| 379 | Ford | Darrel | 1 James Street. |
| 380 | Ford | David | 1 Davis St. |
| 381 | Ford | Frederick James | Lady Hunt House John St. |
| 382 | Ford | Gerard Allan | Flat 1, 3 Jeremy Moore Ave |
| 383 | Ford | Jonathan | 3 Pitaluga Place. |
| 384 | Ford | Julie Ann | 3 Pitaluga Place. |
| 385 | Ford | Leann Caroline | 15 Kent Rd. |

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| 386 | Ford | Leonard | 5 Jersey Rd. |
| 387 | Ford | Marilyn Christina | 24 James St. |
| 388 | Ford | Michael | 1 James St. |
| 389 | Ford | Paul Edward | 2 Philomel Place |
| 390 | Ford | Robert | 1 Davis St. |
| 391 | Ford | Sara | 11 Fieldhouse Close. |
| 392 | Ford | Simon | 1 James St. |
| 393 | Forrest | Jennifer Carol | 16 Kent Rd. |
| 394 | Forrest | Michael John | 16 Kent Rd |
| 395 | Forster | Amanda | 9 Fieldhouse Close |
| 396 | Forster | Lynne | 5 Discovery Close |
| 397 | Forster | Sarah | 9 Fitzroy Rd. |
| 398 | Fowler | Daniel Martin | 2 Glasgow Rd |
| 399 | Fowler | John Andrew Thomas | 2 Glasgow Road |
| 400 | Fowler | Rachael Jane | 2 Glasgow Rd |
| 401 | Fowler | Veronica May | 2 Glasgow Road |
| 402 | France | Graham Brian | 7 Snake St |
| 403 | France | Ian Peter | 7 Snake St |
| 404 | France | Jane Aileen Marie | 7 Snake St |
| 405 | Freeman | Carl Francis | 10 James St. |
| 406 | Freeman | Dianne May | 10 James St. |
| 407 | Freeman | Rachael | 10 James Street |
| 408 | Freeman | Tracy | 10 James St |
| 409 | Fullerton | Mary Ellen | Government House |
| 410 | Geach | Alan John | 37 Eliza Crescent |
| 411 | Gilbert | Christopher Paul | 22 Jeremy Moore Ave. |
| 412 | Gilbert | Judith Elizabeth | 22 Jeremy Moore Ave. |
| 413 | Gilbert | Mark Ian | 22 Jeremy Moore Ave |
| 414 | Gilbert | Neil Robert | 22 Jeremy Moore Ave |
| 415 | Gilbert | Robert Ernest | 22 Jeremy Moore Ave. |
| 416 | Gilding | Sara Jane | Snake Street. |
| 417 | Gilson Clarke | Dustin James | 1 Discovery Close |
| 418 | Gilson-Clarke | Martyn Ian | Globe Tavern. |
| 419 | Gisby | Annie | 33 Fitzroy Rd. |
| 420 | Goodwin | Angela Jane | 11 Jersey Road. |
| 421 | Goodwin | Bonita Colleen | Flat 1 30 Jersey Road. |
| 422 | Goodwin | Colin Valentine | 86 Davis St. |
| 423 | Goodwin | Derek Samuel | Flat 1 30 Jersey Road. |
| 424 | Goodwin | Emily Rose | 7 Brisbane Rd. |
| 425 | Goodwin | Gareth Kevin | 86 Davis St. |
| 426 | Goodwin | Hazel Rose | 3 Police Cottages, 7 Ross Rd. |
| 427 | Goodwin | June Elizabeth | 86 Davis St. |
| 428 | Goodwin | Kathleen Edith Marguerite | 6 Thatcher Drive |
| 429 | Goodwin | Mandy Hazel | Callaghan Road |
| 430 | Goodwin | Margaret Ann | 3 H Jones Rd. |
| 431 | Goodwin | Robin | Callaghan Road |
| 432 | Goodwin | Robin Christopher | 27 Callaghan Rd. |
| 433 | Goodwin | Simon James | Lookout Lodge |
| 434 | Goodwin | Una | 27 Callaghan Rd. |
| 435 | Goodwin | William John Maurice | 7 Brisbane Rd. |
| 436 | Goss | Annagret | 16 Jeremy Moore Ave. |
| 437 | Goss | Corina Rose | 20 Murray Heights |
| 438 | Goss | Dorothy Ellen | 4 Discovery Close |
| 439 | Goss | Eric Miller | 2 Fitzroy Rd East |
| 440 | Goss | Ian Ernest Barle | 98 Davis Street |

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| 441 | Goss | Morgan Edmund | 16 Jeremy Ave. |
| 442 | Goss | Odette Ellen May | 15 Jersey Estate |
| 443 | Goss | Roderick Jacob | Fitzroy Rd. |
| 444 | Goss | Roger Simon | 15 Callaghan Rd |
| 445 | Goss | Roy Shepherd | 4 Discovery Close |
| 446 | Goss | Sandra Kathleen | 11 Kent Rd. |
| 447 | Goss | Shirley Ann | 2 Fitzroy Rd East |
| 448 | Goss | Simon Peter Miller | 11 Kent Rd. |
| 449 | Goss | Susan Diann | 98 Davis Street |
| 450 | Goss | William Henry (jnr) | 7 Brandon Rd. |
| 451 | Goss | William Henry (snr) | 5 Ross Rd. East |
| 452 | Gough | Ivan | John Street |
| 453 | Gough | Phyllis Candy | John Street |
| 454 | Gould | Arthur William | Moody St. |
| 455 | Grant | Lennard John | 3 Moody St. |
| 456 | Grant | Milly | 3 Moody St. |
| 457 | Gray | David Edward | 22 Ross Rd West |
| 458 | Gray | Patricia May | 22 Ross Rd West |
| 459 | Green | David William | 5 Police Cottages, Ross Rd. |
| 460 | Greenland | James Andrew William | 9 Beaver Rd |
| 461 | Greenough | Geoffrey | 50 Davis Street. |
| 462 | Greenough | Wanda Rose | 50 Davis Street. |
| 463 | Grimmer | Keith | 15 Pioneer Row |
| 464 | Grimmer | Marilyn | 15 Pioneer Row |
| 465 | Hadden | Alexander Burnett | 27 Fitzroy Rd. |
| 466 | Hadden | Sheila Peggy | 27 Fitzroy Rd. |
| 467 | Halford | Rodney John | Tenacres |
| 468 | Halford | Sara Jayne | Tenacres |
| 469 | Halford | Sharon | Tenacres |
| 470 | Hall | Marilyn Joyce | 56 Davis St. |
| 471 | Halliday | Cathy Anne | 5 Drury Street |
| 472 | Halliday | Gerald | Flat 1, 6 Racecourse Rd. |
| 473 | Halliday | Jeffrey James | Fieldhouse Close |
| 474 | Halliday | John Arthur Leslie | 108 Davis St. |
| 475 | Halliday | Leslie John | 31 Ross Road East. |
| 476 | Halliday | Priscilla Alison | Y.M.C.A |
| 477 | Halliday | Raynor | 9 Brisbane Rd. |
| 478 | Hancox | Rachel Mary | 9 Ross Rd. West |
| 479 | Hancox | Robert James | 9 Ross Rd. West |
| 480 | Hansen | Douglas John | 6 Fitzroy Rd. |
| 481 | Hansen | Keva Elizabeth | 1 Dairy Paddock Rd. |
| 482 | Hansen | Terence Joseph | 1 Dairy Paddock Rd. |
| 483 | Hardcastle | Simon Brook | 5 Pioneer Row |
| 484 | Harris | Christopher James | 8 Pioneer Row |
| 485 | Harris | Heather | 3 Ross Rd. East |
| 486 | Harris | Jill Yolanda Miller | 19 Fitzroy Rd. |
| 487 | Harris | Karl Henry | 19 Fitzroy Rd. |
| 488 | Harris | Leeann Watson | 10 Dairy Paddock Rd. |
| 489 | Harris | Leslie Sidney | 19 Fitzroy Rd. |
| 490 | Harris | Michael Ronald | 3 Ross Rd. East |
| 491 | Harris | Nicola Jane | 3 Ross Rd East |
| 492 | Harris | Ralph Aaron | 10 Dairy Paddock Rd. |
| 493 | Harris | Roslyn | 19 Fitzroy Rd. |
| 494 | Harvey | Muriel Elizabeth Elsie | 2 King St. |
| 495 | Harvey | Sheila | Flat 3, 5 Jeremy Moore Ave. |

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| 496 | Harvey | William | 21 Fitzroy Rd. |
| 497 | Hawksworth | Jeanette | 24 Murray Heights |
| 498 | Hawksworth | Mary Catherine | 5 A Brisbane Rd. |
| 499 | Hawksworth | Pauline May | 29 Fitzroy Rd. |
| 500 | Hawksworth | Terence | 5A Brisbane Rd. |
| 501 | Hayward | Marjorie | 30 Bliza Rd. |
| 502 | Hayward | Neville | Cemetery Cottage |
| 503 | Hayward | Peter Dennis | 30 Bliza Rd. |
| 504 | Hazell | Lee Felton | 3 Drury Street |
| 505 | Heathman | Malcolm Keith | 15 Bliza Cove Rd. |
| 506 | Heathman | Mandy Gail | 15 Bliza Cove Rd. |
| 507 | Heathman | Tara | 30 Davis Street |
| 508 | Zenricksen | Winifred Mary Elizabeth | 8 Thatcher Drive |
| 509 | Henry | Alan Richard | 8 Beaver Rd. |
| 510 | Henry | Patricia Denise | 8 Beaver Rd. |
| 511 | Hernandez Mantero | Miguel Angel | 3 Murray Heights |
| 512 | Hernandez Trevell | Maria Elena | 3 Murray Heights |
| 513 | Hewitt | Clare Ann | 1c Capricorn Rd. |
| 514 | Hewitt | Frances Agnes | Flat 3 1 Moody Street. |
| 515 | Hewitt | Gary George | 3 Hebe Place |
| 516 | Hewitt | Kevin John | 14 Jeremy Moore Ave |
| 517 | Hewitt | Margaret Ann | 3 Hebe Place |
| 518 | Hewitt | Neil George | 1C Capricorn Rd |
| 519 | Hewitt | Rachel Catherine Orissa | 4 St. Marys Walk |
| 520 | Hewitt | Robert John David | 3 Thatcher Drive |
| 521 | Higgins | Dawn | 2 Dean Street |
| 522 | Hills | Heather Margaret | 5 Davis St. |
| 523 | Hills | Richard William | 5 Davis St. |
| 524 | Hirtle | Christine | 5 Capricorn Rd. |
| 525 | Hirtle | Debbie Ann | Flat 7 Jeremy Moore Ave |
| 526 | Hirtle | Leonard John | 20 Jeremy Moore Ave |
| 527 | Hirtle | Leonard Lloyd | 20 Jeremy Moore Ave. |
| 528 | Hirtle | Mary Ann | 12 Drury St. |
| 529 | Hirtle | Michael Barry | 20 Jeremy Moore Ave. |
| 530 | Hirtle | Rose Ann Shirley | 4 Villiers St. |
| 531 | Hirtle | Shirley | 20 Jeremy Moore Ave. |
| 532 | Hirtle | Zane Eric | Bliza Cove Rd. |
| 533 | Hobman | Anilda Marilu | 34 Ross Rd. West Flat |
| 534 | Hobman | Carol Margaret | 17 Scoresby Close |
| 535 | Hobman | David Gonsalo | 34 Ross Rd. West Flat |
| 536 | Hobman | Luis Alfonzo | 34 Ross Rd. West Flat |
| 537 | Hoggarth | Agnes Christina | 2 James St. |
| 538 | Howatt | Derek Frank | 4 Racecourse Rd. |
| 539 | Howatt | Suzanna Margaret | 4 Racecourse Rd. |
| 540 | Howe | Alison Delia | 36 Davis St. |
| 541 | Howe | Paul Anthony | 36 Davis St. |
| 542 | Howells | Anne Stephanie | 112 Davis St. |
| 543 | Howells | Lorna Marie | 112 Davis St. |
| 544 | Howells | Martin Edward Derek | 112 Davis St |
| 545 | Howells | Melissa Louise | 112 Davis St. |
| 546 | Howells | Roger | 112 Davis St. |
| 547 | Hoy | Dawn | 7 Murray Heights |
| 548 | Humphreys | Dennis James | 7 Dean St. |
| 549 | Humphreys | Hannah Elaine | 7 Dean Street. |
| 550 | Humphreys | Margaret Anne | Endurance Avenue |

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| 551 | Hutton | Elizabeth Isabella | 3 John St. |
| 552 | Hutton | Philip | 3 John St. |
| 553 | Igao | Alejandro Neri | 13 Scoresby Close |
| 554 | Igao | Noel Neri | 10 Goss Road. |
| 555 | Igao | Pauline Lynx | 10 Goss Road. |
| 556 | Inglis | Alison Anne MacKenzie | 9 Short Street. |
| 557 | Jackson | Kathleen | 23 Fitzroy Road |
| 558 | Jackson | Malcolm | 23 Fitzroy Road |
| 559 | Jacobsen | Alistair | 1A Philomel St. |
| 560 | Jacobsen | Catherine Joan | 1A Philomel St. |
| 561 | Jaffray | Derek Charles | 2 Arch Green. |
| 562 | Jaffray | Donald | 15 Brandon Rd. |
| 563 | Jaffray | Elaine Michele | 8 Discovery Close |
| 564 | Jaffray | Estelle Anita | Snake Street. |
| 565 | Jaffray | Frank Alexander | 8 Discovery Close |
| 566 | Jaffray | Gerard Alan | 5 Hebe St. |
| 567 | Jaffray | Helen Rose | 84 Davis St. |
| 568 | Jaffray | Jacqueline Ann | 17 Watson Way |
| 569 | Jaffray | Janet | 40 Eliza Cres. |
| 570 | Jaffray | John | 40 Eliza Cres. |
| 571 | Jaffray | John Summers | 84A Davis St. |
| 572 | Jaffray | John Willie | 21 Watson Way. |
| 573 | Jaffray | June Elizabeth | 17 Ross Rd. East |
| 574 | Jaffray | Kenneth Ian | 2 Dean St. |
| 575 | Jaffray | Lisa Jane | 3 Biggs Road. |
| 576 | Jaffray | Marina Morrison | 15 Brandon Rd. |
| 577 | Jaffray | Phyllis | 21 Watson Way. |
| 578 | Jaffray | Stephen James | 11 James St. |
| 579 | Jaffray | Tanya Fiona | 5 Hebe Street |
| 580 | Jaffray | Terence Roy | Flat 3, 1 Jeremy Moore Ave |
| 581 | Jaffray | Terri-Ann | 24 Endurance Ave. |
| 582 | Jaffray | Tony | 84 Davis St. |
| 583 | Jaffray | Wayne Neil | 5 Hebe St. |
| 584 | Jennings | Neil | Flat 4, 30 Jersey Rd. |
| 585 | Jennings | Stephen | 5 Fitzroy Rd. |
| 586 | Johnson | Jacqueline | 5 Kent Rd. |
| 587 | Johnson | Lily Ann | 5 Hebe St |
| 588 | Johnson | Michael Neil | 5 Kent Rd. |
| 589 | Jones | Alan Smith | 26 Ross Rd. West |
| 590 | Jones | David Richard | 6 Allardyce Street |
| 591 | Jones | Deena Marie | Y.M.C.A |
| 592 | Jones | Doreen Evelyn Margaret | 6 Allardyce Street |
| 593 | Jones | Jennifer | 26 Ross Rd. West |
| 594 | Jones | John Hugh | 35 Ross Road East. |
| 595 | Jones | Kevin Richard | Callaghan Rd |
| 596 | Jones | Michelle | 35 Ross Road East. |
| 597 | Jones | Yvonne Malvina | 3 Discovery Close |
| 598 | Jonson | Amy Elizabeth | The Rose Hotel Brisbane Rd |
| 599 | Jordan | Ian | 12 Goss Road. |
| 600 | Keane | Alva Rose Marie | 18 Davis St. |
| 601 | Keane | Olaf James | 18 Davis St. |
| 602 | Keane | Thomas James | 18 Davis St. |
| 603 | Keenleyside | Charles Desmond | 3 Pioneer Row |
| 604 | Keenleyside | Dorothy Maud | 3 Pioneer Row |
| 605 | Keenleyside | Manfred Michael Ian | 2 Snake Street. |

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| 606 | Keenleyside | Nanette Barbara | 2 Snake Street. |
| 607 | Kenny | Erling | 20 James St. |
| 608 | Kidd | Lillian Rose Orissa | 1 Hebe Street |
| 609 | Kiddle | Robert Karl | Flat 3. 6 Racecourse Rd. |
| 610 | King | Anna Constance Eve | 38 Davis St. |
| 611 | King | Desmond George Buckley | 38 Davis St. |
| 612 | King | Glynis Margaret | 13 Ross Road East. |
| 613 | King | Michelle Beverley | 4 Biggs Rd |
| 614 | King | Peter Thomas | 10 Jeremy Moore Ave. |
| 615 | King | Robert John | 22/24 Davis Street |
| 616 | King | Rosemarie | 10 Jeremy Moore Ave |
| 617 | King | Vernon Thomas | 39 Fitzroy Rd. |
| 618 | Kirkham | Campbell Joseph | 5 Capricorn Rd. |
| 619 | Kultschar | John William | 4 Davis St. East |
| 620 | Kultschar | Richard Paul | 4 Davis St. East |
| 621 | Kultschar | Yvonne Rosina | 4 Davis St. East |
| 622 | Laffi | Atilio Segundo | 3 Brisbane Rd. |
| 623 | Laffi | Kathleen Mary | 3 Brisbane Rd. |
| 624 | Lang | Alexander Peter | 28 Goss Rd |
| 625 | Lang | David Geoffrey | 28 Goss Rd |
| 626 | Lang | James Patrick | Flat2, 3 Jeremy Moore Ave East |
| 627 | Lang | Marie-Bernard Therese | 28 Goss Rd |
| 628 | Lang | Phillippa Josephine | 28 Goss Road. |
| 629 | Lang | Sandra Shirleen | 2 Allardyce St. |
| 630 | Lang | Theresa Margaret | 28 Goss Rd |
| 631 | Lang | William Frank | 3 James St. |
| 632 | Larsen | Ellen | 74 Davis St. |
| 633 | Larsen | Josephine Mary | Brandon Road |
| 634 | Lazo | Joanna Rose | 7 Eliza Cres. |
| 635 | Lee | Alfred Leslie | 11 Drury St. |
| 636 | Lee | Angela Audrey | 8 Jersey Rd. |
| 637 | Lee | Anthony John | 8 Jersey Rd. |
| 638 | Lee | Beverley Christina | 5 Villiers St. |
| 639 | Lee | Derek William | 2 Davis St. |
| 640 | Lee | Gladys | 11 Drury St. |
| 641 | Lee | Leslie James | 10 Allardyce St. |
| 642 | Lee | Mandy John | 15 James St. |
| 643 | Lee | Mervyn Richard | 10 Allardyce Street |
| 644 | Lee | Owen Henry | 4 Pioneer Row |
| 645 | Lee | Tanya | 15 Campbell Drive |
| 646 | Lee | Trudi Dale | 10 Allardyce St. |
| 647 | Lennie | Gordon Carnie | 9 Narrows View |
| 648 | Lewis | David James | 3 Campbell Drive |
| 649 | Lewis | James | 2 St. Marys Walk |
| 650 | Lewis | Jason | 9 Short St |
| 651 | Lewis | Jean | 2 St. Marys Walk |
| 652 | Lewis | Pamela Irene | 3 Campbell Drive |
| 653 | Lewis | Sharon | 11 Campbell Drive |
| 654 | Leyland | Frank | 10 Brandon Rd. |
| 655 | Leyland | Vera | 10 Brandon Rd. |
| 656 | Livermore | Anton | 33 Callaghan Rd. |
| 657 | Livermore | Darren | 5 Philomel Place |
| 658 | Loveridge | Daniel Nolan | 1 Ross Road West. |
| 659 | Loveridge | Marie Pearl | 1 Ross Rd West |
| 660 | Lowe | Anthony Trevor | 54 Davis St. |

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| 661 | Luxton | Anna | 1A Pioneer Row. |
| 662 | Luxton | Michael | 1A Pioneer Row |
| 663 | Luxton | Nicola | 1A Pioneer Row |
| 664 | Luxton | Robin | 1 Jersey Rd |
| 665 | Luxton | Stephen Charles | 7 Narrows View |
| 666 | Luxton | Sybil Grace | 38 John St. |
| 667 | Luxton | Wendy Jennifer | 1 Jersey Road. |
| 668 | Luxton | Winifred Ellen | 15 Fitzroy Rd. |
| 669 | Luxton | Zoe | 1A Pioneer Row |
| 670 | Lyse | Ethel Malvina | 65 Fitzroy Rd. |
| 671 | Lyse | George Walter | 8 Moody St. |
| 672 | Lyse | Linda Margaret | 65 Fitzroy Rd. |
| 673 | Macaskill | Angus Lindsay | 8 Jeremy Moore Ave. |
| 674 | Macaskill | Jeanette May | 8 Jeremy Moore Ave. |
| 675 | Macaskill | John | 34 Ross Rd. West |
| 676 | MacBeth | Phyllis Elizabeth Grace | 17 Brandon Rd. |
| 677 | MacDonald | Colin George | 26 Endurance Ave. |
| 678 | MacDonald | Derek George | 26 Endurance Ave. |
| 679 | MacDonald | Irene | 26 Endurance Ave. |
| 680 | MacDonald | Kathleen Rose | 26 Endurance Ave |
| 681 | Maciello | Susan Ovedia Franz De | 12 Watson Way. |
| 682 | Malcolm | Velma | 7 Allardyce St. |
| 683 | May | Brian Roy | 21 Jeremy Moore Ave. |
| 684 | May | Bruce Raymond | Wardens House, KEMH |
| 685 | May | Christopher Raymond | 9 Callaghan Rd |
| 686 | May | Connie | Wardens House, KEMH |
| 687 | May | Donna Monica | 13 Murray Heights |
| 688 | May | Heather | 1 Glasgow Rd. |
| 689 | May | Jonathan Roy | 33 Davis St |
| 690 | May | Lindsey Olga | 9 Callaghan Rd |
| 691 | May | Lucinda Vikki | 33 Davis St. |
| 692 | May | Monica | 21 Jeremy Moore Ave. |
| 693 | May | Roger | 11 Jersey Road. |
| 694 | May | William Albert | 1 Glasgow Rd. |
| 695 | McCallum | Bettina Kay | 14 Drury St. |
| 696 | McCallum | Christopher John | 8A Jeremy Moore Ave. |
| 697 | McCallum | Timothy Andrew | 14A Drury St. |
| 698 | McCormick | Dale Ronald | 29 Callaghan Rd. |
| 699 | McCormick | Pauline Margaret Ruth | 29 Callaghan Rd. |
| 700 | McCormick | Richard Paul | 29 Callaghan Rd. |
| 701 | McCormick | Wayne Stanley James | 29 Callaghan Rd. |
| 702 | McBachern | Gloria Jane | 2 H Jones Rd. |
| 703 | McBachern | James | 2 H Jones Rd. |
| 704 | McGill | Coral Elizabeth | Flat 6 Jersey Estate |
| 705 | McGill | Darrel Ian | 2 Campbell Drive |
| 706 | McGill | David William | 17 James St. |
| 707 | McGill | Derek Gary | 12 Scoresby Close |
| 708 | McGill | Diane Beverley | 2 James St. |
| 709 | McGill | Doris Mary | 32 Davis St. |
| 710 | McGill | Gary | Stanley |
| 711 | McGill | Glenda | Barrack St. |
| 712 | McGill | Ian Peter | Barrack St. |
| 713 | McGill | Jane | 10 Ross Rd. East |
| 714 | McGill | Len Stanford | 2 James St. |
| 715 | McGill | Lorraine Iris | 10 Ross Rd. East |

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| 716 | McGill | Teresa Rose | 9 Drury St. |
| 717 | McGinness | Janice | 10 Beaver Rd. |
| 718 | McKay | Clara Mary | 20 Ross Rd. West |
| 719 | McKay | Georgina Rose | Flat 5 6 Jersey Estate. |
| 720 | McKay | Heather Valerie | 16 Eliza Cres. |
| 721 | McKay | Jeannie Paullina | 64 Davis St. |
| 722 | McKay | Jennifer Coral | 29 Callaghan Rd |
| 723 | McKay | Kevin Derek Charles | 51 Callaghan Rd |
| 724 | McKay | Mandy Rose | 51 Callaghan Rd |
| 725 | McKay | Melvyn Andrew | 5 James Street. |
| 726 | McKay | Michael John | 64 Davis St. |
| 727 | McKay | Neil | 62 Davis St. |
| 728 | McKay | Paul Anthony | 3 Nutt Cartmel Drive |
| 729 | McKay | Peter John | 21 Ross Rd. West |
| 730 | McKay | Rex | 16 Eliza Cres. |
| 731 | McKay | Shelley Jane | 7 Villiers St. |
| 732 | McKay | Trudi Ann | 3 Nutt Cartmel Drive |
| 733 | McKay | Wayne Lawrence Kenneth | Discovery Close |
| 734 | McKay | William Robert | 20 Ross Rd. West |
| 735 | McKenzie | Alice Maude | Moody Brook Homestead |
| 736 | McKenzie | Charles Alexander Albert John | Moody Brook Homestead |
| 737 | McKinley | Melissa Jane | Flat 3,2 Eliza Place |
| 738 | McLaren | Caroline Mary | 12 Allardyce St. |
| 739 | McLaren | Tony Eugene Terence | 12 Allardyce St. |
| 740 | McLeod | David | 49 Callaghan Rd. |
| 741 | McLeod | Dawn | 33 Ross Road West |
| 742 | McLeod | Henry Donald Alexander | 36 Eliza Cres. |
| 743 | McLeod | Ian | 9 Fitzroy Rd. |
| 744 | McLeod | Ian James | YMCA |
| 745 | McLeod | Jane Elizabeth Diana | 36 Eliza Cres. |
| 746 | McLeod | Janet Wensley | 75 Davis St. |
| 747 | McLeod | Janice | 2 Ross Rd. West |
| 748 | McLeod | John (1) | 1 Campbell Drive |
| 749 | McLeod | John (2) | 23 Murray Heights |
| 750 | McLeod | Kenneth Benjamin John | 33 Ross Road West |
| 751 | McLeod | Louise | 1 Campbell Drive |
| 752 | McLeod | Madeline Jean | 1 Campbell Drive |
| 753 | McLeod | Mally | 9 Fitzroy Rd. |
| 754 | McLeod | Margaret Ann | Fitzroy Rd. East |
| 755 | McLeod | Michael William | 5 Short Street. |
| 756 | McLeod | Pearl Mary Ann | 3 Brisbane Rd. |
| 757 | McLeod | Robert | 75 Davis St. |
| 758 | McLeod | Robert John | 2 Ross Rd. West |
| 759 | McMullen | June | 8 Brandon Road |
| 760 | McMullen | Lucille Anne | 8 Brandon Rd. |
| 761 | McMullen | Mathew John | 8 Brandon Rd |
| 762 | McMullen | Tony | 8 Brandon Road |
| 763 | McNally | Patricia Jayne | 18 Ross Rd. East |
| 764 | McPhee | Denise | 4 Brandon Rd. West |
| 765 | McPhee | Iris Blanche | 31 Ross Road East |
| 766 | McPhee | Justin Owen | 4 Brandon Rd. West |
| 767 | McPhee | Marjorie May | 14 John St. |
| 768 | McPhee | Owen Horace | 14 John St. |
| 769 | McPhee | Patrick | 31 Ross Road East |
| 770 | McRae | Elvis Richard | Stanley |

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| 771 | McRae | Mandy | James Street |
| 772 | McRae | Michael | 8 Goss Road Stanley |
| 773 | McRae | Richard Winston | Flat 2, 6 Racecourse Rd. |
| 774 | Merrey | Angeline Gloria | Jersey Estate |
| 775 | Middleton | Brian | 13 McKay Close |
| 776 | Middleton | Caroline Ann | 7 James St. |
| 777 | Middleton | Dennis Michael | Dolphin Cottage |
| 778 | Middleton | Graham Cyril | 50 Davis St. |
| 779 | Middleton | Joan Eliza | 8 James St. |
| 780 | Middleton | Kerry Ann | Dolphin Cottage |
| 781 | Middleton | Leonard | 67 Fitzroy Rd. |
| 782 | Middleton | Phillip John | 5 St. Marys Walk |
| 783 | Middleton | Sharon Elizabeth | Dolphin Cottage |
| 784 | Middleton | Stephanie Anne | 13 McKay Close |
| 785 | Middleton | Yvonne Allison | 50 Davis Street |
| 786 | Miller | Andrew Nigel | 2 Fieldhouse Close |
| 787 | Miller | Betty Lois | 6 St. Marys Walk |
| 788 | Miller | Bruce Graham | 10 Pioneer Row |
| 789 | Miller | Carol | Moody Brook |
| 790 | Miller | Florence Roberta | 5 Moody St. |
| 791 | Miller | Gail Marie | 2 Police Cottages, 8 Ross Rd. |
| 792 | Miller | Janet Mary | Market Gdn. Stly Airport Rd. |
| 793 | Miller | Jayne Elizabeth | 2 Fieldhouse Close |
| 794 | Miller | Jeanette | 10 Pioneer Row |
| 795 | Miller | Simon Roy | Moody Brook |
| 796 | Miller | Steven Geoffrey | Lookout Lodge |
| 797 | Miller | Timothy John Durose | Market Gdn Airport Rd. |
| 798 | Mills | Terence Kenneth | 43 Callaghan Rd. |
| 799 | Minnell | Adrian James | 24 Murray Heights |
| 800 | Minnell | Michelle Rose | 41 Bliza Crescent |
| 801 | Minto | Alistair Daen | Flat 5, 6 Racecourse Rd. |
| 802 | Minto | Dilys Rose | 18 Endurance Ave |
| 803 | Minto | Graham Stewart | 12 Brisbane Rd. |
| 804 | Minto | Isabel | 12 Brisbane Road |
| 805 | Minto | May Doreen | Flat 5, 6 Racecourse Rd. |
| 806 | Minto | Timothy Ian | 18 Enurance Ave |
| 807 | Miranda | Augusto | 31 Davis St. |
| 808 | Miranda | Carmen | Globe Tavern |
| 809 | Miranda | Ramon | 31 Davis Street |
| 810 | Miranda | Winifred Dorothy | 3 Drury St. |
| 811 | Mitchell | Cherilyn Julie | 32 Ross Rd East |
| 812 | Mitchell | Lee Robertson | 32 Ross Rd East |
| 813 | Mitchell | Leon John | 6 Discovery Close. |
| 814 | Moffatt | Angela | 20 Ross Rd East |
| 815 | Moffatt | James | 20 Ross Rd East |
| 816 | Moffatt | Kelly | 20 Ross Rd East |
| 817 | Molkenbuhr | Jill Edith | Flat 3, 30 Jersey Rd |
| 818 | Molkenbuhr | Lee Charles | Flat 3 30 Jersey Rd |
| 819 | Morris | Alana Marie | 4 Callaghan Rd. |
| 820 | Morris | David | 4 Callaghan Rd. |
| 821 | Morris | Jason Paul | 4 Callaghan Rd. |
| 822 | Morris | Michelle Jane | 6 McKay Close |
| 823 | Morris | Trevor Alan | 6 McKay Close |
| 824 | Morrison | Basil | 4 Philomel St |
| 825 | Morrison | Catherine Rose | 4 Philomel St |

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| 826 | Morrison | Doreen | 82 Davis St. |
| 827 | Morrison | Edgar Ewen | 13 Jersey Road. |
| 828 | Morrison | Fayan | 54 John St. |
| 829 | Morrison | Graham Stewart | 46 Davis St. |
| 830 | Morrison | Joan Margaret | Flat 6, 1 Jeremy Moore Ave. |
| 831 | Morrison | Lewis Ronald | 82 Davis St. |
| 832 | Morrison | Marcus Lewis | 82 Davis Street. |
| 833 | Morrison | Michael John | 10 Fitzroy Rd East |
| 834 | Morrison | Muriel Eliza Ivy | 40 Bliza Cres. |
| 835 | Morrison | Nanette Rose | 46 Davis St. |
| 836 | Morrison | Nigel Peter | 7 James St. |
| 837 | Morrison | Patrick | 1 Brandon Road West |
| 838 | Morrison | Paul Roderick | 3 Racecourse Rd East |
| 839 | Morrison | Ronald Terence | 5 Racecourse Rd. |
| 840 | Morrison | Russell John Allan | 6A Jeremy Moore Ave |
| 841 | Morrison | Stewart | 46 Davis St. |
| 842 | Morrison | Susan Margaret | 10 Fitzroy Rd East |
| 843 | Morrison | Timothy | YMCA |
| 844 | Morrison | Trevor | 6A Jeremy Moore Ave. |
| 845 | Morrison | Valerie Anne | 6A Jeremy Moore Ave. |
| 846 | Morrison | Violet Sarah | 5 Racecourse Rd. |
| 847 | Morrison | William Roderick Halliday | 54 John St. |
| 848 | Munro | Grant Mackintosh | 69 Fitzroy Rd |
| 849 | Murphy | Ann Susan | 2 King St. |
| 850 | Murphy | Bessie | 68 Davis St. |
| 851 | Neilson | Barry Marwood | 23 Ross Rd. |
| 852 | Neilson | Harold Ian | 23 Ross Road |
| 853 | Neilson | Margaret | 23 Ross Rd. |
| 854 | Newell | Cara Jane | 12 Goss Road. |
| 855 | Newell | Joseph Orr | 3 Villiers St. |
| 856 | Newell | Paula Michelle | 6 Pioneer Row |
| 857 | Newell | Trudi Malvina | 3 Villiers St. |
| 858 | Newman | Andrew Raymond | 4 Biggs Road |
| 859 | Newman | Glynis Karen | 4 James St. |
| 860 | Newman | Ingrid Helen | 5 Brandon Road. |
| 861 | Newman | Lisa Jeraine | Flat 5, 6 Jersey Rd. |
| 862 | Newman | Marlene | 11 Jeremy Moore Ave. |
| 863 | Newman | Raymond Winston | 11 Jeremy Moore Ave. |
| 864 | Newman | Tansy Fiona | Jersey Rd. |
| 865 | Newman | Terence | 24 Endurance Ave. |
| 866 | Nutter | Arthur Albert | 9 Brandon Rd. |
| 867 | Nutter | Josephine Lesley | 9 Brandon Rd. |
| 868 | O'Dean | Barry Charles | 1 Goss Road |
| 869 | O'Shea | Cynthia Kay | 9 Campbell Drive |
| 870 | O'Shea | Desmond | 9 Campbell Drive |
| 871 | Olmedo | Alex | 76 Davis St |
| 872 | Ormond | Christina Helen | 6 Goss Rd |
| 873 | Ormond | Kevin Micheal Patrick Joseph | 6 Goss Rd |
| 874 | Parrin | Norman George | 108 Davis St. |
| 875 | Patterson-Smith | Ian Colin | 15 Watson Way. |
| 876 | Pauloni | Hilary Maud | 63 Fitzroy Rd. |
| 877 | Pauloni | Romolo Vittorio | 63 Fitzroy Rd. |
| 878 | Paver | Bernadette Marguerite | Woody Brook House. |
| 879 | Payne | Dilys Agnes | 2 Racecourse Road East |
| 880 | Payne | Joanne Francis | 2 Racecourse Road. |

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| 881 | Payne | Samantha Jane | 2 Racecourse Road. |
| 882 | Payne | St. John Peter | 2 Racecourse Road East |
| 883 | Peake | Arthur | 19 James St. |
| 884 | Peck | Burnerd Brian | 22 James St. |
| 885 | Peck | Carol Margaret | 2 Discovery Close |
| 886 | Peck | Christine | 2 Barrack St |
| 887 | Peck | David John | 15 Villiers St |
| 888 | Peck | David Patrick | 78 Davis St. |
| 889 | Peck | Eleanor Margaret | 26 Shackleton Drive |
| 890 | Peck | Evelyn Elizabeth | 22 James St. |
| 891 | Peck | Gordon Pedro James | 17 Brandon Rd. |
| 892 | Peck | Harwood John Charles | C/o Tamar |
| 893 | Peck | James | 2 Discovery Close |
| 894 | Peck | Maureen Heather | 78 Davis St. |
| 895 | Peck | Patrick William | 78 Davis St. |
| 896 | Peck | Shirley | 2 Barrack St. |
| 897 | Peck | Terence John | 26 Shackleton Drive |
| 898 | PKD | | 6 Beaver Rd. |
| 899 | Perkins | Vivienne Esther Mary | 33 John St. |
| 900 | Perry | Beatrice Annie Jane | 1 Thatcher Drive |
| 901 | Perry | Hilda Blanche | 10 Campbell Drive |
| 902 | Perry | Robert Juan Carlos | 5 Brisbane Rd |
| 903 | Perry | Thora Virginia | 17 Fitzroy Rd. |
| 904 | Pettersson | Derek Richard | 21 Eliza Cres. |
| 905 | Pettersson | Tony | 30 Davis St. |
| 906 | Pettersson | Trudi Ann | 21 Eliza Cres. |
| 907 | Phillips | Albert James | 16 Brandon Rd. |
| 908 | Phillips | David Dawson | 35 Fitzroy Rd. |
| 909 | Phillips | Gillian Carol | Flat 4,1 Jeremy Moore Ave |
| 910 | Phillips | Linda | 16 Brandon Rd. |
| 911 | Phillips | Paul David | Drury St. |
| 912 | Phillips | Shula Louise | Flat 4, 5 Jeremy Moore Ave. |
| 913 | Platt | Claire | Rose Hotel Drury St |
| 914 | Pole-Evans | Amy Rose | 4 Harbour View |
| 915 | Pole-Evans | Ian | Dorada |
| 916 | Pole-Evans | John | 16 Ross Road East |
| 917 | Pole-Evans | Martin | YMCA |
| 918 | Pole-Evans | Michael Anthony | 4 Harbour View |
| 919 | Pole-Evans | Paula | 9 Fieldhouse Close |
| 920 | Pollard | Andrew Keith | 4 Hebe Place |
| 921 | Pollard | Elizabeth Eve | 23 Ross Rd. East |
| 922 | Pollard | John | 23 Ross Rd. East |
| 923 | Pollard | Mark John | 23 Ross Road East |
| 924 | Pompert | Joost Herman Willem | 11 Ross Rd. West |
| 925 | Poole | Andrea Joan | 52 John St |
| 926 | Poole | Evelyn May | 31 Fitzroy Rd. |
| 927 | Poole | Nancy Margaret | 52 John St. |
| 928 | Poole | Raymond John | 52 John St. |
| 929 | Poole | Ross William | 52 John Street. |
| 930 | Poole | William John | 31 Fitzroy Rd. |
| 931 | Porter | Charles | 11 Fitzroy Rd. |
| 932 | Porter | Elizabeth | 5 Thatcher Drive |
| 933 | Porter | Geoffrey Bell | 5 Jeremy Moore Ave. |
| 934 | Porter | Jean Lavinia | 11 Fitzroy Rd. |
| 935 | Porter | Tracy | 5 Jeremy Moore Ave. |

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| 936 | Prindle-Middleton | Stella Margaret | 5 St Mary's Walk |
| 937 | Purvis | Alan | 3 Narrows View |
| 938 | Purvis | Marion Louise | 3 Narrows View |
| 939 | Reddick | Keith John | By-Pass Rd. |
| 940 | Reeves | Carolyn Wendy | 2 Moody St |
| 941 | Reeves | Michael | 2 Moody St. |
| 942 | Reid | Ann | 5 Police Cottages, Ross Rd. |
| 943 | Reid | Beverley Rose | 9 Fitzroy Road East |
| 944 | Reid | Colleen Rose | 9 Fitzroy Rd. East |
| 945 | Reid | Emily Margaret | 14 Endurance Ave |
| 946 | Reid | John Alexander | Fitzroy Road |
| 947 | Reid | Reynold Gus | 9 Fitzroy Rd. East |
| 948 | Reive | Roma Endora Mary | St Marys Walk |
| 949 | Rendell | Michael | 8 Ross Rd. West |
| 950 | Rendell | Nicholas Simon Oliver | 8 Ross Rd West |
| 951 | Rendell | Phyllis Mary | 8 Ross Rd. West |
| 952 | Richards | Shirley | 8 James St |
| 953 | Richards | Walter George | 8 James Street |
| 954 | Riddell | Lisa Marie | 9 Discovery Close |
| 955 | Roberts | Cheryl Ann Spencer | 49 Ross Road East. |
| 956 | Roberts | David Anthony | 7 Jersey Rd |
| 957 | Roberts | Diana Christine | 7 Kent Rd. |
| 958 | Roberts | Jill Christine | 10 Watson Way. |
| 959 | Roberts | Laura May | 7 Kent Rd. |
| 960 | Roberts | Peter James | 49 Ross Road East. |
| 961 | Roberts | Simon Theodore Nathaniel | 10 Watson Way. |
| 962 | Robertson | Kim Rita Anne | Stanley House |
| 963 | Robertson | Sally Jean | 43 John Street |
| 964 | Robertson Pompert | Janet | 11 Ross Rd. West |
| 965 | Robson | Alison Emily | 15 Villiers St. |
| 966 | Robson | Debbi Louisa | 6 Brisbane Road. |
| 967 | Robson | Gerard Michael | 1 Philomel Place |
| 968 | Robson | Gladys Mary | 5 Philomel St. |
| 969 | Robson | Miranda Gay | 6 Brisbane Rd. |
| 970 | Robson | Phyllis Ann | 1 Philomel Place |
| 971 | Robson | Raymond Nigel | 6 Brisbane Rd. |
| 972 | Robson | William Charles | 18 Ross Rd. East |
| 973 | Ross | Andrea Joanna Ampuero | Cemetery Cottage |
| 974 | Ross | Cara Jane | 21 John Street. |
| 975 | Ross | Glenn Stephen | 22 Shackleton Drive |
| 976 | Ross | Janet | 22 Shackleton Drive |
| 977 | Ross | Kevin John | 21 John St |
| 978 | Ross | Lachlan Neil | 7 Discovery Close |
| 979 | Ross | Marie | 21 John St. |
| 980 | Ross | Roy | 21 John St. |
| 981 | Ross | Sheena Margaret | 12 Jeremy Moore Ave. |
| 982 | Rowland | Charlene Rose | 5A Ross Rd. West |
| 983 | Rowland | John Christopher | 5A Ross Rd. West |
| 984 | Rowland | Sarah Anne | 5a Racecourse Road. |
| 985 | Rowlands | Catherine Annie | 3 Hebe St. |
| 986 | Rowlands | Daisy Malvina | 106 Davis St. |
| 987 | Rowlands | Dorinda Roberta | 3a Hebe Street |
| 988 | Rowlands | Harold Theodore | 8 Ross Rd. East |
| 989 | Rowlands | Neil | 3A Hebe St. |
| 990 | Rowlands | Robert John | 13 Callaghan Rd. |

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| 991 | Rozee | Betty Ellen | 16 Davis St. |
| 992 | Rozee | Bryn | Davis Street |
| 993 | Rozee | Derek Robert Thomas | 16 Davis St. |
| 994 | Rozee | Shona Mary | 5 Pitaluga Place. |
| 995 | Rozee | Tamara Colette | 16 Davis Street. |
| 996 | Sackett | Albert John | 25 Ross Rd. East |
| 997 | Sackett | Michael John Carlos | 30 Eliza Rd |
| 998 | Sackett | Pauline | 25 Ross Rd East |
| 999 | Sawle | Judith Margaret | Seaview Cottage, Ross Rd. |
| 1000 | Sawle | Richard | Seaview Cottage, Ross Rd. |
| 1001 | Seron | Jose Segundo | M/V Tamar, C/o Bryon Marine |
| 1002 | Shepherd | Ramsey | Discovery Close |
| 1003 | Short | Brenda | Barrack St. |
| 1004 | Short | Celia Soledad | 1 Racecourse Rd. |
| 1005 | Short | Christina Ethel | 12 Brandon Rd. |
| 1006 | Short | Derek Patrick | 42 Eliza Cres. |
| 1007 | Short | Dilys Margaret Ann | 6A Pioneer Row. |
| 1008 | Short | Donald Robert Gordon | Eliza Cove Rd. |
| 1009 | Short | Emily Christina | 1 Fitzroy Rd. East |
| 1010 | Short | George Godfrey Ivan | Great Britain Hotel B.F.I |
| 1011 | Short | Isobel Rose | 15 Brandon Rd |
| 1012 | Short | Marc Peter | 1 Racecourse Rd. |
| 1013 | Short | Marlene Cindy | 9 Pitaluga Place |
| 1014 | Short | Matias Ricardo | 4 Dairy Paddock Rd |
| 1015 | Short | Montana Tyrone | 4 Dairy Paddock Rd. |
| 1016 | Short | Patrick Warburton | 15 Brandon Rd |
| 1017 | Short | Peter Robert | 1 Fitzroy Rd East |
| 1018 | Short | Richard Edward | 9 Pitaluga Place |
| 1019 | Short | Riley Ethroe | Barrack St. |
| 1020 | Short | Robert Charles | 12A Brandon Rd. |
| 1021 | Short | Vilma Alicia | 4 Dairy Paddock Rd. |
| 1022 | Simpson | Bertha Veronica | 6 Police Cottages, 4 Ross Rd. |
| 1023 | Simpson | James Alexander Bruce | 7 Racecourse Rd. |
| 1024 | Simpson | James Garry | 7 Racecourse Rd. |
| 1025 | Simpson | John Frederick | 6 Police Cottages, 4 Ross Rd. |
| 1026 | Simpson | Mirabelle Hermoine | 7 Racecourse Rd. |
| 1027 | Sinclair | Serena Samantha | 6 Biggs Rd |
| 1028 | Sinclair | Veronica Joyce | 21 Ross Rd. West |
| 1029 | Skene | Greta Winnora Miller | 22 Ross Rd. East |
| 1030 | Smallwood | Margo Ameer | 105 Davis St. |
| 1031 | Smallwood | Michael Anthony | 105 Davis St. |
| 1032 | Smith | Adeline Jane | 2 Thatcher Drive |
| 1033 | Smith | Anthony David | 10 Fieldhouse Close. |
| 1034 | Smith | Caroline | 5 Brandon Road |
| 1035 | Smith | Colin David | 6 James St. |
| 1036 | Smith | Derek | 8 Eliza Cres. |
| 1037 | Smith | Elenore Olive | 3 Brisbane Rd. |
| 1038 | Smith | Eric | 3 Allardyce St. |
| 1039 | Smith | Gerard Alexander | 8 Barrack St. |
| 1040 | Smith | Gina Ruth Mary | 28 Jersey Road |
| 1041 | Smith | Heather | 19 Watson Way |
| 1042 | Smith | Ian Lars | 5 Brandon Road |
| 1043 | Smith | Ileen Rose | 28 Ross Rd. West |
| 1044 | Smith | James Terence | 3 Fitzroy Rd. West |
| 1045 | Smith | Jennifer Ethel | 6 Watson Way |

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| 1046 | Smith | John | 28 Ross Rd. West |
| 1047 | Smith | Julia Trinidad | 8 Bliza Cres. |
| 1048 | Smith | Lisa Margaret | Flat 8 2 Bliza Place. |
| 1049 | Smith | Martyn James | 6A Ross Rd West |
| 1050 | Smith | Natalie Marianne | 6 James St. |
| 1051 | Smith | Nora Kathleen | 5 Fitzroy Rd. East |
| 1052 | Smith | Osmund Raymond | 3 Brisbane Rd. |
| 1053 | Smith | Owen Archibald | 3 Fitzroy Rd. |
| 1054 | Smith | Paul | 2 Ross Rd West |
| 1055 | Smith | Paulette Rose | KBMH |
| 1056 | Smith | Rhona | 8 Fitzroy Rd. |
| 1057 | Smith | Robin Charles | 19 Watson Way |
| 1058 | Smith | Roy Alan | Fieldhouse Close |
| 1059 | Smith | Russell James | 8 Fieldhouse Close |
| 1060 | Smith | Tyssen John Richard | 28 Jersey Road |
| 1061 | Sollis | Sarah Emma Maude | 20 Drury St. |
| 1062 | Spall | Christopher Richard | German Camp West, Callaghan Rd |
| 1063 | Spink | Roger Kenneth | 4 Hebe St. |
| 1064 | Spinks | Malvina Ellen | Flat6, 7Jeremy Moore Ave East |
| 1065 | Spruce | Helena Joan | 29 Ross Rd. West |
| 1066 | Spruce | Mark Felton | 29 Ross Road West |
| 1067 | Spruce | Terence George | 29 Ross Rd. West |
| 1068 | Steen | Barbara Ingrid | 39 Ross Rd. West |
| 1069 | Steen | Gail | 7 St. Marys Walk |
| 1070 | Steen | Karen Lucetta | 7 St. Marys Walk |
| 1071 | Steen | Vernon Robert | 7 St Marys Walk |
| 1072 | Steen MacDonald | Vanda Joan | 38 Ross Rd. |
| 1073 | Stenning | Anna Russalka | 5B Ross Rd. West |
| 1074 | Stenning | Timothy Charles | 5B Ross Road West |
| 1075 | Stephenson | James | Moody Valley |
| 1076 | Stephenson | Joan Margaret | Moody Valley |
| 1077 | Stephenson | Katrina | 4 Davis St. |
| 1078 | Stephenson | Zachary | 4 Davis St. |
| 1079 | Stevens | Paul Theodore | 9 Drury St. |
| 1080 | Stewart | Aarron Stephen | 6 Pioneer Row |
| 1081 | Stewart | Celia Joyce | 12 St. Marys Walk |
| 1082 | Stewart | David William | 55 Davis St. |
| 1083 | Stewart | Hulda Fraser | 24 Ross Rd. West |
| 1084 | Stewart | Ian Bremner | 34 Ross Road East. |
| 1085 | Stewart | Irene Anne | Racecourse Rd. |
| 1086 | Stewart | Kenneth Barry | 3 Discovery Close |
| 1087 | Stewart | Pam Ellen | 18 Endurance Ave. |
| 1088 | Stewart | Robert | 12 St. Marys Walk |
| 1089 | Stewart | Robert William | Racecourse Rd. |
| 1090 | Stewart | Sheila Olga | 34 Ross Road East. |
| 1091 | Stewart | Sylvia Rose | 7 Ross Rd. West |
| 1092 | Stewart-Reid | Carol Ellen Eva | 7 Ross Rd. West |
| 1093 | Strange | Georgina | The Dolphins Snake St |
| 1094 | Strange | Maria Marta | The Dolphins, Snake St. |
| 1095 | Strange | Shona Marguerite | 36 Ross Rd. West |
| 1096 | Summers | Alastair Peter | 1 Ross Rd. East |
| 1097 | Summers | Brian | 1 Ross Rd. East |
| 1098 | Summers | Deborah | Murray Heights |
| 1099 | Summers | Dennis David | 18 Endurance Ave. |
| 1100 | Summers | Donna | 15 Ross Rd. East |

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| 1101 | Summers | Dorothy Constance | 42 Eliza Cres |
| 1102 | Summers | Edith Catherine | 5 Dean St. |
| 1103 | Summers | Irvin Gerard | Sir Rex Hunt House. |
| 1104 | Summers | Jacqueline | 11 Pioneer Row |
| 1105 | Summers | Jonathan Derek | 5 Allardyce St. |
| 1106 | Summers | Judith Orissa | 1 Ross Rd East |
| 1107 | Summers | Lynn Jane | 2 Campbell Drive |
| 1108 | Summers | Michael Kenneth | 6A Brisbane Rd. |
| 1109 | Summers | Michael Victor | 11 Pioneer Row |
| 1110 | Summers | Naomi Christine | Sir Rex Hunt House |
| 1111 | Summers | Nichola Jane | 13 Jersey Road. |
| 1112 | Summers | Nigel Clive | 32 Fitzroy Rd. |
| 1113 | Summers | Owen William | 5 Brandon Rd. |
| 1114 | Summers | Pamela Rosemary Cheek | 32 Fitzroy Rd. |
| 1115 | Summers | Rowena Elsie | 5 Allardyce St. |
| 1116 | Summers | Roy | 9 Murray Heights |
| 1117 | Summers | Sheila | Sir Rex Hunt House, John St. |
| 1118 | Summers | Sybella Catherine Ann | 1 Ross Rd. West |
| 1119 | Summers | Sylvia Jean | 8 Racecourse Rd. |
| 1120 | Summers | Terence | 1 Ross Rd. West. |
| 1121 | Summers | Tony | 8 Racecourse Rd. |
| 1122 | Summers | Veronica | 5 Brandon Rd. |
| 1123 | Summers | Yona | 37 Davis St. |
| 1124 | Sutherland | Elizabeth Margaret | 13/14 Eliza Cove Rd. |
| 1125 | Sutherland | James David | Reflections Flat, Dean St. |
| 1126 | Sutherland | John Gall | 3B Jersey Est. |
| 1127 | Sutherland | William John Munro | 13/14 Eliza Cove Rd. |
| 1128 | Teale | Colin Edwin | 8 Brisbane Rd. |
| 1129 | Teale | Jeannette | 8 Brisbane Rd. |
| 1130 | Tellez | Jose Hector | 2 Hodson Villa West |
| 1131 | Thain | John | 8 Davis St. |
| 1132 | Thain | Stephanie Ann | 8 Davis St. |
| 1133 | Thom | David Anderson | 47 Fitzroy Rd. |
| 1134 | Thom | Dorothy Irene | 47 Fitzroy Rd. |
| 1135 | Thom | John Currie | 25 Ross Rd East |
| 1136 | Thom | Norma Ann | 92 Davis St. |
| 1137 | Thompson | William John | Flat 2, 1 Moody St. |
| 1138 | Toase | Aidan Edward | 7 Ross Road East |
| 1139 | Toase | Cora Agnes | 7 Ross Rd. East |
| 1140 | Triggs | David William | 3 Fieldhouse Close |
| 1141 | Triggs | Diane | 3 Fieldhouse Close |
| 1142 | Triggs | Michael David | 3 Fieldhouse Close |
| 1143 | Tuckwood | John Rodney | 1 Drury St. |
| 1144 | Tuckwood | Phyllis Majorie | 1 Drury St. |
| 1145 | Turner | Diana Jane | Murray Heights |
| 1146 | Turner | Melvyn George | 36 John St. |
| 1147 | Turner | Ronald | KEMH |
| 1148 | Tyrrell | Garry Bernard | 1 Beaver Rd. |
| 1149 | Tyrrell | Gina Michelle | 1 Beaver Rd. |
| 1150 | Valler | Glyndwr Huw | Flat 4 8 Jersey Rd |
| 1151 | Valler | Robert Hugh | 9 Philomel St. |
| 1152 | Valler | Robert Stanley Ernest | 22 Murray Heights |
| 1153 | Vidal | Bileen Nora | 12 Jeremy Moore Ave. |
| 1154 | Vidal Roberts | Leona Lucila | 7 Jersey Rd |
| 1155 | Villalon | Elizabeth Alice | 7 McKay Close |

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| 1156 | Villalon | Hector Ricardo | 7 McKay Close |
| 1157 | Villegas | Caroline | 7 Fieldhouse Close |
| 1158 | Vincent | Janette Mary | 10 Endurance Avenue |
| 1159 | Vincent | Stephen Lawrence | 10 Endurance Ave. |
| 1160 | Wade | Donald Harold | 41 Fitzroy Rd. |
| 1161 | Wade | June Rose Elizabeth | 41 Fitzroy Rd. |
| 1162 | Wagner | Mary Elizabeth | 6 Jeremy Moore Ave. |
| 1163 | Wagner | Richard Karl | 6 Jeremy Moore Ave. |
| 1164 | Wallace | Fiona Alice | 38 Ross Rd. West |
| 1165 | Wallace | Fraser Barrett | 10 John St. |
| 1166 | Wallace | James Barrett | 38 Ross Rd West |
| 1167 | Wallace | Maria Lillian | 38 Ross Rd. West |
| 1168 | Wallace | Michael Ian | 23 Callaghan Rd. |
| 1169 | Wallace | Stuart Barrett | 38 Ross Rd. West |
| 1170 | Wallace | Una | 23 Callaghan Rd. |
| 1171 | Ward | Alison Denise | 23 Shackleton Drive |
| 1172 | Watson | Ben | 7 Moody St. |
| 1173 | Watson | Paul | 20 Endurance Ave. |
| 1174 | Watson | Ruth Jane | 20 Endurance Ave. |
| 1175 | Watt | Stephen Robert | 11 Narrows View |
| 1176 | Watt | Sylvia Ann | 11 Narrows View |
| 1177 | Watts | Amara Theresa | 25 Fitzroy Road |
| 1178 | Watts | Patrick James | 13 Brisbane Rd. |
| 1179 | Webb | Loretta Isobel | 58 Davis Street |
| 1180 | White | Judy Marie | 11 Callaghan Road. |
| 1181 | White | Kathleen Elizabeth | 9 Thatcher Drive |
| 1182 | Whitney | Frederick William | 1 Police Cottages, 9 Ross Rd. |
| 1183 | Whitney | Henry Leslie | 3 St. Marys Walk |
| 1184 | Whitney | Jason | 15 Ross Rd. East |
| 1185 | Whitney | Kurt Ian | 2 Pioneer Row |
| 1186 | Whitney | Lana Rose | 22 Eliza Cres. |
| 1187 | Whitney | Robert Michael | Stanley |
| 1188 | Whitney | Susan Joan | 1 Police Cottages, 9 Ross Rd. |
| 1189 | Wilkinson | Alistair Graham | 6 Murray Heights. |
| 1190 | Wilkinson | Johan | 6 Murray Heights. |
| 1191 | Wilkinson | Robert John | YMCA |
| 1192 | Williams | Gene | 23 Ross Rd. West |
| 1193 | Williams | Glen | 33 Ross Rd East |
| 1194 | Williams | Margaret Elizabeth | 33 Ross Rd East |
| 1195 | Williams | Marlene Rose | 23 Ross Rd. West |
| 1196 | Winter | Teresa Irene | 4A Jeremy Moore Ave. East |
| 1197 | Wylie | Julian Richard | 1 McKay Close |
| 1198 | Zuvic-Bulic | Kuzma Mario | 16 Ross Rd. West |
| 1199 | Zuvic-Bulic | Sharon Marie | 16 Ross Rd. West |



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CX

29th June 2001

No.9

Appointments

David Sean Crowie, Apprentice Carpenter, Public Works Department, 4.6.01.

Dr. Matthias Weinig, General Practitioner/Medical Officer, Health Services Department, 13.6.01.

Helene Virginia Williams, Personal Assistant, Mineral Resources, 13.6.01.

Kevin Edward Lawrence, Veterinary Officer, Agriculture Department, 16.6.01.

Kim Anthony Bone, Police Constable, Royal Falkland Islands Police, 25.6.01.

Acting Appointments

Graham Brian France, Planning Officer, Environmental Planning Department, 4.6.01.

Richard Edwin John Fogerty, Acting Director of Education, Education Department, 14.6.01.

Myra May Pitt, Acting Camp Education Supervisor, Education Department, 14.6.01.

Confirmation of Appointments

Michelle Jane Pring, Supervisor, Young Persons Unit, Health Services Department, 16.4.01.

Ruth Eleanor Taylor, Learning Support Assistant, Education Department, 23.4.01.

Stephen Boyd Clark, Carpenter, Public Works Department, 1.5.01.

Margaret Mary Battersby, Support Worker, Young Persons Unit, Health Services Department, 6.5.01.

Emma Anne Reid, Legal Secretary, Justice Department, 7.5.01.

Juliet Ann Binnie, Receptionist, Education Department, 27.5.01.

Alastair Jaime Ceballos, Sports Attendant, Education Department, 27.5.01.

Promotions

Wendy Ann Benjamin, from Clerk, Treasury, to Clerk (Electronic Filing), Treasury, 11.6.01.

Tyssen John Richard Smith, from Plant Operator/
Handyman, Public Works Department, to Assistant
Foreman, Public Works Department, 18.6.01.

Transfers

Martyn James Smith, from Assistant Foreman,
Public Works Department, to Aircraft Fitter,
Falkland Islands Government Air Service, 4.6.01.

Barbara Cheek, from Customs & Immigration
Officer, Customs & Immigration Department, to
School Secretary, Education Department, 18.6.01.

Completion of Contract

Jeffrey Laurence McInnis, Physiotherapist, Health
Services Department, 29.6.01.

Resignations

Jeremy Slywen Lloyd Henry, Plant Operator/
Handyman, Public Works Department, 13.6.01.

Melissa Jane McKinley, Clerk, Legislature, 15.6.01.

Amara Theresa Watts, Personal Assistant, Mineral
Resources, 15.6.01.

Suzanna Clarke, Police Constable, Royal Falkland
Islands Police, 21.6.01.

Trevor Marshall Barnes, Plumber, Public Works
Department, 29.6.01.

Josephine McInnis, Administrative Officer,
Secretariat, 29.6.01.

NOTICES

No. 37 1st May 2001

BERNTSENS LIMITED

COMPANY NUMBER 8179

NOTICE IS HEREBY GIVEN that the above named
company was dissolved pursuant to section 353 of
the Companies Act 1948 in its application to the
Falkland Islands on the 1st day of May 2001.

Dated this 1st day of May 2001.

J.C. ROWLAND,
Registrar of Companies.

No. 38 1st June 2001

SECTION 11A OF THE LAND ORDINANCE Title 45.2 (As Amended)

Further to an application made by **James Andrew
Alazia** of 22 Fitzroy Road, Stanley, East Falkland
pursuant to Section 11A of the Land Ordinance
(Notice of which application was published in the
Gazette of 30th April 2001) I hereby give notice that

I have this day executed a Vesting Deed in the form
set out thereafter

John Christopher Rowland,
Registrar General.

"Dated this 1st day of June 2001

WHEREAS on application having been made to me
John Christopher Rowland, Registrar General
pursuant to Section 11A of the Land Ordinance by
James Andrew Alazia of 22 Fitzroy Road, Stanley,
East Falkland I am satisfied that the said **James
Andrew Alazia** is entitled to be registered as the
owner of the property in fee simple absolute in
possession of the land described in the Schedule to
this Deed **NOW THEREFORE** by this Deed I do
declare that the estate in fee simple absolute in
possession of the said land is vested in the said
James Andrew Alazia SUBJECT only to such
matters as are mentioned in Crown Grant 220 and
to such easements rights privileges and
encumbrances as may have been created prior to
the date of this Deed

SCHEDULE (Description of Land)

ALL THAT piece or parcel of land situate in the
town of Stanley, East Falkland forming part and
portion of Crown Grant 200 being part of Lot 82C
in Section O comprising 187 square yards more or
less situate to the rear of the Speedwell Store, John
Street, Stanley

John Christopher Rowland,
Registrar General."

Any person aggrieved by the decision of the
Registrar General to execute a Vesting Deed in the
form set out above may appeal to the Supreme Court
within 30 days of the publication in the Gazette of
this Notice in accordance with the provisions of the
Section 11A of the Land Ordinance.

Dated 1st June 2001.

No. 39 1st June 2001

THE BANKING ORDINANCE (TITLE 10.1)

THE BANKING (AMENDMENT) ORDINANCE 1996

NOTICE IS HEREBY GIVEN pursuant to Section
19(1) of the Banking Ordinance (Title 10.1), as
amended, that the audited accounts of Standard
Chartered Bank for the year ended 31st December
2000 are available for inspection at the bank branch
office, Ross Road, Stanley, or a copy will be supplied
on application to the Manager.

K.R. BILES BSc., ACIB,
*Manager, Standard Chartered Bank,
P.O. Box 166, Stanley,
Falkland Islands.*

No. 40

1st June 2001

**APPOINTMENT OF ACTING ATTORNEY
GENERAL**

I DONALD ALEXANDER LAMONT Governor of the Falkland Islands **HEREBY** authorise **GRAHAM JAMES CRIPPS** to discharge the functions and duties of the post of Attorney General whenever the substantive holder of the post of Attorney General **DAVID GEOFFREY LANG** is unavailable to discharge the same through absence from the Falkland Islands or inability to perform the functions and duties of the post.

Given under my hand and the Public Seal at Stanley on this first day of June 2001.

D.A. LAMONT,
Governor.

No. 41

1st June 2001

APPOINTMENT OF ACTING CORONER

I DONALD ALEXANDER LAMONT Governor of the Falkland Islands **HEREBY** authorise **GRAHAM JAMES CRIPPS** to discharge the functions and duties of the post of Coroner whenever the person for the time being holding the post of Senior Magistrate and the substantive holder of the post of Attorney General **DAVID GEOFFREY LANG** are both unavailable to discharge the functions power and authority of Coroner through absence from the Falkland Islands or inability to perform the functions and duties of the post.

Given under my hand and the Public Seal at Stanley on this first day of June 2001.

D.A. LAMONT,
Governor.

No. 42

1st June 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Elsie Mary Chapman has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 43

6th June 2001

**PRISON ORDINANCE 1966
APPOINTMENT OF PRISON VISITORS**

IN EXERCISE of my powers under section 7(2) of

the Prison Ordinance 1966, I, Donald Alexander Lamont, Governor of the Falkland Islands, appoint the following to be members of the Board of Visitors for a period beginning on 1st January 2001 and ending on 31st December 2002 -

Terence George Spruce JP
Bridie Farelly
Cheryl Ann Spencer Roberts

Dated this sixth day of June 2001.

D.A. LAMONT,
Governor.

No. 44

7th June 2001

APPOINTMENT OF PRESIDENT OF APPEAL

BY THESE LETTERS PATENT made this seventh day of June in the year of Our Lord Two thousand and one and the fiftieth year of the Reign of Her Majesty **ELIZABETH THE SECOND** by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her Other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith

I DONALD ALEXANDER LAMONT Governor of the Falkland Islands, in pursuance of instructions given by Her said Majesty through Her Secretary of State of Foreign and Commonwealth affairs,

DO HEREBY APPOINT

ALAN HUGGINS Knight

to be President of the Court of Appeal of the Falkland Islands for a period commencing on the first day of June in the year of Our Lord Two thousand and one and expiring on the thirty-first day of May in the year of Our Lord Two thousand and two

AS WITNESS my hand and the Public Seal of the Falkland Islands the day and year first above written

D.A. LAMONT,
Governor.

No. 45

12th June 2001

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Lynn Frances Brownlee has applied through the Principal Immigration Officer for Falkland Islands status to be granted to her by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration officer, Stanley within twenty-one days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.

No. 46

12th June 2001

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Andrew Samuel Brownlee has applied through the Principal Immigration Officer for Falkland Islands status to be granted to him by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration officer, Stanley within twenty-one days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.

No. 47

20th June 2001

PARAGON LIMITED
Company Number: 9044

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application of the Falkland Islands and the requirements of the said section having been complied with the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 20th day of June 2001.

J.C. ROWLAND,
Registrar of Companies.

Appointment of Temporary Customs Officer**Customs Ordinance 1943**

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:

SGT GARY RUELL JONES - Q8139301

to be a temporary Customs Officer from 2nd May 2001 to 1st September 2001.

R.J. KING,
Collector of Customs.

Appointment of Temporary Customs Officer**Customs Ordinance 1943**

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:

CPL IAN RAYMOND THOMAS - F8254980

to be a temporary Customs Officer from 2nd May 2001 to 1st September 2001.

R.J. KING,
Collector of Customs.



THE FALKLAND ISLANDS GAZETTE

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No.10

Appointments

Clare Ann Hewitt, Support Worker, Health and Social Services Department, 23.2.01.

Marc Peter Short, Tradesman Mechanic, Public Works Department, 1.6.01.

Nicholas Paul Sanders, Senior Magistrate, Courts & Registry, 27.6.01.

Cherie Yvonne Clifford, Administrative Officer, Legislative Department, 1.7.01.

Carmen Miranda, Stores Clerk, Health and Social Services Department, 2.7.01.

Melissa McKinley, Receptionist, Falkland Islands Government Office, London, 4.7.01.

Kerry Jane Thomas, Clerk, Public Service, 9.7.01.

Derek Donnelly, Plant Operator/Handyman (East Falklands), Public Works Department, 16.7.01.

Caroline Smith, Clerk, Public Service, 16.7.01.

Andrew Stocks, Fisheries Observer, Fisheries Department, 25.7.01.

Oliver Yates, Temporary Fisheries Observer, Fisheries Department, 25.7.01.

Caroline Jane Richards, Pharmacy Technician, Health and Social Services Department, 26.7.01.

Keith Padgett, Deputy Financial Secretary, Treasury, 30.7.01.

Thomas Tierney, Temporary Fisheries Observer, Fisheries Department, 30.7.01.

Nicola Jayne Wiseman, Temporary Fisheries Observer, Fisheries Department, 30.7.01.

Confirmation of Appointments

Gerard Allan Ford, Agricultural Assistant, Agricultural Department, 2.7.01.

Carol Margaret Hobman, Clerk, Public Service, 2.7.01.

Ferne Clarke, Learning Support Assistant, Education Department, 15.7.01.

Sarah Anne Rowland, Police Constable, Royal Falkland Islands Police, 15.7.01.

Completion of Contracts

Michael John Hattersley, Fisheries Observer,
Fisheries Department, 20.7.01.

Paul Schroeder, Fisheries Observer, Fisheries
Department, 20.7.01.

Caroline Jane Richards, Pharmacy Technician,
Health and Social Services Department, 25.7.01.

Alison McPherson, Team Leader Social Services,
Health and Social Services Department, 27.7.01.

Retirement

Shirley Peck, Clerk, Post Office, 10.7.01.

Resignations

Hannah Elaine Humphreys, Clerk, Public Service,
6.7.01.

Alison Mary Barton, Administrative Officer,
Customs & Immigration Department, 13.7.01.

Hilary Keith-Miller, Clerk, Public Service, 27.7.01.

Julia Thain, Assistant Secretary (Recruitment
Officer), Falkland Islands Government Office,
London, 31.7.01.

NOTICES

No. 48 29th June 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Andrew Gavin Leo has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 49 6th July 2001

CHAIR OF INFANT & JUNIOR SCHOOL COMMITTEE OF MANAGERS

Notice is hereby given that His Excellency the Governor has approved the appointment of the following person to be Chair of the Infant & Junior School Committee of Managers with effect from 8th June 2001 for the duration of the time for which she is a member of the Education Board:

Miss Diane Towersey

Dated this 6th day of July 2001.

No. 50

26th July 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Anthony Ross Chaloner has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

M. FLOYD,
Immigration Officer.

No. 51

26th July 2001

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Pamela Jane Freer has applied through the Principal Immigration Officer for Falkland Islands status to be granted to her by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration Officer, Stanley within 21 days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.

No. 52

26th July 2001

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Stephen Paul James Freer has applied through the Principal Immigration Officer for Falkland Islands status to be granted to her by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration Officer, Stanley within 21 days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.

No. 53

26th July 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Corrinne Parke has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

M. FLOYD,
Immigration Officer.



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No.11

Appointments

Michael James Harte, Economist, Secretariat, 3.8.01.

Tansy Fiona Newman, Archives Assistant, Archives Section, Secretariat, 6.8.01.

Edgar Sutton, Assistant Materials Manager, Public Works Department, 6.8.01.

Marianne Nyegaard, Fisheries Observer, Fisheries Department, 8.8.01.

David Eric Snape, Physiotherapist, Health & Medical Services Department, 8.8.01.

David William Smith, Fisheries Observer, Fisheries Department, 13.8.01.

Joan May Hewitt, Cleaner, Falkland Islands Government Air Service, 16.8.01.

Fiona Black, Staff Nurse, Health and Medical Services Department, 17.8.01.

Lauren Angela Tate, Technical Assistant, Public Works Department, 17.8.01.

Martin Pole-Evans, Trainee Mechanic, Plant and Vehicle Section, Public Works, 20.8.01.

George William Burroughs, Clerk of Works, Public Works Department, 22.8.01.

Katherine Mary Nelson, Teacher, Education Department, 27.8.01.

Kenneth Stewart, Plant Operator/Handyman, Highways Section, Public Works Department, 27.8.01.

Joanne Hazel Rose Goodwin, Cleaner, Education Department, 30.7.01.

Appointments on Secondment

Sara Jane Rich, Team Leader, Social Services, Health & Medical Services Department, 16.7.01.

Michael Ansell, Chief Fire Officer, Fire and Rescue Department, 18.8.01.

Carolyn Montgomerie, Senior Personnel Officer, Human Resources Department, 20.8.01.

Confirmation of Appointments

Kenneth John Aldridge, Mechanical Foreman, Power & Electrical Section, Public Works Department, 1.7.01.

Michael Anthony Pole-Evans, Mechanical Supervisor, Power & Electrical Section, Public Works Department, 1.7.01.

Promotions

Valorie Berntsen, from Clerk, Public Works Department, to Senior Clerk, Finance, Public Works Department, 7.8.01.

Terri-Ann Jaffray, from Senior Clerk, Public Works Department, to Administration Officer, Public Works Department, 15.8.01.

Completion of Contracts

Edgar Sutton, Assistant Materials Manager, Public Works Department, 5.8.01.

Christopher David Francis, Pilot, Falkland Islands Government Air Service, 31.8.01.

Retirement

Erling Kenny, Storeman, Central Store, 13.8.01.

Resignations

Shona Marguerite Strange, Chief Clerk/Personal Assistant, Education Department, 27.7.01.

Peter Finlayson, Assistant Foreman, Public Works Department, 3.8.01.

Nanette Rose Morrison, Cleaner, Falkland Islands Government Air Service, 9.8.01.

Elizabeth Alice Marrow, Teacher, Education Department, 10.8.01.

Patricia Collette Card, Personal Assistant, Public Works Department, 31.8.01.

Doreen Morrison, Cleaner, Royal Falkland Islands Police, 31.8.01.

Determination of Appointment

Lynsey Leander Davis, Receptionist, Education Department, 31.7.01.

NOTICES

No. 54 1st August 2001

INDEX OF RETAIL PRICES

The calculation of the Index for the quarter ended 30 June 2001 has now been completed.

A summary of the Index for the last four quarters is show below.

| Date | Index | Annual % Increase | Quarter % Increase |
|----------|--------|-------------------|--------------------|
| 30.09.00 | 106.15 | 7.060 | 1.686 |
| 31.12.00 | 106.82 | 3.628 | 0.631 |
| 31.03.01 | 106.52 | 2.158 | (0.281) |
| 30.06.01 | 106.60 | 2.117 | 0.075 |

C.S. DAVIES,
for Government Secretary.

No. 55

2nd August 2001

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Anna Russ alka Stenning has applied through the Principal Immigration Officer for Falkland Islands status to be granted to her by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration Officer, Stanley within 21 days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.

No. 56

2nd August 2001

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Timothy Charles Stenning has applied through the Principal Immigration Officer for Falkland Islands status to be granted to him by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration Officer, Stanley within 21 days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.

No. 57

20th August 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Jeanette Del Carmen Agulla Aguilar has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 58

20th August 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Gilberto Enrique Castro Barrientos has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 59

20th August 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Simon Andrew Benjamin has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 60

20th August 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Roxana Janett Tapia Vidal has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 61

23rd August 2001

MARRIAGE ORDINANCE 1996**APPOINTMENT OF REGISTRAR**

I DONALD ALEXANDER LAMONT Governor of the Falkland Islands **IN EXERCISE** of all my powers under section 25(1) of the Marriage Ordinance 1996 and all other powers enabling me **HEREBY APPOINT**

JANET MARGARET PARKE

to be a Registrar for the purposes of solemnising marriages generally in the Falkland Islands.

Dated this twenty-third day of August 2001.

D.A. LAMONT,
Governor.

No. 62

28th August 2001

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Caroline Jane Cotter has applied through the Principal Immigration Officer for Falkland Islands status to be granted to

her by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration Officer, Stanley within 21 days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:

CPL TIMOTHY ROY POTTER - B8284494

to be a temporary Customs Officer from 11th July 2001 to 11th November 2001.

R.J. KING,
Collector of Customs.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:

WO2 SIMON JONATHON PEET - 24645060

to be a temporary Customs Officer from 3rd August 2001 to 3rd February 2002.

R.J. KING,
Collector of Customs.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:

CPL STUART ANTHONY HOLMAN - G8284462

to be a temporary Customs Officer from 8th August 2001 to 8th December 2001.

R.J. KING,
Collector of Customs.

Corrigendum

Date of Appointment for Mr. Keith Padgett, Deputy Financial Secretary, Treasury, is 6.8.01., not 30.7.01. as published in Gazette No. 10 of July 31st 2001.



THE FALKLAND ISLANDS GAZETTE

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28th September 2001

No. 12

Appointments

Annette Alderson, Receptionist, Leisure Centre, Education Department, 31.8.01.

Martin Raymond Barnes, Sports Attendant, Leisure Centre, Education Department, 3.9.01.

Karen Diana Marsh, Agricultural Assistant, Department of Agriculture, 3.9.01.

Odette Ellen May Bonner, Clerk, Public Service, 5.9.01.

Mandy Hazel Goodwin, Cleaner, Royal Falkland Islands Police, 6.9.01.

Joanna Rose Lazo, Cleaner, Stanley House Hostel, Education Department, 10.9.01.

Lillian Sims, Senior Staff Nurse, Health Services Department, 10.9.01.

Maria Ann Thomas, Cleaner, Fisheries Department, 10.9.01.

Paul Smith, Plant Operator/Handyman, Quarry Section, Public Works Department, 13.9.01.

Hannah Elaine Humphreys, Observer, Falkland Islands Government Air Service, 18.9.01.

Margaret Grebby, Health Visitor, Health Services Department, 19.9.01.

Re-Appointment

James St. John Grewcock, Materials Manager, Public Works Department, 8.9.01.

Promotions

Andrea Joanna Ross, from Constable to Leading Constable, Royal Falkland Islands Police, 12.9.01.

Dawn Hoy, from Customs & Immigration Officer to Immigration Officer, Customs & Immigration Department, 25.9.01.

Transfers

Angeline Gloria Clarke, from Plant Operator/Handyman, Public Works Department, to Clerk, Public Service, 27.8.01.

Julie Doris Courtney, from Senior House Parent, Stanley House Hostel, to Learning Support Assistant, Education Department, 12.9.01.

Nyree Heathman, from Observer, Falkland Islands Government Air Service, to Trainee Senior Agricultural Assistant, Department of Agriculture, 24.9.01.

Completion of Contract

James Franklyn Jackson, Internal Auditor, Treasury Department, 21.9.01.

Retirement

Hazel Rose Goodwin, Cleaner, Education Department, 7.9.01.

Resignation

Elvio Miguel Cofre, Customs & Immigration Officer, Customs & Immigration Department, 19.9.01.

NOTICES

No. 63 30th August 2001

**REVISED EDITION OF THE LAWS
ORDINANCE 1991**

LAW REVISION ORDER

ARTICLE 1(1)

COMMENCEMENT NOTICE

IN EXERCISE of my powers under section 4(4) of the Revised Edition of the Laws Ordinance 1991 and of all other powers enabling me in that behalf, I hereby notify that Law Revision Order No. 2 of 1998(a), Law Revision Order No. 3 of 1998(b), Law Revision Order No. 1 of 1999(c) and Law Revision Order No. 2 of 1999(d) shall come into force seven days after the publication of this Notice in the Gazette.

Dated this thirtieth day of August 2001.

D.A. LAMONT,
Governor.

-
- (a) SR&O No. 60 of 1998
 - (b) SR & O No. 6 of 1999
 - (c) SR & O No. 38 of 1999
 - (d) SR & O No. 4 of 2000

No. 64 3rd September 2001

**SUPREME COURT OF THE FALKLAND
ISLANDS**

**Notice under the Administration of
Estates Ordinance (Cap. 1)**

TAKE NOTICE THAT Robert Juan Carlos Perry deceased of Stanley, Falkland Islands died between 22 and 25 August 2001 intestate.

WHEREAS Beatrice Annie Jane Perry has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to Section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within 21 days of the publication hereof.

C. J. MITCHELL,
Registrar, Supreme Court.

Ref: PRO/11/01

No. 65 4th September 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Carmen Benilda Ladron de Guevara Vilchez has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

J.E. SMITH,
Immigration Officer.

No. 66 4th September 2001

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Vera Leyland has applied through the Principal Immigration Officer for Falkland Islands status to be granted to her by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration Officer, Stanley within 21 days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.

No. 67 4th September 2001

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Frank Leyland has applied through the Principal Immigration Officer for Falkland Islands status to be granted to him by the Governor. Any person who desires to object to the granting of such status may do so in writing to the Immigration Officer, Stanley within 21 days of the date of publication of this notice.

J.E. SMITH,
Immigration Officer.

No. 68

6th September 2001

APPLICATION FOR NATURALISATION

Notice is hereby given that Elisa Phillips is applying to His Excellency the Governor for naturalisation. Any person who knows of any reason why naturalisation should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of this notice.

J.E. SMITH,
Immigration Officer.

No. 69

11th September 2001

THE COLONY OF THE FALKLAND ISLANDS**MARRIAGE ORDINANCE 1996****CERTIFICATE OF REGISTRATION****AS A MINISTER FOR THE SOLEMNISATION
OF MARRIAGES**

IN EXERCISE of my powers under section 26(2) of the Marriage Ordinance 1996 and all other powers enabling me I **RUSSELL THOMAS JARVIS** Acting Governor of the Falkland Islands **HEREBY REGISTER**

Reverend (Sqd Ldr)
JAMES KENNETH WILSON

as a Minister for the solemnisation of marriages.

Given under my hand and the Public Seal at Stanley this eleventh day of September 2001.

R.T. JARVIS,
Acting Governor.

No. 70

20th September 2001

PARAGON LIMITED

Company Number: 9044

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 20th day of September 2001.

Dated this 20th day of September 2001.

J.C. ROWLAND,
Registrar of Companies.

No. 71

20th September 2001

SOUTHERN RANCHING COMPANY LIMITED.

Company Number: 11495

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been complied with the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 20th day of September 2001.

J.C. ROWLAND,
Registrar of Companies.

No. 72

26th September 2001

CURRENCY ORDINANCE 1987

In accordance with Section 10(1) of the Currency Ordinance 1987 the following Falkland Islands (old size) coins will cease to be legal tender on 1 October 2001:

5p, 10p, 50p

**Appointment of Temporary Customs Officer
Customs Ordinance 1943**

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:

SGT ALAN DICKINSON - F8174246

to be a temporary Customs Officer from 1st September 2001 to 28th December 2001.

R.J. KING,
Collector of Customs.

**Appointment of Temporary Customs Officer
Customs Ordinance 1943**

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:

CPL JAMES NICHOLAS PARKINSON - H285021

to be a temporary Customs Officer from 4th September 2001 to 4th January 2002.

R.J. KING,
Collector of Customs.

The Government of the United Kingdom
 has the honor to acknowledge the receipt of
 your letter of the 15th inst. in relation to
 the above-mentioned matter.
 The Government is pleased to inform you
 that the necessary arrangements have been
 made to meet your requirements.
 The enclosed documents are being forwarded
 to you for your information.
 Should you require any further information,
 please do not hesitate to contact the
 appropriate authorities.
 Yours faithfully,
 The Secretary of State

The Government of the United Kingdom
 has the honor to acknowledge the receipt of
 your letter of the 15th inst. in relation to
 the above-mentioned matter.
 The Government is pleased to inform you
 that the necessary arrangements have been
 made to meet your requirements.
 The enclosed documents are being forwarded
 to you for your information.
 Should you require any further information,
 please do not hesitate to contact the
 appropriate authorities.
 Yours faithfully,
 The Secretary of State



**THE
FALKLAND ISLANDS GAZETTE
Extraordinary**

PUBLISHED BY AUTHORITY

Vol. CX

10th October 2001

No. 13

The following are published in this Gazette:-

Appointment of Returning Officer;

Proclamation No. 5 of 2001 (Elections);

Writs of Election (Stanley and Camp Constituencies);

Notice of Election (Stanley and Camp Constituencies).

ELECTORAL ORDINANCE 1988
(Section 47(1))

APPOINTMENT OF RETURNING OFFICER:
STANLEY AND CAMP CONSTITUENCIES

IN EXERCISE of my powers under section 47(1) of the Electoral Ordinance 1988. **I APPOINT JOHN CHRISTOPHER ROWLAND** to be the returning officer in respect of both the Stanley and Camp constituencies.

Dated this second day of October 2001

R T JARVIS
Acting Governor

PROCLAMATION

FALKLAND ISLANDS CONSTITUTION ORDER 1985

SCHEDULE 1

(sections 28(1), 29(2) and 32(1))

PROCLAMATION DISSOLVING THE LEGISLATIVE COUNCIL, REQUIRING THE HOLDING OF A GENERAL ELECTION AND APPOINTING A TIME IN RESPECT THEREOF AND APPOINTING A PLACE AND TIME FOR THE COMMENCEMENT OF A SESSION OF THE LEGISLATIVE COUNCIL AFTER THE GENERAL ELECTION

(Proclamation No. 5 of 2001)

IN EXERCISE of my powers under sections 28(1), 29(2) and 32(1) of Schedule 1 to the Falkland Islands Constitution Order 1985 ("the Constitution") and of all other powers enabling me in that behalf, **I, RUSSELL THOMAS JARVIS**, Acting Governor of the Falkland Islands **PROCLAIM** as follows —

- I.** The Legislative Council of the Falkland Islands is dissolved.
- II.** A General Election shall be held for the election of members of the Legislative Council on Thursday the twenty-second day of November 2001.
- III.** A session of the Legislative Council shall commence following such General Election in the Legislative Council Chamber at the Town Hall Stanley on Tuesday the twenty-seventh day of November 2001 at the hour of ten in the forenoon at which place and time and on which date all persons declared to be elected as members of the Legislative Council as a result of such General Election should attend **UNLESS** by further Proclamation I appoint any other place day and time for the commencement of a session of the Legislative Council.

Made this tenth day of October 2001 at Stanley, under my hand and the Public Seal of the Falkland Islands.

R T JARVIS
Acting Governor

GOD SAVE THE QUEEN!

WRIT OF ELECTION

To: the Returning Officer for the Stanley Constituency

IN THE NAME OF HER MAJESTY ELIZABETH THE SECOND By the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen Head of the Commonwealth Defender of the Faith

BY HIS HONOUR RUSSELL THOMAS JARVIS, Acting Governor of the Falkland Islands

To: the Returning Officer for the Stanley Constituency **GREETING**

WHEREAS the Legislative Council of the Falkland Islands has this day been dissolved by me by Proclamation pursuant to section 29(2) of Schedule 1 to the Falkland Islands Constitution Order 1985

AND WHEREAS by the said Proclamation I appointed Thursday the twenty-second day of November 2001 as the date on which a General Election is to be held within the Falkland Islands

NOW THEREFORE I COMMAND THAT, due notice having first been given you do cause election to be made according to law of five members of the Legislative Council in respect of the Stanley Constituency **AND THAT** you do return this Writ endorsed as provided by law on or before Monday the twenty-sixth day of November 2001.

GIVEN under my hand and the Public Seal of the Falkland Islands at Government House Stanley this tenth day of October in the year of Our Lord Two Thousand and one

R T JARVIS
Acting Governor

WRIT OF ELECTION

To: the Returning Officer for the Camp Constituency

IN THE NAME OF HER MAJESTY ELIZABETH THE SECOND By the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen Head of the Commonwealth Defender of the Faith

BY HIS HONOUR RUSSELL THOMAS JARVIS, Acting Governor of the Falkland Islands

To: the Returning Officer for the Camp Constituency **GREETING**

WHEREAS the Legislative Council of the Falkland Islands has this day been dissolved by me by Proclamation pursuant to section 29(2) of Schedule 1 to the Falkland Islands Constitution Order 1985

AND WHEREAS by the said Proclamation I appointed Thursday the twenty-second day of November 2001 as the date on which a General Election is to be held within the Falkland Islands

NOW THEREFORE I COMMAND THAT, due notice having first been given you do cause election to be made according to law of three members of the Legislative Council in respect of the Camp Constituency **AND THAT** you do return this Writ endorsed as provided by law on or before Monday the twenty-sixth day of November 2001.

GIVEN under my hand and the Public Seal of the Falkland Islands at Government House Stanley this tenth day of October in the year of Our Lord Two Thousand and one

R T JARVIS
Acting Governor

GENERAL ELECTION

22nd NOVEMBER 2001

NOTICE OF ELECTION
(Section 51 Electoral Ordinance 1988)

STANLEY AND CAMP CONSTITUENCIES

I, JOHN CHRISTOPHER ROWLAND, Returning Officer in respect of the Stanley Constituency and in respect of the Camp Constituency **HEREBY GIVE NOTICE** in accordance with section 51 of the Electoral Ordinance 1988 as follows —

(1) The number of persons to be elected as members of the Legislative Council as a consequence of the Writ of Election transmitted to me on 10th October 2001 by the Acting Governor, shall be —

(a) **FIVE** members in respect of the Stanley Constituency; and

(b) **THREE** members in respect of the Camp Constituency.

(2) Nomination papers for candidates in respect of each of the above constituencies may be obtained from and including, Monday 15th October 2001 and until and including Friday 2nd November 2001, but not including Saturdays, Sundays and public holidays falling between those dates.

(3) The hours between which nomination papers may be so obtained from me on the days above-mentioned are —

(a) between 8.30 am and 11.45 am; and

(b) between 1.30 pm and 4.15 pm.

While I am, at the request of any person, prepared to transmit nomination papers by post or other means to any person requesting them, I cannot accept any responsibility for the safe or timely delivery or arrival of them. All persons are therefore most strongly advised that wherever possible they should collect nomination papers from me.

(4) The location of my office, for the purposes of collection of nomination papers is the Registry Office, Ground Floor, Town Hall, Ross Road, Stanley (these offices are immediately to the south of the Legislative Council Chamber/Court Rooms). My telephone number at these offices is 27272.

(5) The last day for delivery of completed nomination papers to me will be 2nd November 2001, and completed nomination papers must be handed to me not later than 4.30 pm on that

day, at the Registry Office (located as stated in (4) above). While nomination papers may be sent to me by post or otherwise it is the responsibility of those nominating a candidate to ensure that it is actually received by me in due time and I draw attention to the provisions of section 52(1) of the Electoral Ordinance 1988 —

“52(1) Every nomination paper shall be delivered or sent by or on behalf of the candidate so as to be received by the returning officer personally and shall be deemed not to have been received by the returning officer until it is received by him personally except that whenever a nomination paper is left at his office in an envelope addressed to him it shall (unless it is actually received by him at an earlier time) be deemed to have been received by him personally not later than half past four in the afternoon of the second business day following the day on which it was so left.

(2) No election shall be invalidated by the fact that the returning officer is absent from his office on any day provided that he is in personal attendance thereat on the last day for delivery of nomination papers between the hours specified pursuant to paragraph (f) of section 51(2) above”.

(6) I shall be personally in attendance at the Registry Office to receive nomination papers between the hours of 8.30 am and 11.45 am and again between the hours of 1.30 pm and 4.30 pm on 2nd November 2001.

(7) In the event that more than **FIVE** persons after the close of nominations stand validly nominated as candidates for election in respect of the Stanley Constituency or more than **THREE** persons after the close of nominations stand validly nominated as candidates in respect of the Camp Constituency a poll will be necessary in respect of the relevant Constituency and will be conducted on Thursday 22nd November 2001 (“polling day”). The poll will be conducted between the hours of 10.00 am and 6.00 pm on polling day in the Stanley Constituency and 9.00 am and 4.00 pm in the Camp Constituency at polling places to be appointed not later than ten days before polling day by the Governor pursuant to section 59(1) of the Electoral Ordinance 1988 **BUT SUBJECT** —

(a) in respect of the Camp Constituency, to any direction by the Governor under section 60(1) of that Ordinance permitting electors in that Constituency, if they wish, to vote during the visit of a mobile polling team to any place in that Constituency during the five business days ending with polling day;

(b) in respect of both Constituencies, to the provisions of the Voting in Institutions Regulations 1993, which permit inmates at the King Edward VII Memorial Hospital and the Jack Hayward Housing Stanley, and certain members of staff employed in relation thereto to vote on polling day during a visit by an electoral team to those Institutions.

Dated this tenth day of October 2001.

JOHN CHRISTOPHER ROWLAND
Returning Officer
Stanley Constituency and Camp Constituency



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CX

31st October 2001

No.14

Appointments

Niilo Gobius, Animal Nutrition Officer, Department of Agriculture, 28.9.01.

Neil Judd, Wool Adviser, Department of Agriculture, 29.9.01.

Douglas Martin, Beef Adviser, Department of Agriculture, 29.9.01.

Jason Alazia, Plant Operator/Handyman, Highways Section, Public Works Department, 1.10.01.

Peter Finlayson, Plant Operator/Fuel Bowser Driver, Plant & Vehicle Section, Public Works Department, 1.10.01.

Bernadette Pring, Aerodrome Flight Information Service Officer, Civil Aviation Department, 4.10.01.

Dr. Penelope Ann Blanch, Pharmacist, Health Services Department, 8.10.01.

Jennifer Pauline Dudley, Dental Hygienist, Health Services Department, 8.10.01.

June McMullen, Clerk, Public Service, 8.10.01.

Elizabeth Pointing, Pharmacist, Health Services Department, 8.10.01.

Larry Neale, Materials Manager, Public Works Department, 19.10.01.

Promotions

Peter Bagley, from Serviceman/Painter, Public Works Department, to Mechanic, Public Works Department,

Roger May, from Plant Operator/Handyman, Highways Section, Public Works Department, to Assistant Foreman, Highways Section, Public Works Department,

Sarah Gilding, from Sports Attendant, Leisure Centre, Education Department, to Senior Sports Attendant, Leisure Centre, Education Department, 1.10.01.

Andrew Newman, from Deputy Director Civil Aviation, Civil Aviation Department, to Director of Civil Aviation, Civil Aviation Department, 1.10.01.

Gerard Michael Robson, from Aerodrome Flight Information Service Officer, Civil Aviation Department, to Senior Aerodrome Flight Information Service Officer, Civil Aviation Department, 1.10.01.

Sylvia Watt, from Senior Receptionist, Leisure Centre, Education Department, to Senior Sports Attendant, Leisure Centre, Education Department, 1.10.01.

Transfers

Jennifer Smith, from Immigration Officer, Customs & Immigration Department, to Assistant Secretary (Recruitment), Falkland Islands Government Office, 1.10.01.

Janet Jaffray, from Clerk, Public Service, to Houseparent, Education Department, 15.10.01.

Completion of Contracts

Thomas William Eggeling, Environmental Planning Officer, Environmental Planning Office, 19.10.01.

James St. John Gewcock, Material Manager, Public Works Department, 19.10.01.

Resignations

Alan John Geach, Constable, Royal Falkland Islands Police, 30.9.01.

Jan Michael Clarke, Plant Operator/Handyman, Highways Section, Public Works Department, 31.10.01.

NOTICES

No. 73 28th September 2001

THE FALKLAND ISLANDS CONSTITUTION ORDER 1985

SCHEDULE 1 (SECTION 80(1))

EXTENSION OF APPOINTMENT OF NICHOLAS PAUL MARTIN SANDERS AS ACTING JUDGE

WHEREAS NICHOLAS PAUL MARTIN SANDERS was by Instrument of Appointment under the Public Seal dated 29th June 2001 appointed to sit as an Acting Judge of the Supreme Court during such time or times as the Chief Justice is absent from the Falkland Islands or the post of Chief Justice is vacant, but in relation to only to such causes matters proceedings or things as were specified in such Appointment.

AND WHEREAS it appears to me that the state of business in the Supreme Court during such time or times as the Chief Justice is absent from the Falkland Islands or the post of Chief Justice is vacant so requires;

IN EXERCISE of my powers under section 80(1) of Schedule 1 to the Falkland Islands Constitution Order 1985, I RUSSELL THOMAS JARVIS, ACTING GOVERNOR of the Falkland Islands DO HEREBY amend the said Instrument of Appointment of 29th June 2001 by the insertion therein immediately following sub-paragraph (g) of the fifth paragraph of the said Instrument of

Appointment of the following new sub-paragraph (h) -

"(h) to sit as an acting Judge of the Supreme Court for the purpose of hearing and determining all pre-trial issues including the taking of pleas and sentencing in the event of a guilty plea in any case committed on indictment for trial in the Supreme Court."

Given under my hand and the Public Seal this twenty-eighth day of September 2001.

R.T. JARVIS,
Acting Governor.

No. 74 1st October 2001

ADMINISTRATION OF ESTATES ORDINANCE (Section 13)

APPOINTMENT OF OFFICIAL ADMINISTRATOR

IN EXERCISE of my powers under section 13 of the Administration of Estates Ordinance, I appoint DINAH MAY KILMARTIN to act as the Official Administrator and to exercise the rights, powers and duties and to be subject to the liabilities of the Public Trustee established under the Public Trustee Act 1906, in respect of the administration of estates in the application of that Act to the Falkland Islands under the provisions of that section from 1 November 2001 to 30 April 2002.

Dated this 1st day of October 2001.

R.T. JARVIS,
Acting Governor.

No. 75 1st October 2001

ADMINISTRATION OF JUSTICE ORDINANCE (Section 42)

APPOINTMENT OF REGISTRAR OF SUPREME COURT

IN EXERCISE of my powers under section 76 of the Falkland Islands Constitution Order 1985 (as amended by the Falkland Islands Constitution (Amendment) Order 1997), I RUSSELL THOMAS JARVIS Acting Governor appoint DINAH MAY KILMARTIN to act as the Registrar of the Supreme Court and to exercise the rights, powers and duties of the Registrar in respect of the administration of justice in the Falkland Islands from 1 November 2001 to 30 April 2002.

Dated this 1st day of October 2001.

R.T. JARVIS,
Acting Governor.

No. 76

1st October 2001

**APPOINTMENT OF COMMISSIONER
FOR OATHS**

In accordance with section 2(2) of the Commissioners for Oaths Ordinance 1969, **DINAH MAY KILMARTIN** is appointed a Commissioner for Oaths.

Dated this 1st day of October 2001.

R.T. JARVIS,
Acting Governor.

No. 77

2nd October 2001

**BLUE SEAS LIMITED
Company Number: 11643**

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been complied with the above named company will be removed from the Registrar of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 2nd day of October 2001.

J.C. ROWLAND,
Registrar of Companies.

No. 78

2nd October 2001

**EDDYSTONE LIMITED
Company Number: 11529**

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been complied with the above named company will be removed from the Registrar of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 2nd day of October 2001.

J.C. ROWLAND,
Registrar of Companies.

No. 79

12th October 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Daniel Neil Constantine has applied to the Principal Immigration Officer for a permanent residence permit. Any person who

knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

D. HOY,
Immigration Officer.

No. 80

16th October 2001

**ENTITLEMENT TO TREATMENT BY THE
FALKLAND ISLANDS GOVERNMENT'S
HEALTH SERVICES**

The following rules regarding entitlement to treatment by the Falkland Islands Government's Health and Medical Services Department were agreed by Executive Council on 20 September 2001:

Introduction

Health services in the Falkland Islands are provided by the Department of Health and Social Services headed by the Director of Health Services. With the exception of certain supplies, such as spectacles, travel vaccinations and dental appliances, all services and supplies provided on the Islands are currently free at point of need to residents of the Islands. Additionally, under the provisions of a reciprocal agreement with the Government of the United Kingdom, residents of the Falkland Islands are entitled to the same treatment from the UK National Health Service as UK residents and a number of patients from the Falklands are referred there each year. The Falkland Islands Government remains responsible for the travel, and very often subsistence, costs for residents of the Islands referred for treatment to the UK.

Entitlement to treatment

Entitlement to treatment by the FIG Health Services, including where appropriate transfer to the National Health Service of the United Kingdom will be accorded to all persons residing in the Falkland Islands who:

- are Falkland Islanders, or
- have been granted a Permanent Residence Permit, or
- have been granted a Residence Permit or Work Permit enabling them to stay in the Falkland Islands for a period of six months or more (the entitlement to treatment would start on their day of arrival in the Falkland Islands), or
- are covered by a reciprocal health care agreement with the Falkland Islands (currently such an agreement only exists with the United Kingdom Government).

Not Entitled to Treatment

The following are not entitled to treatment and will be expected to meet the costs of their treatment together with associated administrative and travel (medical evacuation) expenses:

- Tourists and visitors to the Islands unless they are normally resident in a country with which the FIG has a reciprocal agreement (at present only with the UK).
- Merchant seamen, fishermen and crews of ships visiting the Falkland Islands or operating in the Falkland Islands Conservation Zone (FICZ) unless they, as individuals, are normally resident in a country with which the Falkland Islands Government has a reciprocal agreement (at present only with the UK).

In the event that a non-entitled person is unable to pay and/or is uninsured, FIG may in its discretion provide treatment to stabilise their condition but will not meet repatriation or medical evacuation costs.

*The Secretariat, Stanley. 16th October 2001.
(G.S./APK/MEDICAL ENTITLEMENT1)*

*Ref: MED/2/3, MED/1/2 & IMM/1/1
Public Notice No. 162/01.*

No. 81 18th October 2001

APPOINTMENT OF ACTING PLANNING OFFICER

The Planning Ordinance 1991 (Section 10 (1))

IN EXERCISE of my powers under section 10(1) of The Planning Ordinance 1991 and of all other powers enabling me I **Donald Alexander Lamont** Governor of the Falkland Islands hereby appoint **Graham Brian France** to be Acting Planning Officer for the Falkland Islands during the period 20 October 2001 up to and including 14 January 2002.

Given under my hand this 16th day of October 2001.

D.A. LAMONT,
Governor.

No. 82 19th October 2001

ROCKHOPPERS DAY NURSERY LIMITED Company Number 11356

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been

complied with the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 19th day of October 2001.

J.C. ROWLAND,
Registrar of Companies.

No. 83 23rd October 2001

INDEX OF RETAIL PRICES

The calculation of the Index for the quarter ended 30 September 2001 has now been completed.

A summary of the Index for the last four quarters is shown below:-

| Date | Index | Annual % Increase | Quarter % Increase |
|----------|--------|-------------------|--------------------|
| 31.12.00 | 106.82 | 3.628 | 0.631 |
| 31.03.01 | 106.52 | 2.158 | (0.281) |
| 30.06.01 | 106.60 | 2.117 | 0.075 |
| 30.09.01 | 107.05 | 0.848 | 0.422 |

L. WAITE,
for Financial Secretary.

No. 84 24th October 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that **Simon John Francis** has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

D. HOY,
Immigration Officer.

No. 85 25th October 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that **Alison Margaret Baker** has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

D. HOY,
Immigration Officer.

Environment Charter

FALKLAND ISLANDS



Guiding Principles

For the UK government, for the government of the Falkland Islands and for the people of the Falkland Islands.

- 1 To recognise that all people need a healthy environment for their well-being and livelihoods and that all can help to conserve and sustain it.
- 2 To use our natural resources wisely, being fair to present and future generations.
- 3 To identify environmental opportunities, costs and risks in all policies and strategies.
- 4 To seek expert advice and consult openly with interested parties on decisions affecting the environment.
- 5 To aim for solutions which benefit both the environment and development.
- 6 To contribute towards the protection and improvement of the global environment.
- 7 To safeguard and restore native species, habitats and landscape features, and control or eradicate invasive species.
- 8 To encourage activities and technologies that benefit the environment.
- 9 To control pollution, with the polluter paying for prevention or remedies.
- 10 To study and celebrate our environmental heritage as a treasure to share with our children.

Handwritten signature of Mike Summers.

Mike Summers
FALKLAND ISLANDS
26 September 2001

Handwritten signature of Valerie Amos.

Valerie Amos
UNITED KINGDOM
26 September 2001

Commitments

The government of the UK will:

- 1 Help build capacity to support and implement integrated environmental management which is consistent with the Falkland Islands' own plans for sustainable development.
- 2 Assist the Falkland Islands in reviewing and updating environmental legislation.
- 3 Facilitate the extension of the UK's ratification of Multilateral Environmental Agreements of benefit to the Falkland Islands and which the Falkland Islands has the capacity to implement.
- 4 Keep the Falkland Islands informed regarding new developments in relevant Multilateral Environmental Agreements and invite the Falkland Islands to participate where appropriate in the UK's delegation to international environmental negotiations and conferences.
- 5 Help the Falkland Islands to ensure it has the legislation, institutional capacity and mechanisms it needs to meet international obligations.
- 6 Promote better cooperation and the sharing of experience and expertise between the Falkland Islands, other Overseas Territories and small island states and communities which face similar environmental problems.
- 7 Use UK, regional and local expertise to give advice and improve knowledge of technical and scientific issues. This includes regular consultation with interested non-governmental organisations and networks.
- 8 Use the existing Environment Fund for the Overseas Territories, and promote access to other sources of public funding, for projects of lasting benefit to the Falkland Islands' environment.
- 9 Help the Falkland Islands identify further funding partners for environmental projects, such as donors, the private sector or non-governmental organisations.
- 10 Recognise the diversity of the challenges facing Overseas Territories in very different socio-economic and geographical situations.
- 11 Abide by the principles set out in the Rio Declaration on Environment and Development (See Annex 2) and work towards meeting International Development Targets on the environment (See Annex 3).

The government of the Falkland Islands will:

- 1 Bring together government departments, representatives of local industry and commerce, environment and heritage organisations, the Governor's office, individual environmental champions and other community representatives in a forum to formulate a detailed strategy for action. (See Annex 1).
- 2 Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.
- 3 Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.
- 4 Ensure that environmental impact assessments are undertaken before approving major projects and while developing our growth management strategy.
- 5 Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.
- 6 Implement effectively obligations under the Multilateral Environmental Agreements already extended to the Falkland Islands and work towards the extension of other relevant agreements.
- 7 Review the range, quality and availability of baseline data for natural resources and biodiversity.
- 8 Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies; establish effective monitoring and enforcement mechanisms.
- 9 Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment.
- 10 Promote publications that spread awareness of the special features of the environment in the Falkland Islands; promote within the Falkland Islands the guiding principles set out above.
- 11 Abide by the principles set out in the Rio Declaration on Environment and Development (See Annex 2) and work towards meeting International Development Targets on the environment (See Annex 3).

OTs Environment Charter

Illustrative Paper: Topics for consideration by environment committees as components of environmental action strategies.

Note: The circumstances of each OT vary considerably from those with no resident population (eg. SGSSI), very small populations (eg. Pitcairn) to those with bigger populations and a wider range of local resources and skills. Some already have groupings that bring together a variety of stakeholders in the main local environmental issues. It is for each territory to establish/develop the most suitable framework to develop action plans that link the shared principles of the OTs Environment Charter to the needs of each territory. The headings just suggest some areas which each territory may wish to consider – some may be clearly applicable or more important in some territories than in others.

Issue specific examples

- 1 **Environment/Development Interface**
 - Sustainable development strategies
 - Participatory approaches to environmental and conservation management
 - Ensuring environmental planning and management do not disadvantage the poor
 - Promotion of sustainable livelihoods
 - Rio Declaration and International Development Targets
 - Agenda 21 groups
 - Consideration of the built environment
- 2 **Habitat & Species Conservation/Restoration; Invasive Species**
 - Establishment of baseline information
 - Documentation of local ecosystems, fauna & flora
 - Priorities – working from baseline information
 - Significance for local livelihoods, including tourism
 - Key institutions, people and external linkages
 - Action planning – implementation of plans, setting targets
 - Priorities for monitoring, reporting, disseminating and applying knowledge
- 3 **Pollution**
 - A mechanism for monitoring pollution
 - Awareness of international (and regional) pollution agreements and standards
- 4 **Energy and Technology Issues**
 - Sustainable energy policies – eg. transport, renewable energy sources, energy conservation
 - Appropriate new green technologies – UK help with technology transfer
- 5 **Natural Disasters**
 - Inclusion of hazard management within development planning
 - Vulnerability assessments for habitats and species
 - Precautionary measures
 - Slow onset disasters (degradation of habitats, climate change)

Examples of response mechanisms

1 Local Legislation

- Local implementation of Multilateral Environmental Agreements (MEAs)
- Regional agreements/co-operation
- Identification & examination of key items of legislation (eg. Planning permission, Designation of protected areas or species, Environmental Impact Assessments (EIAs), Control of pollution, Regulation of natural resources based industries: fisheries, forestry, agriculture, tourism)
- Effectiveness of implementation – support of local community
- Scope for adopting ideas from other OTs, other countries/territories in the region and the UK.

2 Environmental Impact Assessments

- Capacity building for EIA production
- Early identification of stakeholders
- Environmental Assessment in planning procedures: Strategic Environmental Assessment and National Physical Plans

3 Multilateral Environmental Agreements (MEAs)

- Effectiveness of implementation of those MEAs already extended
- Costs and benefits of extending other MEAs
- Reporting and requirements
- Dissemination of information about MEAs & their relevance
- Support needed from UK Departments, Government Agencies and NGOs on international MEA conferences of parties, regional meetings & new negotiations
- Use of international secretariat, UK government and agency, & NGO websites
- Possible contribution to global/regional benefits of MEAs – eg. sharing best practice, being host for workshops and research projects of more than purely local significance

4 Funding for Environmental Work

- Budgetary and staffing provisions
- Environmental taxes
- Identification of potential sources of funding for environmental projects
- Identification of projects and prioritisation
- Preparation of applications to funding sources
- Monitoring of progress towards outcomes of funded projects
- Reviewing programme and priorities
- Publicising results locally and wider (in concert with funding agencies)

5 Education and Youth Activities; Media and Public Attitudes

- Disseminating the guiding principles contained within the charter.
- Environmental education programmes in schools
- Information on websites in the territory and links to regional, UK and international websites
- Media strategies
- Conservation volunteer schemes
- Procedures for public inquiries on major developments

6 Regional and International Links

- Networking with other OTs
- Environmental links to other small island states, territories and communities
- Links to residents and friends of the territory in the UK and elsewhere (also as source of funds, tourists, expertise)

*Annex 2**The Rio Declaration on Environment and Development (1992)*Preamble

The United Nations Conference on Environment and Development,

Having met at Rio de Janeiro from 3 to 14 June 1992,

Reaffirming the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, and seeking to build upon it,

With the goal of establishing a new and equitable global partnership through the creation of new levels of co-operation among States, key sectors of societies and people,

Working towards international agreements which respect the interests of all and protect the integrity of the global environmental and developmental system,

Recognizing the integral and interdependent nature of the Earth, our home,

Proclaims that:

Principle 1

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

Principle 2

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Principle 3

The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.

Principle 4

In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.

Principle 5

All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.

Principle 6

The special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, shall be given special priority. International actions in the field of environment and development should also address the interests and needs of all countries.

Principle 7

States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem. In view of the different contributions to global environmental degradation, States have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.

Principle 8

To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies.

Principle 9

States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies.

Principle 10

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Principle 11

States shall enact effective environmental legislation. Environmental standards, management objectives and priorities should reflect the environmental and developmental context to which they apply. Standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries.

Principle 12

States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing transboundary or global environmental problems should, as far as possible, be based on an international consensus.

Principle 13

States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage. States shall also cooperate in an expeditious and more determined manner to develop further international law regarding liability and compensation for adverse effects of environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction.

Principle 14

States should effectively cooperate to discourage or prevent the relocation and transfer to other States of any activities and substances that cause severe environmental degradation or are found to be harmful to human health.

Principle 15

In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Principle 16

National authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.

Principle 17

Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.

Principle 18

States shall immediately notify other States of any natural disasters or other emergencies that are likely to produce sudden harmful effects on the environment of those States. Every effort shall be made by the international community to help States so afflicted.

Principle 19

States shall provide prior and timely notification and relevant information to potentially affected States on activities that may have a significant adverse transboundary environmental effect and shall consult with those States at an early stage and in good faith.

Principle 20

Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.

Principle 21

The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all.

Principle 22

Indigenous people and their communities, and other local communities, have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

Principle 23

The environment and natural resources of people under oppression, domination and occupation shall be protected.

Principle 24

Warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.

Principle 25

Peace, development and environmental protection are interdependent and indivisible.

Principle 26

States shall resolve all their environmental disputes peacefully and by appropriate means in accordance with the Charter of the United Nations.

Principle 27

States and people shall cooperate in good faith and in a spirit of partnership in the fulfilment of the principles embodied in this Declaration and in the further development of international law in the field of sustainable development.

International Development Targets on the Environment

The International Development Targets have been agreed by the entire United Nations membership, following a series of summit meetings held by the UN and its specialised agencies over the last ten years or so. The meetings discussed progress in poverty reduction and sustainable development and set targets for measuring that progress.

The target for the environment is as follows:

There should be a current national strategy for sustainable development in the process of implementation, in every country by 2005, so as to ensure that current trends in the loss of environmental resources are effectively reversed at both global and national levels by 2015.

The Governor publishes the text of United Nations Security Council Resolution 1373 for public information and pursuant to article 1(2) of the Terrorism (United Nations Sanctions)(Overseas Territories) Order 2001:

“The Security Council,

Reaffirming its resolutions 1269 (1999) of 19 October 1999 and 1368 (2001) of 12 September 2001,

Reaffirming also its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C. and Pennsylvania on 11 September 2001, and expressing its determination to prevent all such acts,

Reaffirming further that such acts, like any act of international terrorism, constitute a threat to international peace and security,

Reaffirming the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations as reiterated in resolution 1368 (2001),

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorists acts,

Deeply concerned by the increase, in various regions of the world, of acts of terrorism motivated by intolerance or extremism,

Calling on States to work together urgently to prevent and suppress terrorist acts, including through increased cooperation and full implementation of the relevant international conventions relating to terrorism,

Recognizing the need for States to complement international cooperation by taking additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism,

Reaffirming the principle established by the General Assembly in its declaration of October 1970 (resolution 2625 (XXV)) and reiterated by the Security Council in its resolution 1189 (1998) of 13 August 1998, namely that every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that all States shall:

(a) Prevent and suppress the financing of terrorist acts;

(b) Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;

(c) Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;

(d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;

2. Decides also that all States shall:

(a) Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;

(b) Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;

(c) Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;

(d) Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;

(e) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;

(f) Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;

(g) Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

3. Calls upon all States to:

(a) Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;

(b) Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;

(c) Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;

(d) Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;

(e) Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);

(f) Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts;

(g) Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

4. Notes with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money laundering, illegal arms trafficking and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard emphasizes the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;

5. Declares that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

6. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all members of the Council, to monitor implementation of this resolution, with the assistance of appropriate expertise, and calls upon all States to report to the Committee, no later than 90 days from the date of adoption of this

resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement this resolution;

7. Directs the Committee to delineate its tasks, submit a work programme within 30 days of the adoption of this resolution, and to consider the support it requires, in consultation with the Secretary-General;

8. Expresses its determination to take all necessary steps in order to ensure the full implementation of this resolution, in accordance with its responsibilities under the Charter;

9. Decides to remain seized of this matter.”



**THE
FALKLAND ISLANDS GAZETTE
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6th November 2001

No. 15

The following are published in this Gazette:-

**Notice Numbers 88 and 89 of 2001 (Notifications of Election
Nominations to the Legislative Council 2001);**

Notice Numbers 90 and 91 of 2001 (General Election/Referendum).

The Electoral Ordinance (Title 30.1)
Notification of nominations, etc.
Stanley Constituency

In accordance with Section 70 of the Electoral Ordinance, I give notice that a poll will be taken on Thursday 22nd November 2001, at the Town Hall, Stanley, for the election of five members to the Legislative Council for the Stanley Constituency. A mobile polling team will visit the King Edward VII Memorial Hospital and Jack Hayward Housing, Stanley, on the 22nd November 2001 at a time or times to be fixed.

Candidates who have been nominated and are standing for Election are as follows –

Candidate: Ian Doherty
 Address: Mullet Creek
 Description: Company Director

Proposer: Burnerd Brian Peck

Seconder: Shane Adrian Clarke

Supporters: Odette Ellen May Goss
 Nicole Gabrielle Buxton
 John Allan
 Joyce Ena Allan

Candidate: John Rodney Tuckwood
 Address: 1 Drury Street, Stanley

Proposer: Leslie Sidney Harris

Seconder: Glenn Stephen Ross

Supporters: Thomas James Keane
 Edward Laurence Bragger
 Christian Olaf Alexander Berntsen
 Lyndsay Jane Bonner

Candidate: Stephen Charles Luxton
 Address: 7 Narrows View, Stanley

Proposer: Reynold Gus Reid

Seconder: Burnerd Brian Peck

Supporters: Michelle Jane Morris
 Paula Pole-Evans
 Peter Robert Short
 Ian Thomas Bury

Candidate: **Janet Lyn da Cheek**
 Address: **Stanley**

Proposer: **Shirley Hirtle**

Seconder: **Velma Malcolm**

Supporters: **Elizabeth Eve Pollard**
Janet Robertson Pompert
Sharon Halford
Betty Josephine Biggs

Candidate: **Barbara June Besley-Clark**
 Address: **Stanley**
 Description: **Business Woman**

Proposer: **Alexander Burnett Hadden**

Seconder: **Simon Roy Miller**

Supporters: **Glenn Stephen Ross**
Michelle Morris
Arthur Peake
Robert Hugh Valler

Candidate: **Eric Miller Goss**
 Address: **Stanley**
 Description: **Experienced Campaigner**

Proposer: **Eugene Gen Williams**

Seconder: **Anthony Michael Carey**

Supporters: **Peter Robert Short**
David John Eynon
Carol Eynon
Leslie Sidney Harris

Candidate: **John Birmingham**
 Address: **Stanley**
 Description: **Self-Employed**

Proposer: **Andrea Patricia Clausen**

Seconder: **Robert Hugh Valler**

Supporters: **Martin Ronald Cant**
Shirley Peck
Frances Biggs
Joyce Ena Allan

Candidate: Michael Victor Summers
Address: Stanley
Description: Mr

Proposer: Velma Malcolm

Seconder: Barry Marwood Neilson

Supporters: John Allan
Jacqueline Summers
Phyllis Mary Rendell
Robert John Rowlands

Candidate: Sharon Halford
Address: Stanley
Description: Falkland Islander

Proposer: Phyllis Mary Rendell

Seconder: Sheila Olga Stewart

Supporters: Stuart Barrett Wallace
Terence George Spruce
Gwynne Edwina Clarke
Robert John Rowlands

Candidate: Kevin Michael Patrick Joseph Ormond
Address: Stanley
Description: Civil Servant

Proposer: Donald William Bonner

Seconder: Elvio Miguel Cofre

Supporters: Derek Patrick Short
Alan Smith Jones
Jill Christine Roberts
Simon Theodore Nathaniel Roberts

Candidate: John Richard Cockwell
Address: Stanley
Description: Falkland Islander

Proposer: Terence George Spruce

Seconder: Helena Jane Spruce

Supporters: Mark Felton Spruce
Jennifer Marie Cockwell
Maurice Adam Cockwell
Arlette Betts

The Electoral Ordinance (Title 30.1)
Notification of nominations, etc.
Camp Constituency

In accordance with Section 70 of the Electoral Ordinance, I give notice that a poll will be taken on Thursday 22nd November 2001, at Goose Green, Fox Bay East and at the Town Hall, Stanley for the election of three members to the Legislative Council for the Camp Constituency. Mobile polling teams will visit other areas in the Camp in the five business days ending with Thursday 22nd November 2001, for the same purpose.

The Candidates standing nominated for election are as follows –

- | | |
|--------------|---|
| Candidate: | Ian Hansen |
| Address: | Main Point |
| Description: | Farmer |
| Proposer: | William Robert Luxton |
| Seconder: | Paul Jonathan Robertson |
| Supporters: | Alastair Roy Marsh Ian Jaffray Grizelda Susan Cockwell Marshall Barnes |
| | |
| Candidate: | Robin Goodwin |
| Address: | Greenfield Farm |
| Description: | Farmer/Farm Owner |
| Proposer: | Frederick Thomas Clark |
| Seconder: | Peter Goss |
| Supporters: | Trudi Lynette McPhce Margaret Rose Goss Patrick Berntsen Patricia Carol Ann Pratlett |
| | |
| Candidate: | Norma Edwards |
| Address: | Lake Sullivan Farm |
| Description: | Farmer |
| Proposer: | Arlette Sharon Marsh |
| Seconder: | Robin Frank Marsh |
| Supporters: | Patricia Ann Marsh Benjamin William Cockwell Claire Marie Cockell Joyce Isabella Patience Halliday |

Candidate: Roger Anthony Edwards
 Address: Lake Sullivan Farm
 Description: Farmer

Proposer: Ronald David Rozee

Seconder: Arlette Sharon Marsh

Supporters: Susan Ann Hansen
 Ian Hansen
 Irene Marion Betts
 Bernard Keith Betts

Candidate: Phillip Charles Miller
 Address: Cape Dolphin
 Description: Farmer/AG Contractor

Proposer: Trudi Lynette McPhee

Seconder: Donna Marie Minnell

Supporters: Richard James Stevens
 Toni Donna Stevens
 Patricia Carol Ann Pratlett
 Patrick Berntsen

Candidate: Christopher Raymond May
 Address: 9 Callaghan Road, Stanley
 Description: Farm Owner

Proposer: Brook Hardcastle

Seconder: Eileen Beryl Hardcastle

Supporters: Sarah Rose McLeod
 Albert John McLeod
 Gerald Morrison
 Kathleen Iris Morrison

Candidate: Richard James Stevens
 Address: Port Sussex Farm

Proposer: Terence Owen McPhee

Seconder: Moira May Pitt

Supporters: Diana May Aldridge
 Sheila Margaret McPhee
 Sheena Melanie Miller
 Brian George Aldridge

The Electoral Ordinance (Title 30.1)
General Election/Referendum
22nd November 2001

In accordance with section 100(1) of the Electoral Ordinance, the following persons have been appointed to be election officials for the purpose of the poll as indicated-

Stanley Constituency:

| | |
|-------------------|-------------------|
| Mrs J Parke | Presiding Officer |
| Mrs V J Bonner | Polling Clerk |
| Mrs L Roberts | Polling Clerk |
| Miss H Blades | Polling Clerk |
| Mrs A Sanders | Polling Clerk |
| Miss D Ford | Polling Clerk |
| Mrs D M Kilmartin | Polling Clerk |

| | | |
|---------------|-----------|-------------------|
| Supernumerary | Mr D Lang | Presiding Officer |
|---------------|-----------|-------------------|

| | | |
|-------------|----------------|---------------|
| Mobile Team | Mrs C Blackley | Team Leader |
| | Miss A Goodwin | Polling Clerk |

Camp Constituency:

| | |
|-------------------|-------------------|
| Mrs J Parke | Presiding Officer |
| Mrs V J Bonner | Polling Clerk |
| Mrs L Roberts | Polling Clerk |
| Mr F Wallace | Polling Clerk |
| Miss H Blades | Polling Clerk |
| Mrs A Sanders | Polling Clerk |
| Miss D Ford | Polling Clerk |
| Mrs D M Kilmartin | Polling Clerk |

| | | |
|---------------|-----------|-------------------|
| Supernumerary | Mr D Lang | Presiding Officer |
|---------------|-----------|-------------------|

| | | |
|--------------|---------------|-------------------|
| Fox Bay East | Mr K Halliday | Presiding Officer |
|--------------|---------------|-------------------|

| | | |
|-------------|-------------|-------------------|
| Goose Green | Miss M Pitt | Presiding Officer |
|-------------|-------------|-------------------|

| | | | |
|--------------|-------|------------|---------------|
| Mobile Teams | (Air) | Mrs T Lee | Team Leader |
| | | Mr G Ewing | Polling Clerk |

| | | | |
|--|-------|--------------|---------------|
| | (Air) | Mrs C Davies | Team Leader |
| | | Miss B Cheek | Polling Clerk |

| | | | |
|--|-------|---------------|---------------|
| | (Air) | Mr R H Valler | Team Leader |
| | | Mrs A Sanders | Polling Clerk |

| | | | |
|-------------|--------|-------------|---------------|
| (Landrover) | (West) | Mrs J Parke | Team Leader |
| | | Mr J Parke | Polling Clerk |

| | | | |
|--------------|--------|---------------------------------------|------------------------------|
| (Landrover) | (East) | Mr G Middleton Mr R May | Team Leader Polling Clerk |
| (Landrover) | (East) | Mr C Patterson-Smith Mr R Morrison | Team Leader Polling Clerk |
| (Landrover) | (East) | Mrs C Rowland Mrs M Loveridge | Team Leader Polling Clerk |

Dated 05 November 2001

JC Rowland
Returning Officer

The Electoral Ordinance (Title 30.1)
General Election/Referendum
22nd November 2001

In accordance with section 100(1) of the Electoral Ordinance, the following persons have been appointed to be election officials for the purpose of the count as indicated-

Stanley Constituency:

| | | |
|---------------|--------------------|-------------------|
| | Mrs J Parke | Presiding Officer |
| | Mrs P McNally | Counting Clerk |
| | Mrs J Fisher-Smith | Counting Clerk |
| | Mrs A Dodd | Counting Clerk |
| | Miss B Cheek | Counting Clerk |
| | Miss H Blades | Counting Clerk |
| | Mrs W Reeves | Counting Clerk |
| | Mr N Dodd | Counting Clerk |
| | Mrs M Morris | Counting Clerk |
| | Miss A Murphy | Counting Clerk |
| | Mr M Luxton | Counting Clerk |
| | Miss E Reid | Counting Clerk |
| | Miss D Ford | Counting Clerk |
| | Mr R H Valler | Counting Clerk |
| | Mrs A Sanders | Counting Clerk |
| | Mr J Parke | Security |
| | Mr F Wallace | Presiding Officer |
| Supernumerary | Mr D Lang | Presiding Officer |

Camp Constituency:

| | | |
|---------------|--------------------|-------------------|
| | Mrs J Parke | Presiding Officer |
| | Mrs P McNally | Counting Clerk |
| | Mrs J Fisher-Smith | Counting Clerk |
| | Mrs A Dodd | Counting Clerk |
| | Miss B Cheek | Counting Clerk |
| | Miss H Blades | Counting Clerk |
| | Mrs W Reeves | Counting Clerk |
| | Mr N Dodd | Counting Clerk |
| | Mrs M Morris | Counting Clerk |
| | Miss A Murphy | Counting Clerk |
| | Mr M Luxton | Counting Clerk |
| | Miss E Reid | Counting Clerk |
| | Miss D Ford | Counting Clerk |
| | Mr R H Valler | Counting Clerk |
| | Mrs A Sanders | Counting Clerk |
| | Mr J Parke | Security |
| | Mr F Wallace | Presiding Officer |
| Supernumerary | Mr D Lang | Presiding Officer |

Dated 05 November 2001

JC Rowland
 Returning Officer



**THE
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12th November 2001

No. 16

The following are published in this Gazette:-

Notice Numbers 92 and 93 of 2001 (General Election).

IN EXERCISE of my powers under Section 61 (1) of the Electoral Ordinance I hereby appoint the following places to be attended by Mobile Polling Teams in accordance with the terms of the above provision:-

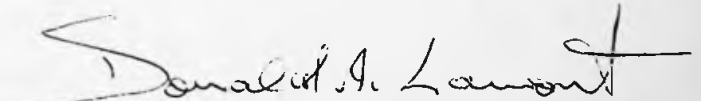
| <u>PLACE</u> | <u>PROPOSED DATE</u> |
|-------------------|----------------------|
| Rincon Grande | 22 November 2001 |
| Horseshoe Bay | 22 November 2001 |
| Port Louis | 22 November 2001 |
| Johnsons Harbour | 22 November 2001 |
| Brookfield Farm | 22 November 2001 |
| Green Patch | 22 November 2001 |
| Riverview Farm | 22 November 2001 |
| Estancia | 22 November 2001 |
| Teal Inlet | 22 November 2001 |
| Hawkbit | 22 November 2001 |
| Fitzroy | 22 November 2001 |
| Bluff Cove | 22 November 2001 |
| | |
| Dunnose Head | 19 November 2001 |
| Shallow Harbour | 19 November 2001 |
| New Island | 19 November 2001 |
| Beaver Island | 19 November 2001 |
| Weddell Island | 19 November 2001 |
| Port Stephens | 19 November 2001 |
| Albermarle | 19 November 2001 |
| Port Edgar | 19 November 2001 |
| Dunbar | 19 November 2001 |
| | |
| West Point Island | 19 November 2001 |
| Carcass Island | 19 November 2001 |
| Pebble Island | 19 November 2001 |
| Saunders Island | 19 November 2001 |
| Lively Island | 19 November 2001 |
| Bleaker Island | 19 November 2001 |
| Sealion Island | 19 November 2001 |
| Speedwell Island | 19 November 2001 |

| <u>PLACE</u> | <u>PROPOSED DATE</u> |
|---------------------|----------------------|
| Hillcove | 19 November 2001 |
| Shallow Bay | 19 November 2001 |
| Roy Cove | 19 November 2001 |
| Sheffield Farm | 19 November 2001 |
| Chartres | 19 November 2001 |
| Little Chartres | 19 November 2001 |
| | |
| Port Howard | 20 November 2001 |
| | |
| North Arm | 22 November 2001 |
| Walker Creek | 22 November 2001 |
| | |
| Salvador | 22 November 2001 |
| Douglas Station | 22 November 2001 |
| Port San Carlos | 22 November 2001 |
| Moss Side Farm | 22 November 2001 |
| Cape Dolphin Farm | 22 November 2001 |
| Elephant Beach Farm | 22 November 2001 |
| Greenfield Farm | 22 November 2001 |
| Bombilla Farm | 22 November 2001 |
| Teal Inlet | 22 November 2001 |
| Riverview Farm | 22 November 2001 |
| Estancia | 22 November 2001 |

NOTE:

- (1) In the event that it is not possible for the mobile polling team because of any circumstances, (particularly bad weather) to visit any of the above locations on the dates specified, the Team Leader of the mobile polling team will rearrange the visits if at all possible so that a visit is made to those places, as announced over FIBS on or before Polling Day 22nd November. If a person is not able to vote during a visit by a mobile polling team then he can vote at a Polling Place (Fox Bay East, Goose Green or Stanley) on Polling Day 22nd November during polling hours. The mobile polling team will do their best to visit all of the above places, however, in the worst combination of circumstances there are no absolute guarantee that the visit will take place.
- (2) The mobile polling team may at the discretion of the polling team leader concerned, stop at any point intermediate between any of the above points for the purpose of allowing electors to vote.

Dated 12 November 2001



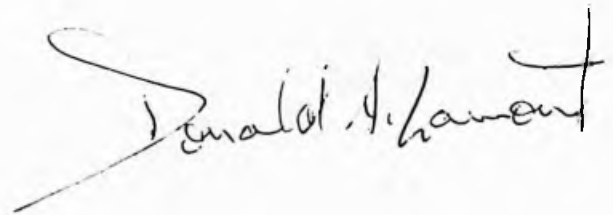
D A Lamont
Governor

IN EXERCISE of my powers under section 59(1) of the Electoral Ordinance 1988, I hereby appoint the following places to be Polling Places in accordance with the terms of the above provision —

Government Agent's Office Fox Bay East (Camp Constituency - West Falkland)

School Goose Green (Camp Constitution - East Falkland)

Court and Council Chamber Town Hall (Stanley Constituency)



D A LAMONT
Governor



**THE
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26th November 2001

No. 17

The following are published in this Gazette:-

Election of Legislative Councillors for the Stanley Constituency;

Election of Legislative Councillors for the Camp Constituency.

LEGISLATIVE COUNCIL
ELECTION OF LEGISLATIVE COUNCILLORS FOR THE
STANLEY CONSTITUENCY

I the undersigned, **JOHN CHRISTOPHER ROWLAND** being the Returning Officer at this Election of five members for the Legislative Council for the Stanley Constituency **DO HEREBY GIVE NOTICE** of the result of the Election as follows:-

| | |
|--|----------------------------|
| Votes Cast..... |3,204..... |
| Besley-Clark Barbara June |135..... Votes |
| Birmingham John |405..... Votes |
| Cheek Janet Lynda |356..... Votes |
| Cockwell John Richard |334..... Votes |
| Doherty Ian |283..... Votes |
| Goss Eric Miller |291..... Votes |
| Halford Sharon |231..... Votes |
| Luxton Stephen Charles |407..... Votes |
| Ormond Kevin Michael Patrick Joseph |101..... Votes |
| Summers Michael Victor |541..... Votes |
| Tuckwood John Rodney |120..... Votes |

Rejected Ballot Papers.....ONE (1)

- (1) want of an official mark.....
- (2) voting for more candidates than voter is entitled to... **ONE (1)**
- (3) writing or mark by which voter could be identified...
- (4) unmarked
- (5) void for uncertainty.....

I THEREFORE DECLARE

1. **JOHN BIRMINGHAM**
2. **JANET LYNDA CHEEK**
3. **JOHN RICHARD COCKWELL**
4. **STEPHEN CHARLES LUXTON**
5. **MICHAEL VICTOR SUMMERS**

to be **DULY ELECTED** to the Legislative Council to serve for the Stanley Constituency until the dissolution of Legislative Council for the General Election in 2005.

Dated this 22nd day of November 2001

JC Rowland
Returning Officer

LEGISLATIVE COUNCIL
ELECTION OF LEGISLATIVE COUNCILLORS FOR THE
CAMP CONSTITUENCY

I the undersigned, **JOHN CHRISTOPHER ROWLAND** being the Returning Officer at this Election of five members for the Legislative Council for the Camp Constituency **DO HEREBY GIVE NOTICE** of the result of the Election as follows:-

| | |
|--------------------------------|-----------------------------|
| Votes Cast..... |674..... |
| Edwards Norma | 179..... Votes |
| Edwards Roger Anthony | 168..... Votes |
| Goodwin Robin | 22..... Votes |
| Hansen Ian | 89..... Votes |
| May Christopher Raymond | 38..... Votes |
| Miller Phillip Charles | 92..... Votes |
| Stevens Richard James | 86..... Votes |

Rejected Ballot Papers..... THREE (3).....

- (1) want of an official mark.....
- (2) voting for more candidates than voter is entitled to... **ONE (1)**
- (3) writing or mark by which voter could be identified...
- (4) unmarked **ONE(1)**
- (5) void for uncertainty.....**ONE (1)**.....

I THEREFORE DECLARE

- 1. **NORMA EDWARDS**
- 2. **ROGER ANTHONY EDWARDS**
- 3. **PHILLIP CHARLES MILLER**

to be **DULY ELECTED** to the Legislative Council to serve for the Camp Constituency until the dissolution of the Legislative Council for the General Election 2005.

Dated this 22nd day of November 2001

JC Rowland
Returning Officer



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CX

30th November 2001

No. 18

Appointments

Andrew Keith Pollard, Senior Agricultural Officer,
Agricultural Department, 29.10.01.

Jill Edith Molkenbuhr, Police Constable, Royal
Falkland Islands Police, 30.10.01.

Belfred Theodore O'Dean, Plant Operator/
Handyman, Property & Municipal Section, Public
Works Department, 1.11.01.

Jeremy Selwyn Lloyd Henry, Plant Operator/
Handyman, Property & Municipal Section, Public
Works Department, 5.11.01.

Christine Hirtle, Customs & Immigration Officer,
Customs & Immigration Department, 5.11.01.

Sylvia Cole, Director of Education, Education
Department, 28.11.01.

Completion of Contract

Robert Reid, Director of Agriculture, Department of
Agriculture, 23.11.01.

Resignations

Ian Peter France, Electrician, Power & Electrical
Section, Public Works Department, 30.11.01.

Gerard Alan Jaffray, Leading Constable, Royal
Falkland Islands Police, 30.11.01.

NOTICES

No. 94

16th November 2001

EDUCATION ORDINANCE

(Title 29.1)
section 5(5)

APPOINTMENT OF MEMBER OF BOARD OF EDUCATION

Notice is hereby given that His Excellency the
Governor has appointed the following person to
the Board of Education with effect from 8th
November 2001:

Dr Barry Elsby

Dated this 16th day of November 2001.

CORRIGENDUM

Please note the following error in the Falkland
Islands Gazette (Extraordinary) Number 17 of 26th
November 2001:

The notice headed "Election of Legislative
Councillors for the Camp Constituency" should
read "... at this Election of three members of
Legislative Council for the Camp Constituency"
not "five members" as published.



**THE
FALKLAND ISLANDS GAZETTE
Extraordinary**

PUBLISHED BY AUTHORITY

Vol. CX

11th December 2001

No. 19

**LMW (BM) LIMITED
("the company")**

Incorporated in the Falkland Islands No. 9542

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that:

A MEETING OF THE CREDITORS of LMW (BM) LIMITED will be held at the Chamber of Commerce, Stanley, Falkland Islands, on Friday 21st December 2001 at 2.00 p.m. to consider the following Extraordinary Resolutions of the Company:

- 1) To consider an Extraordinary Resolution that the Company cannot by reason of its liabilities continue its business, and that it is advisable to wind up the Company.
- 2) To consider the appointment of a liquidator.

Dated this 6th day of December 2001.

BY ORDER OF THE BOARD

TREVOR MORRIS,
Director.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CX

24th December 2001

No.20

Appointments

Sylvia Cole, Director, Education Department,
28.11.01.

Helga Lucie Burroughs, Personal Assistant,
Treasury, 30.11.01.

Gerard Alan Jaffray, Customs & Immigration
Officer, Customs & Immigration Department,
1.12.01.

Andrew Miller, Aerodrome Fire Officer, Fire &
Rescue Service, 3.12.01.

Janet Ross, Clerk, Public Service, 3.12.01.

Dave John Tyler, Internal Auditor, Treasury, 8.12.01.

Promotions

Michelle Morris, from Licensing Clerk, Royal
Falkland Islands Police, to Police Constable, Royal
Falkland Islands Police, 1.12.01.

Thomas Mark Whistler, from Constable,
Royal Falkland Islands Police, to Leading
Police Constable, Royal Falkland Islands Police,
1.12.01

NOTICES

No. 95

30th November 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Kathleen Anne Biles has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

D. HOY,
Immigration Officer.

No. 96

30th November 2001

APPLICATION FOR PERMANENT RESIDENCE

Notice is hereby given that Keith Robert Biles has applied to the Principal Immigration Officer for a permanent residence permit. Any person who

knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

D. HOY,
Immigration Officer.

No. 97 30th November 2001

**APPLICATION FOR PERMANENT
RESIDENCE**

Notice is hereby given that Kevin Peter Duncan has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

D. HOY,
Immigration Officer.

No. 98 30th November 2001

**APPLICATION FOR PERMANENT
RESIDENCE**

Notice is hereby given that Stuart Dave Duncan has applied to the Principal Immigration Officer for a permanent residence permit. Any person who knows of any reason why this permit should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs & Immigration Department, Stanley within 21 days of the date of this notice.

D. HOY,
Immigration Officer.

No. 99 1st December 2001

REFERENDUM

I, Michael Dennis BLANCH, being the Chief Counting Officer for the Referendum on the Single Constituency, hereby give notice that the numbers of votes cast for the constituencies are as follows:-

| Stanley Constituency | | (% turnout) |
|-----------------------------|-----------|-------------|
| TOTAL VOTES | 820 votes | 68.4% |
| YES | 395 votes | 48.2% |
| NO | 409 votes | 49.9% |
| REJECTED | 16 votes | 1.9% |

| Camp Constituency | | (% turnout) |
|--------------------------|-----------|-------------|
| TOTAL VOTES | 250 votes | 81.6% |
| YES | 61 votes | 24.4% |
| NO | 187 votes | 74.8% |
| REJECTED | 2 votes | 0.8% |

Of the 18 ballot papers rejected, these were for the following reasons:

| | STANLEY | CAMP |
|--|----------------|-------------|
| (1) want of an official mark | - | - |
| (2) writing or mark by which the voter could be identified | - | - |
| (3) unmarked | 15 | 1 |
| (4) void for uncertainty | 1 | 1 |

M.D. BLANCH,
Chief Counting Officer.

No. 100 3rd December 2001

**THE COMPANIES AND PRIVATE
PARTNERSHIP ORDINANCE**

(Cap. 13)

COMPANIES ACT 1948

Islands Construction Limited
Registered Number No 8940

NOTICE IS HEREBY GIVEN that **ISLANDS CONSTRUCTION LIMITED** was dissolved pursuant to Sections 290 and 300 of the Companies Act 1948 on the 16th November 2001.

Dated this 3rd day of December 2001.

J.C. ROWLAND,
Registrar of Companies.

No. 101 18th December 2001

TAXES ORDINANCE 1997

Section 57B(2)

Additions to approved list of charities

Notice is hereby given that the following charities have been approved by the Governor by way of addition to the approved list of charities for tax deduction purposes:

Christian Children's Fund of Great Britain
New Island South Conservation Trust
Plan International UK

Dated this eighteenth day of December 2001.

D.G. LANG QC,
Attorney General.

Note: Section 57A of the Taxes Ordinance provides for deductions from income for tax purposes of donations of £50 or more made to registered charities in any calendar year provided written evidence from the charity of the total amount of donations made to the charity in the calendar year are provided to the Commissioner of

Taxes. Approved charities are bodies which are registered as a charity under the Charities Act 1960 as it applies to the Falkland Islands and any body of persons or trust the name of which appears on the approved list of charities. The bodies "on the approved list" are charities established overseas which are not registered under the Charities Act 1960 in the Falkland Islands. They have been approved for tax deduction purposes.

No. 102 20th December 2001

**THE SOUTHERN RANCHING COMPANY
LIMITED**
Company Number: 11495

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 20th day of December 2001.

Dated this 20th day of December 2001.

J.C. ROWLAND,
Registrar of Companies.

**Appointment of Temporary Customs Officer
Customs Ordinance 1943**

In exercise of the powers conferred by Section 4 of the Customs Ordinance 1943,

I hereby appoint:

CPL KARL PURCELL - A8252653

to be a temporary Customs Officer from 26th November 2001 to 30th March 2002.

R.J. KING,
Collector of Customs.

DEATH IN SERVICE

It is with deep regret that His Excellency the Governor announces the death of Mr. Trevor Morrison, Station Operator, Power & Electrical Section, Public Works Department, on 6th December 2001.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

30th January 2001

No. 1

The following are published in this Supplement -

**Falklands Landholdings Corporation (Operative Date) Order 2001,
(S. R. & O. No:1 of 2001);**

**Committees (Access to Information) Correction Order 2001
(S. R. & O. No:2 of 2001).**

SUBSIDIARY LEGISLATION

ECONOMIC DEVELOPMENT

Falklands Landholdings Corporation (Operative Date) Order 2001

S. R. & O. No: 1 of 2001

Made: 29th January 2001

Published: 30th January 2001

Coming into force: 1st February 2001

IN EXERCISE of my powers under section 7(5) of the Falklands Landholdings Corporation Ordinance 2000(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Falklands Landholdings Corporation (Operative Date) Order 2001 and shall come into effect on 1st February 2001.

Operative date

2. 1st February 2001 shall be the operative date for the purposes of section 7 of the Falklands Landholdings Corporation Ordinance 2000 (transfer of the assets, liabilities and personnel of Falklands Landholdings Limited to Falklands Landholdings Corporation).

Made this twenty-ninth day of January 2001

D A Lamont
Governor

EXPLANATORY NOTE

(not forming part of the above Order)

This Order fixes as 1st February 2001 the operative date for the transfer of the assets and liabilities of Falklands Landholdings Limited to Falklands Landholdings Corporation.

SUBSIDIARY LEGISLATION

CONSTITUTIONAL AND ADMINISTRATIVE LAW

Committees (Access to Information) Correction Order 2001

S. R. & O. No: 2 of 2001

Made: 29th January 2001

Published: 30th January 2001

Coming into effect: 1st February 2001

IN EXERCISE of my powers under section 93 of the Interpretation and General Clauses Ordinance(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Committees (Access to Information) Correction Order 2001 and shall come into effect on 1st February 2001.

Correction

2. Paragraph 5 of Schedule 2 of the Committees (Access to Information) Ordinance 2000(b) is corrected by replacing the word “services” appearing therein with “financial assistance”.

Made this twenty-ninth day of January 2001

D G Lang QC
Attorney General

(a) Title 67.2 Revised Laws of the Falkland Islands

(b) No 4 of 2000

EXPLANATORY NOTE
(not forming part of the above Order)

This Order corrects the repetition by paragraph 5 of Schedule 2 to the Committees (Access to Information) Ordinance 2001 of paragraph 4. As is clear from Schedule 12A to the Local Government Act 1972 on which those paragraphs were modelled, "services" in paragraph 5 should have read "financial assistance".



THE
FALKLAND ISLANDS GAZETTE
Supplement

PUBLISHED BY AUTHORITY

Vol. 12

21st February 2001

No. 2

The following are published in this Supplement -

Retirement Pensions (Amendment) Ordinance 2001;

Fishery Products (Hygiene) (Designated Vessels) Order 2001,
(S.R. & O. No. 3 of 2001);

Retirement Pensions Contributions (Exemptions) Order 2001,
(S.R. & O. No. 4 of 2001).

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Retirement Pensions (Amendment) Ordinance 2001

(No: 1 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of the Retirement Pensions Ordinance 1996

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

RETIREMENT PENSIONS (AMENDMENT) ORDINANCE 2001

(No: 1 of 2001)

(assented to: 14 February 2001)
(commencement: in accordance with section 1)
(published: 21 February 2001)

AN ORDINANCE

To amend the Retirement Pensions Ordinance 1996.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Retirement Pensions (Amendment) Ordinance 2001 and shall be deemed to have come into force on 1st January 2001.

Amendment of the Retirement Pensions Ordinance 1996

2. The Retirement Pensions Ordinance 1996(a) is amended —
- (a) by inserting the words “Subject to section 13A” at the beginning of section 10(1);
 - (b) by inserting the words “except in so far as they are exempted by an Order under section 13A(1)” after the word “employers” in section 11(1);
 - (c) by inserting the following after section 13 —

“Special Exemptions

13A.—(1) The Governor may by Order under this section —

- (a) authorise the Board to exempt contributors who would otherwise be liable to make contributions under section 10(1) —
 - (i) by virtue of employment falling within a category specified in the Order;

- (ii) by virtue of any employment the duties of which fall to be performed wholly or mainly in a part or area of the Falkland Islands specified in the Order; or
 - (iii) by virtue of employment falling within a category specified in the Order the duties of which fall to be performed wholly or mainly in a part or area of the Falkland Islands specified in the Order,
- from the obligation to make such contributions; and
- (b) authorise the Board to exempt employers who would otherwise be liable to make contributions under section 11(1) —
- (i) in respect of employees employed in a category specified in the Order;
 - (ii) in respect of employees engaged in any employment the duties of which fall to be performed wholly or mainly in a part or area of the Falkland Islands specified in the Order; or
 - (iii) in respect of employees employed in a category specified in the Order the duties of whose employment fall to be performed wholly or mainly in a part or area of the Falkland Islands specified in the Order,
- from the obligation to make such contributions.

(2) A contributor under section 10(1) of the Retirement Pensions Ordinance 1996 who would otherwise be entitled to otherwise eligible for the benefit of any exemption provided for by an Order under subsection (1) may be disqualified from receiving it if his income or the joint income of that contributor and his spouse in respect of the year expired on the preceding 31st December exceeds an amount specified for the purpose in the Order.

(3) An Order under subsection (1) may be expressed to have effect for such period of time as is specified in the Order but shall otherwise have effect until the Order is revoked.

(4) Where any person is exempted by the Board from making contributions by virtue of an Order under subsection (1), the Government shall make the contributions that person is exempted from making.”

Passed by the Legislature of the Falkland Islands this 26th day of January 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

SUBSIDIARY LEGISLATION

FISHERIES

Fishery Products (Hygiene) (Designated Vessels) Order 2001

S. R. & O. No. 3 of 2001

Made: 14 February 2001

Published: 21 February 2001

Coming into force: upon publication

IN EXERCISE of my powers under section 3(1) of the Fishery Products (Hygiene) Ordinance 1998(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Fishery Products (Hygiene)(Designated Vessels) Order 2001 and comes into force upon publication in the *Gazette*.

Designation of approved factory fishing vessel

2. The vessel named in the first column of the Schedule to this Order is designated as a vessel to which the provisions of the Fishery Products (Hygiene) Ordinance 1998 and all regulations thereunder apply and is assigned the approval number set against its name in the second column of that Schedule.

Made this fourteenth day of February 2001

D A Lamont
Governor

SCHEDULE

| <i>Vessel name</i> | <i>Approval number</i> |
|--------------------|------------------------|
| Robin M Lee | 1025 |

EXPLANATORY NOTE

(not forming part of the above Order)

The Fishery Products (Hygiene) Ordinance 1998, coupled with the regulations made under it, enables the operators of factory fishing vessels to obtain confirmation that their vessels meet the standards of hygiene prescribed by the European Commission. The vessel specified in the Schedule to the Order is one which has been inspected and which is now, by this Order, designated as a vessel to which the provisions of the legislation apply.

SUBSIDIARY LEGISLATION

RETIREMENT PENSIONS

Retirement Pensions Contributions (Exemptions) Order 2001

(S.R. & O. No. 4 of 2001)

Made19 February 2001

Published21 February 2001

Coming into force on: 1st January 2001

IN EXERCISE of my powers under section 13A of the Retirement Pensions Ordinance 1996(a) I make the following Order —

Citation and commencement

1. This Order may be cited as the Retirement Pensions Contributions (Exemptions) Order 2001, shall be deemed to have come into force on 1st January 2001 and unless extended by further Order ceases to have effect on 31st December 2003.

Interpretation

2. In this Order —

“Camp” includes Berkeley Sound and other inland waters within Camp but does not include —

(a) any land or premises to the east of a straight line commencing at the high water mark of medium tides on the southern shore of Stanley Harbour, passing through the leading lights to Stanley Harbour and ending at the high water mark of medium tides on the southern shore of East Falkland;

(b) land leased to the Ministry of Defence or occupied by the Ministry of Defence for defence purposes under the provisions of any Memorandum of Understanding with the Falkland Islands Government;

“the Ordinance” means the Retirement Pensions Ordinance 1996 as amended.

Exemptions

3.—(1) Subject to paragraph (4) of this Article, the Retirement Pensions Board shall on application in a form approved by it under the Ordinance exempt from payment of contributions otherwise payable in respect of a calendar year by virtue of employment or self-employment any person in relation to whom the Board is satisfied that the conditions set out in paragraph (2) are met.

(2) The conditions referred to in paragraph (1) are —

(a) the person must reside in Camp throughout the calendar year;

(b) the person must be employed in Camp;

(a) No. 26 of 1996

(c) the gross earnings of the person during the calendar year must not exceed £15,000 or, if the person is jointly assessed for income tax with another person, £30,000.

(3) For the purposes of this paragraph —

(a) a person is to be regarded as being resident in Camp throughout a calendar year if he is resident in Camp for at least 240 days in that year, and notwithstanding he is physically absent from Camp on any day he is to be regarded as both being resident in Camp and employed in Camp on that day if his ordinary place of abode is in Camp and he is absent therefrom by reason of employment as a member of the crew of a ship engaged in the coastal shipping service, fisheries protection or in fishing or if he is absent from Camp on that day for the purpose of receiving medical treatment overseas or for the purpose of accompanying a person receiving such treatment or if he is absent from Camp on that day for the purpose of attending a course of training approved by the Falkland Islands Government or the Falkland Islands Development Corporation;

(b) a person is to be taken to be employed in Camp if the duties of his employment are preponderantly to be performed in Camp.

(4) A person shall not be exempted by the Board from making contributions if he is a seasonal contributor (such as an itinerant shearer not ordinarily resident in the Falkland Islands).

(5) Where a person is exempted by the Board under paragraph (1) from making contributions, his employer is by this paragraph exempted from making contributions in respect of him.

(6) Where a person is exempted from making contributions under paragraph (1) or (5) of this article, the Financial Secretary shall make such contributions on his behalf out of moneys appropriated for the purpose by Ordinance.

Provision of information by Commissioner of Taxes

4.—(1) The Commissioner of Taxes shall, at the request of the Board, supply to the Board any information in his possession as to the gross income during any relevant period of any person who has applied for or is in receipt of exemption under paragraph (1) of article 3.

(2) Any information provided to the Board pursuant to paragraph (1) of this article shall be treated by the Board and its officers as being confidential and shall not be disclosed to any other person except for the purposes of a prosecution under article 5.

Offences

5.—(1) It is an offence for any person —

(a) in or in connection with an application for an exemption under article 3(1), to make any statement which he knows to be untrue or recklessly as to its truth or falsehood;

(b) to contravene paragraph (2) of article 4.

(2) A person convicted of an offence under paragraph (1) of this article is liable to a fine not exceeding the maximum of level 5 on the standard scale.

Made this nineteenth day of February 2001

D A Lamont,
Governor

EXPLANATORY NOTE

(not forming part of the above Order)

This Order provides for exemptions from making contributions as employees or self-employed persons under the Retirement Pensions Ordinance 1996 by persons in resident in Camp who satisfy conditions set out in the Order and makes related provision.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

13th March 2001

No.3

The following are published in this Supplement -

Fishing (CCAMLR) (Amendment) Bill 2001;

Falkland Islands Development Corporation (Amendment) Bill 2001;

Falklands Landholdings Corporation (Amendment) Bill 2001;

**Buildings (Stanley) (4 Villiers Street) Designation Order 2001,
(S.R. & O. No. 5 of 2001).**

Fishing (CCAMLR) (Amendment) Bill 2001

(No: of 2001)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title
2. Amendment of the Fishing (CCAMLR) Ordinance 1999

FISHING (CCAMLR) (AMENDMENT) BILL 2001

(No: of 2001)

(assented to: 2001)

(commencement: 2001)

(published: 2001)

A BILL

for

AN ORDINANCE

To amend the Fishing (CCAMLR) Ordinance 1999

BE IT ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Fishing (CCAMLR) Ordinance 1999.

Amendment of the Fishing (CCAMLR) Ordinance 1999

2. Section 2 of the Fishing (CCAMLR) Ordinance 1999 is amended by replacing the definition of “CCAMLR waters” which appears in that section with the following definition—

“ “CCAMLR waters” means the marine waters lying to the south of 60 degrees south latitude and the waters between that latitude and the Antarctic Convergence”.

OBJECTS AND REASONS

To correct an error in the definition of “CCAMLR waters”.

Falkland Islands Development Corporation (Amendment) Bill 2001

(No: of 2001)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title
2. Amendment of the Falkland Islands Development Corporation Ordinance

Schedule

FALKLAND ISLANDS DEVELOPMENT CORPORATION (AMENDMENT) BILL 2001

(No: of 2001)

(assented to: April 2001)

(commencement: upon publication)

(published: April 2001)

A BILL

for

AN ORDINANCE

To amend the Falkland Islands Development Corporation Ordinance (Title 28.1) so as to permit members of the Falkland Islands Development Board who are elected members of the Legislative Council to be represented by substitutes.

BE IT ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Falkland Islands Development Corporation (Amendment) Ordinance 2001.

Amendment of the Falkland Islands Development Corporation Ordinance

2. The Falkland Islands Development Corporation Ordinance is amended in the manner specified in the Schedule to this Ordinance.

SCHEDULE
Amendments to the Falkland Islands Development Corporation

1. In this Schedule, “the Ordinance” means the Falkland Islands Development Corporation Ordinance (Title 28.1).
2. Section 7(3) of the Ordinance is amended by inserting the words “other than under section 7A” after the words “appointed in his place”.
3. The following section is inserted after section 7 —

“Substitute Councillor members of the Board

7A.—(1) In the event that any person appointed as a member of the Board of the Corporation pursuant to section 7(1)(h) is by reason of illness, absence from the Falkland Islands or any other cause unable to attend a meeting or meetings of the Falkland Islands Development Corporation Board, he may appoint another elected member of the Legislative Council (“a substitute member”) to act in his place until the appointing member shall again be able to attend meetings of the Board.

(2) A substitute member shall during the currency of his appointment be entitled to attend meetings of the Board of the Corporation and speak and vote thereat in place of the elected member of the Legislative Council who appointed him.

(3) The Secretary of the Corporation shall be notified of any appointment under subsection (1).”.

4. Section 24 is amended by inserting the words and punctuation “, substitute member” after the word “member”.

Falklands Landholdings Corporation (Amendment) Bill 2001

(No: of 2001)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title
2. Amendment of Falklands Landholdings Corporation Ordinance 2000

Schedule

FALKLANDS LANDHOLDINGS CORPORATION (AMENDMENT) BILL 2001

(No: of 2001)

(assented to: April 2001)
(commencement: upon publication)
(published: April 2001)

A BILL

for

AN ORDINANCE

To amend the Falklands Landholdings Corporation Ordinance 2000 so as to permit members of the Board who are elected members of the Legislative Council to be represented at Board meetings by substitutes.

BE IT ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Falklands Landholdings Corporation (Amendment) Ordinance 2001.

Amendments of Falklands Landholdings Corporation Ordinance 2000

2. The Falklands Landholdings Corporation Ordinance 2000(a) is amended in the manner specified in the Schedule to this Ordinance.

(a) No 21 of 2000

SCHEDULE
Amendment of the Falklands Landholdings Corporation Ordinance 2000

1. In this Schedule “the Ordinance” means the Falklands Landholdings Corporation Ordinance 2000.
2. Section 4 of the Ordinance is amended —
 - (a) in subsection (3) by inserting the words “other than under section 4A” after the words “appointed in his place”; and
 - (b) in subsection (5) by inserting the words “or under section 4A” after the words “subsection (1)”.
3. The following section is inserted after section 4 —

“Substitutes for Councillor members of the Board

4A.—(1) In the event that any person appointed as a member of the Board of the Corporation pursuant to section 4(1)(h) is by reason of illness, absence from the Falkland Islands or any other cause unable to attend a meeting or meetings of the Board of the Corporation, he may appoint another elected member of the Legislative Council (“a substitute member”) to act in his place until the appointing member shall again be able to attend meetings of the Board.

(2) A substitute member shall during the currency of his appointment be entitled to attend meetings of the Board of the Corporation and speak and vote thereat in place of the elected member of the Legislative Council who appointed him.

(3) The Secretary of the Corporation shall be notified of any appointment under subsection (1).”.

4. Section 12 is amended by inserting the words and punctuation “,substitute member of the Board,” after the words “member of the Board”.

SUBSIDIARY LEGISLATION

PLANNING AND BUILDING

Buildings (Stanley) (4 Villiers Street) Designation Order 2001

(S. R. & O. No. 5 of 2001)

Made: 21 February 2001

Published: 13 March 2001

Coming into force: on publication

IN EXERCISE of my powers under section 65(1) of the Planning Ordinance 1991(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation

1. This Order may be cited as the Buildings (Stanley) (4 Villiers Street) Designation Order 2001.

Designation of building

2. The building in Stanley specified in the Schedule to this Order is designated as a building of special architectural or historic interest.

SCHEDULE

4 Villiers Street.

Made this twenty-first day of February 2001

D A Lamont

Governor

EXPLANATORY NOTE

(not forming part of the above Order)

The effect of this Order is to require permission pursuant to section 66(4), 68(2) or 68(4) of the Planning Ordinance 1991 for any works or operations for the demolition of any of the buildings the subject of this Order and any alterations or extensions which might effect their character as buildings of special architectural or historic interest. Contravention of the provisions mentioned constitutes a criminal offence under section 68(6) of the Planning Ordinance 1991.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

28th March 2001

No. 4

The following are published in this Supplement -

**Import Prohibition (Foot and Mouth Disease) Proclamation 2001,
(Proclamation No. 2 of 2001);**

**Importation of Food and Animal Products from South America Proclamation 2001,
(Proclamation No. 3 of 2001);**

Import Prohibition (Foot and Mouth Disease) Proclamation, Notice No. 1.

**Buildings (Camp) (Social Club, Goose Green) Designation Order 2001,
(S.R. & O. No. 6 of 2001);**

Criminal Justice (Increase of Fines) Order 2001, (S.R. & O. No. 7 of 2001);

**Fishery Products (Hygiene) (Designated Vessels) (No. 2) Order 2001,
(S.R. & O. No. 8 of 2001).**

PROCLAMATION

CUSTOMS

Import Prohibition (Foot and Mouth Disease) Proclamation 2001

(Proclamation No. 2 of 2001)

IN EXERCISE of my powers under section 35 of the Customs Ordinance (Title 26.1) I make the following Proclamation —

Citation and commencement

1. This Proclamation may be cited as the Import Prohibition (Foot and Mouth Disease) Proclamation 2001 and comes into force immediately.

Import prohibition

2.—(1) Subject to subparagraph (2) with immediate effect the importation from any country notified by the Director of Agriculture of —

- (a) fresh meat, chilled or frozen and frozen meat;
- (b) fresh, chilled or frozen meat products;
- (c) fresh or frozen milk; and
- (d) milk products,

is prohibited.

(2) Paragraph (1) does not apply to —

- (a) any fresh, frozen or chilled poultry meat or poultry meat products;
- (b) anything exported from the United Kingdom on a ship which sailed from the United Kingdom before 21st February 2001;
- (c) any fully cooked meat or meat product exported from such countries;
- (d) UHT milk or cream, chocolate or ice cream;
- (e) anything imported with the written authority of the Director of Agriculture;
- (f) anything exported from such countries which was in such countries only in transit.

(3) For the purposes of this Proclamation “meat” or “meat product” includes anything consisting of or containing any meat (except poultry) and “milk or milk product” includes cream and anything consisting of or containing milk of any bovine, ovine, caprine or porcine or other biungulate animal.

Revocation of Proclamation

3. The Import Prohibition (Foot and Mouth Disease in United Kingdom) Proclamation(a) (which is replaced by this Proclamation) is hereby revoked.

Made this twenty-third day of March 2001

R T Jarvis
Acting Governor

PROCLAMATION

CUSTOMS

Importation of Food and Animal Products from South America Proclamation 2001

(Proclamation No. 3 of 2001)

IN EXERCISE of my powers under section 35 of the Customs Ordinance (Title 26.1) I make the following Proclamation —

Citation and commencement

1. This Proclamation may be cited as the Importation of Food and Animal Products from South America Proclamation 2001 and comes into force immediately.

Interpretation

2. For the purposes of this Proclamation, except so far as the context otherwise requires —

“animal” means any kind of animal, bird or reptile;

“fresh meat” means all meat which has not undergone any preserving process; however, for the purposes of this Proclamation, chilled and frozen meat shall be considered to be fresh meat;

“meat” means all parts which are fit for human consumption of animals of the following species: bovine, porcine, ovine, caprine, solipeds, domestic fowls, turkeys, guinea fowls, ducks and geese;

“meat product” means products prepared wholly or partly from meat which has undergone treatment to ensure a certain degree of preservation. However, meat which has only undergone chilling or freezing shall not be regarded as a meat product;

“milk and milk products” shall cover the following products —

(i) milk and cream, not concentrated nor containing added sugar or other sweetening matter;

(ii) milk and cream, concentrated or containing added sugar or other sweetening matter;

(iii) buttermilk, curdled milk and cream, yoghurts, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter not flavoured nor containing added fruits, nuts or cocoa;

(iv) whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included;

(v) butter and fats and oils derived from milk, dairy spreads of a fat content of more than 75% but less than 80%;

(vi) cheese and curd;

(vii) lactose and lactose syrup not containing added flavouring or colouring matter, containing by weight less than 99% lactose, expressed as anhydrous lactose, calculated on the dry matter;

(viii) flavoured and coloured lactose syrup; and

(ix) preparations of a kind used in animal feeding;

- preparations and feeding stuffs containing products listed above;

“poultry meat” means meat of the following species; domestic fowls, turkeys, guinea fowls, ducks and geese;

“raw milk and milk products” means milk and milk products which have not undergone one of the processes described at paragraphs (a) and (b) below —

- (a) sterilization such that it has an F^o value equal to or higher than 3; or
- (b) an initial heat treatment having an effect at least equivalent to that achieved by pasteurization at a temperature of at least 72°C for at least 15 seconds, so as to produce a negative reaction to the phosphatase test, followed by —
 - (i) a second heat treatment involving high-temperature pasteurization, UHT or sterilization, so as to produce a negative reaction to the peroxidase test; or
 - (ii) in the case of milk powder or a dry milk-based product, a second heat treatment having an effect at least equivalent to that achieved by the first heat treatment, so as to produce a negative reaction to the phosphatase test, followed by a drying process; or
 - (iii) an acidification process such that the pH value is lowered and kept below 6 for at least one hour; and

“third country” means any other country other than the country from which the item originates.

Prohibition of import of animal products from South America

3. Except as otherwise provided by this Proclamation, the importation from South America of any animal or part thereof, meat, poultry meat, meat product and milk and milk product is prohibited.

Importation permitted under licence

4.—(1) Article 3 does not apply to the anything specified in paragraph (3) of this Article and imported under and in accordance with the conditions of a licence granted by the Director of Agriculture.

(2) The Director of Agriculture may grant a licence as he sees fit except that he shall impose as a condition of any licence granted under this Article that the imports must be accompanied by a certificate conforming as nearly as possible with any certificate required so as to permit importation of the items into the European Union under the European Union legislation referred to in the Schedule.

(3) The following items may be imported in accordance with paragraph (1) —

- (a) fresh meat of domestic cattle, sheep and pigs which is imported and originates from —
 - (i) Chile; or
 - (ii) Uruguay

without transit through a third country other than a European Union Member State,

- (b) meat products which are imported and originate from Uruguay without transit through a third country other than a European Union Member State,

- (c) poultry meat which is imported and originates from —

- (i) Chile; or
- (ii) Uruguay,

without transit through a third country other than a European Union Member State,

- (d) eggs intended for human consumption of any bird which are imported and originate from Chile without transit through a third country other than a European Union Member State;

- (e) milk and milk products (other than raw milk and milk products) which are imported and originate from Chile without transit through a third country other than a European Union Member State;

- (f) any animal or part thereof, meat, meat product, milk and milk product which the Director of Agriculture is satisfied can reasonably be imported without risk to the health of animals in the Falkland Islands.

Revocation of Proclamations

5.—(1) Proclamation Number 3 of 1973 and Proclamation Number 4 of 1971 and Proclamation Number 5 of 1971 are hereby revoked.

(2) Paragraph 1 of Proclamation Number 6 of 1985 shall no longer apply in relation to the importation of fresh meat from South America.

SCHEDULE

1. In relation to fresh meat: European Council Directive 72/462/EEC
2. In relation to meat products: European Commission Decision 97/221/EC
3. In relation to milk and milk products: European Commission Decision 95/342/EC
4. In relation to poultry meat: European Commission Decision 94/984/EC
5. Any European Community Legislation amending or replacing any of the above.
6. Any other European Legislation which the Director of Agriculture notifies as applicable.

Made this twenty-third day of March 2001

R T Jarvis
Acting Governor

EXPLANATORY NOTE

(not forming part of the above Proclamation)

This Proclamation replaces the Proclamations noted at Article 5. The rules set out in the Proclamation are designed to protect the Falkland Islands from the spread of animal disease from South America and impose a general prohibition on the importation of any animal or part thereof, and then go on to set out exceptions from that prohibition.

The Proclamation allows the importation from Chile or Uruguay of fresh meat of domestic cattle, sheep and pigs and poultry meat, and from Uruguay the importation of meat products, and from Chile the importation of eggs and milk and milk products (with the exception of raw (meaning untreated) milk and milk products). The permitted items must be imported direct from the stipulated country unless they are imported via a European Union country. The listed items may only be imported under licence granted by the Director of Agriculture. That licence must be conditional at least insofar as requiring the import to be accompanied by certification effectively equivalent to that required for an import into the European Union.

The Director of Agriculture is also granted a discretion to permit the importation of any animal or part thereof under licence providing he is satisfied that the importation of any such item will not pose a risk to the health of animals in the Falkland Islands.

Proclamation Number 6 of 1985 remains in place but no longer applies in relation to the importation of fresh meat from South America.

The Schedule to the Proclamation sets out the European Union legislation governing the grant of import certificates, the equivalent of which must be obtained by any person wishing to import fresh meat, meat products, milk and milk products or poultry meat under the Proclamation.

NOTICE

No. 1

IMPORT PROHIBITION (FOOT AND MOUTH DISEASE) PROCLAMATION

The following countries are notified for the purposes of the Import Prohibition (Foot and Mouth Disease) Proclamation 2001:

All European countries other than those in the European Economic Area;
Any country in Africa or Asia;
Argentina;
France;
Republic of Ireland;
The Netherlands; and
United Kingdom.

Dated this twenty-third day of March 2001

R Reid
Director of Agriculture

SUBSIDIARY LEGISLATION

PLANNING AND BUILDING

Buildings (Camp) (Social Club, Goose Green) Designation Order 2001

(S. R. & O. No. 6 of 2001)

Made: 8 March 2001

Published: 28 March 2001

Coming into force: on publication

IN EXERCISE of my powers under section 65(1) of the Planning Ordinance 1991(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation

1. This Order may be cited as the Buildings (Camp) (Social Club, Goose Green) Designation Order 2001.

Designation of buildings

2. The building specified in the Schedule to this Order is designated as a building of special architectural or historic interest.

SCHEDULE

The building known as the Social Club located at Goose Green, Lafonia, East Falkland.

Made this eighth day of March 2001

D A Lamont
Governor

(a) No. 7 of 1991

EXPLANATORY NOTE

(not forming part of the above Order)

The effect of this Order is to require permission pursuant to section 66(4), 68(2) or 68(4) of the Planning Ordinance 1991 for any works or operations for the demolition of any of the buildings the subject of this Order and any alterations or extensions which might effect their character as buildings of special architectural or historic interest. Contravention of the provisions mentioned constitutes a criminal offence under section 68(6) of the Planning Ordinance 1991.

SUBSIDIARY LEGISLATION

CRIMINAL JUSTICE

Criminal Justice (Increase of Fines) Order 2001

S. R. & O. No: 7 of 2001

Made: 8 March 2001

Published: 28 March 2001

Coming into force: 2nd April 2001

IN EXERCISE of my powers under section 4(5) of the Criminal Justice Ordinance (Title 24.1)(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Criminal Justice (Increase of Fines) Order 2001 and shall come into force on 2nd April 2001.

Increase in fines

2. Section 4(2) of the Criminal Justice Ordinance is replaced by the following subsection —

“(2) The scale with effect from 2nd April 2001 in respect of offences committed on or after that date is —

| Amount of Fine | Level on Scale |
|----------------|----------------|
| £200 | 1 |
| £350 | 2 |
| £800 | 3 |
| £1,500 | 4 |
| £3,000 | 5 |
| £7,500 | 6 |
| £12,500 | 7 |
| £17,500 | 8 |
| £35,000 | 9 |
| £100,000 | 10 |
| £200,000 | 11 |
| £500,000 | 12 |

Made this eighth day of March 2001

D A Lamont
Governor

EXPLANATORY NOTE
(not forming part of the above Order)

The effect of this Order is to increase the amounts appearing in levels 9 to 12 of the standard scale of fines set out in section 4(2) of the Criminal Justice Ordinance. The increased fines only apply in respect of offences committed on or after 2nd April 2001.

SUBSIDIARY LEGISLATION

FISHERIES

Fishery Products (Hygiene) (Designated Vessels) (No 2) Order 2001

S. R. & O. No. 8 of 2001

Made: 14 March 2001

Published: 28 March 2001

Coming into force: upon publication

IN EXERCISE of my powers under section 3(1) of the Fishery Products (Hygiene) Ordinance 1998(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Fishery Products (Hygiene)(Designated Vessels)(No 2) Order 2001 and comes into force upon publication in the *Gazette*.

Designation of approved factory fishing vessel

2. The vessel named in the first column of the Schedule to this Order is designated as a vessel to which the provisions of the Fishery Products (Hygiene) Ordinance 1998 and all regulations thereunder apply and is assigned the approval number set against its name in the second column of that Schedule.

Made this fourteenth day of March 2001

D A Lamont
Governor

SCHEDULE

| <i>Vessel name</i> | <i>Approval number</i> |
|--------------------|------------------------|
| Paradanta Primero | 1026 |

EXPLANATORY NOTE

(not forming part of the above Order)

The Fishery Products (Hygiene) Ordinance 1998, coupled with the regulations made under it, enables the operators of factory fishing vessels to obtain confirmation that their vessels meet the standards of hygiene prescribed by the European Commission. The vessel specified in the Schedule to the Order is one which has been inspected and which is now, by this Order, designated as a vessel to which the provisions of the legislation apply.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

25th April 2001

No.5

The following are published in this Supplement -

Importation of Food and Animal Products from South America (Amendment) Proclamation 2001, (Proclamation No. 4 of 2001);

Fishing (CCAMLR) (Amendment) Ordinance 2001;

Falklands Landholdings Corporation (Amendment) Ordinance 2001;

Falkland Islands Development Corporation (Amendment) Ordinance 2001;

Supplementary Appropriation (2000-2001) Ordinance 2001;

**Fishing Licences (Applications and Fees) Regulations Order 2001,
(S.R. & O. No. 9 of 2001).**

PROCLAMATION

CUSTOMS

Importation of Food and Animal Products from South America (Amendment) Proclamation 2001

(Proclamation No. 4 of 2001)

IN EXERCISE of my powers under section 35 of the Customs Ordinance (Title 26.1) I make the following Proclamation —

Citation and commencement

1. This Proclamation may be cited as the Importation of Food and Animal Products from South America (Amendment) Proclamation 2001 and comes into force immediately.

Amendment of Importation of Food and Animal Products from South America Proclamation 2001

2. The Importation of Food and Animal Products from South America Proclamation 2001 shall be amended by replacing Article 4(2) with the following paragraph —

“(2) The Director of Agriculture may grant a licence as he sees fit except that in relation to items to which paragraph (3)(a), (b), (c) and (f) apply he shall impose as a condition of any licence granted under this Article that the imports must be accompanied by a certificate conforming as nearly as possible with any certificate required so as to permit importation of the items into the European Union under the European Union legislation referred to in the Schedule.”

Made this tenth day of April 2001

D A Lamont
Governor

EXPLANATORY NOTE

(not forming part of the above Proclamation)

This Proclamation amends the Importation of Food and Animal Products from South America Proclamation 2001 by permitting the Director of Agriculture to grant a licence for the importation of milk and milk products and eggs originating from Chile without the requirement that he shall impose as a condition of that licence that those imports must be accompanied by certification effectively equivalent to that required for an import into the European Union.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Fishing (CCAMLR) (Amendment) Ordinance 2001

(No: 2 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of the Fishing (CCAMLR) Ordinance 1999

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

FISHING (CCAMLR) (AMENDMENT) ORDINANCE 2001

(No: 2 of 2001)

(assented to: 18 April 2001)

(commencement: on publication)

(published: 25 April 2001)

AN ORDINANCE

To amend the Fishing (CCAMLR) Ordinance 1999.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Fishing (CCAMLR) (Amendment) Ordinance 2001.

Amendment of the Fishing (CCAMLR) Ordinance 1999

2. Section 2 of the Fishing (CCAMLR) Ordinance 1999 is amended by replacing the definition of “CCAMLR waters” which appears in that section with the following definition—

“ “CCAMLR waters” means the marine waters lying to the south of 60 degrees south latitude and the waters between that latitude and the Antarctic Convergence”.

Passed by the Legislature of the Falkland Islands this 30th day of March 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Falklands Landholdings Corporation (Amendment) Ordinance 2001

(No: 3 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of Falklands Landholdings Corporation Ordinance 2000

Schedule

SCHEDULE
Amendment of the Falklands Landholdings Corporation Ordinance 2000

1. In this Schedule “the Ordinance” means the Falklands Landholdings Corporation Ordinance 2000.

2. Section 4 of the Ordinance is amended —

(a) in subsection (3) by inserting the words “other than under section 4A” after the words “appointed in his place”; and

(b) in subsection (5) by inserting the words “or under section 4A” after the words “subsection (1)”.

3. The following section is inserted after section 4 —

“Substitutes for Councillor members of the Board

4A.—(1) In the event that any person appointed as a member of the Board of the Corporation pursuant to section 4(1)(h) is by reason of illness, absence from the Falkland Islands or any other cause unable to attend a meeting or meetings of the Board of the Corporation, he may appoint another elected member of the Legislative Council (“a substitute member”) to act in his place until the appointing member shall again be able to attend meetings of the Board.

(2) A substitute member shall during the currency of his appointment be entitled to attend meetings of the Board of the Corporation and speak and vote thereat in place of the elected member of the Legislative Council who appointed him.

(3) The Secretary of the Corporation shall be notified of any appointment under subsection (1).”.

4. Section 12 is amended by inserting the words and punctuation “,substitute member of the Board,” after the words “member of the Board”.

Passed by the Legislature of the Falkland Islands this 30th day of March 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Falkland Islands Development Corporation (Amendment) Ordinance 2001

(No: 4 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of the Falkland Islands Development Corporation Ordinance

Schedule

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

**FALKLAND ISLANDS DEVELOPMENT CORPORATION (AMENDMENT)
ORDINANCE 2001**

(No: 4 of 2001)

(assented to: 18 April 2001)
(commencement: upon publication)
(published: 25 April 2001)

AN ORDINANCE

To amend the Falkland Islands Development Corporation Ordinance (Title 28.1) so as to permit members of the Falkland Islands Development Board who are elected members of the Legislative Council to be represented by substitutes.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Falkland Islands Development Corporation (Amendment) Ordinance 2001.

Amendment of the Falkland Islands Development Corporation Ordinance

2. The Falkland Islands Development Corporation Ordinance is amended in the manner specified in the Schedule to this Ordinance.

SCHEDULE
Amendments to the Falkland Islands Development Corporation

1. In this Schedule, "the Ordinance" means the Falkland Islands Development Corporation Ordinance (Title 28.1).
2. Section 7(3) of the Ordinance is amended by inserting the words "other than under section 7A" after the words "appointed in his place".
3. The following section is inserted after section 7 —

"Substitute Councillor members of the Board

7A.—(1) In the event that any person appointed as a member of the Board of the Corporation pursuant to section 7(1)(h) is by reason of illness, absence from the Falkland Islands or any other cause unable to attend a meeting or meetings of the Falkland Islands Development Corporation Board, he may appoint another elected member of the Legislative Council ("a substitute member") to act in his place until the appointing member shall again be able to attend meetings of the Board.

(2) A substitute member shall during the currency of his appointment be entitled to attend meetings of the Board of the Corporation and speak and vote thereat in place of the elected member of the Legislative Council who appointed him.

(3) The Secretary of the Corporation shall be notified of any appointment under subsection (1)."

4. Section 24 is amended by inserting the words and punctuation ". substitute member" after the word "member".

Passed by the Legislature of the Falkland Islands this 30th day of March 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Supplementary Appropriation (2000-2001) Ordinance 2001

(No: 5 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Appropriation of further sum
3. Replenishment of Contingencies Fund

Schedule 1

Schedule 2

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

SUPPLEMENTARY APPROPRIATION (2000-2001) ORDINANCE 2001

(No: 5 of 2001)

AN ORDINANCE

(assented to: 18 April 2001)
(commencement: on publication)
(published: 25 April 2001)

To appropriate and authorise the withdrawal from the Consolidated Fund of the additional sum of £1,524,720 for the service of the financial year ending 30 June 2001.

ENACTED by the Legislature of the Falkland Islands as follows —

Short Title

1. This Ordinance may be cited as the Supplementary Appropriation (2000-2001) Ordinance 2001.

Appropriation of further sum

2. The Financial Secretary may for the purposes specified in the Schedules cause to be withdrawn from the Consolidated Fund and applied to the service of the year commencing on 1 July 2000 and ending on 30 June 2001 ("the financial year") the further sum of £1,524,720 in addition to sums already appropriated by Ordinance.

Replenishment of Contingencies Fund

3. The Financial Secretary shall out of the sum appropriated by section 2 replenish the Contingencies Fund to the extent that sums specified in Schedule 1, prior to the commencement of this Ordinance, have been withdrawn from the Contingencies Fund by the authority of Contingencies Warrant Numbers 3 to 8 of 2000-2001 (the authority of which lapses on the commencement of this Ordinance).

SCHEDULE 1

| PART I OPERATING EXPENDITURE | | £ |
|--------------------------------------|--|-----------------------|
| 0200 | Health and Social Services | 13,820 |
| 0350 | Public Works Department | 208,000 |
| 0600 | Central Administration | 168,700 |
| | | <u>390,520</u> |
| PART II OPERATING EXPENDITURE | | |
| 950 | Capital | 545,910 |
| | TOTAL SUPPLEMENTARY EXPENDITURE | <u>936,430</u> |

SCHEDULE 2

| PART I OPERATING EXPENDITURE | | £ |
|-------------------------------------|--|-----------------------|
| 0200 | Health & Social Services | 40,000 |
| 0320 | Fisheries | 103,840 |
| 0350 | Public Works Department | 64,900 |
| 0600 | Central Administration | 20,000 |
| | | <u>228,740</u> |
| PART II CAPITAL EXPENDITURE | | |
| 950 | Capital | 359,550 |
| | TOTAL SUPPLEMENTARY EXPENDITURE | <u>588,290</u> |

Passed by the Legislature of the Falkland Islands this 30th day of March 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

SUBSIDIARY LEGISLATION

FISHERIES

Fishing Licences (Applications and Fees) Regulations Order 2001

S. R. & O. No: 9 of 2001

Made: 18th April 2001

Published: 25th April 2001

Coming into force: on publication

IN EXERCISE of my powers under section 20 of the Fisheries (Conservation and Management) Ordinance 1986(a) and of all other powers enabling me in that behalf, I make the following Order —

Commencement and citation

1.—(1) This Order may be cited as the Fishing Licences (Applications and Fees) Regulations Order 2001 and shall come into operation on the date it is first published in the Gazette and cease to have effect on 31st December 2001.

(2) This Order is hereinafter called “these Regulations” and any paragraph of this Order may be cited as (and is hereafter described as) a regulation bearing the same number as that paragraph and every subparagraph of a paragraph of this Order may be cited as (and is hereafter described as) a paragraph of the same number of the regulation in which it appears.

Application

2. Nothing in these Regulations applies to licences for exploratory or scientific purposes or to fishing within the territorial sea or internal waters.

Interpretation

3. In these Regulations —

“exploratory or scientific purposes” means purposes related to the assessment of the commercial or practical viability of fishing for fish generally or for a particular species of fish or to the assessment or quantification of stocks of any species of fish or fish of any age, stage of maturity or size of a species of fish or the locations in which they or any species of fish or fish of any age, stage of maturity or size may be found;

“FICZ” means the interim conservation and management zone as defined in section 2 of the Fisheries (Conservation and Management) Ordinance 1986;

“FOCZ” means the outer conservation zone as defined in Proclamation 2 of 1990 as varied by Proclamation 1 of 1994;

“fishing licence” means a licence to catch or take fish within the fishing waters;

“the fishing season” means —

- (a) in relation to an “L” licence the period commencing on 1st July 2001 and ending 31st December 2001;
- (b) in relation to an “R” licence the period commencing on 1st July 2001 and ending on 31st December 2001;
- (c) in relation to an “S” licence the period commencing on 1st July 2001 and ending 31st December 2001;
- (d) in relation to an “X” licence the period commencing on 1st August 2001 and ending on 31st October 2001;
- (e) in relation to a “Y” licence the period commencing on 1st July 2001 and ending on 31st December 2001;
- (f) in relation to a “Z” licence the period commencing on 1st July 2001 and ending on 31st December 2001;

“the principal regulations” means the Fishing Regulations Order 1987.

Relationship with principal Regulations

4. For so long as these Regulations are in force such of the provisions of the principal Regulations as are inconsistent with these Regulations shall not be in force, but except as aforesaid the provisions of the principal Regulations remain in force and shall be complied with in addition to those of these Regulations.

Types of Licence

5.—(1) For the purpose of these Regulations there shall be the following categories of licence —

- (a) an ‘L’ licence;
- (b) an ‘R’ licence;
- (c) an ‘S’ licence;
- (d) an ‘X’ licence ;
- (e) a ‘Y’ licence; and
- (f) a ‘Z’ licence.

(2) An ‘L’ licence issued under these Regulations shall permit the catching of Toothfish (*Dissostichus eleginoides*).

(3) An ‘R’ licence issued under these Regulations shall permit the catching or taking of all species of the family Skate (*Rajidae*) and shall not permit the taking of other species of finfish or squid of any kind.

(4) An ‘S’ licence issued under these Regulations shall permit the catching or taking of Blue Whiting (*Micromesistius australis*) and Hoki (*Macruronus magellanicus*).

(5) An ‘X’ licence issued under these Regulations shall authorise the catching or taking of squid of the species *Loligo gahi*.

(6) A ‘Y’ licence issued under these Regulations shall permit the catching or taking of any finfish, that is to say vertebrate fish having a dorsal fin, a ventral or pectoral fin and not in any case include Toothfish (*Dissostichus eleginoides*) or Skate (*Rajidae*) or squid of any kind.

(7) A ‘Z’ licence issued under these Regulations shall permit the catching or taking of any finfish except Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) or Skate (*Rajidae*) that is to say a vertebrate fish having a dorsal fin, a ventral or pectoral fin and not in any case

including Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*), Skate (*Rajidae*) or squid of any kind:

Provided that a "by-catch" which, in the reasonable opinion of the Director of Fisheries could not reasonably be avoided, shall not be deemed to have been caught or taken without the authority of a licence.

Applications for Licences

6.—(1) Applications for licences in respect of the whole or any part of any fishing season shall be made to the Director of Fisheries at the Falkland Islands Fisheries Department, P.O. Box 598, Stanley, Falkland Islands.

(2) Any application to which paragraph (1) of this regulation relates shall be made so as to be received there by Monday 16th April 2001.

(3) The Director of Fisheries in his discretion may consider an application lodged after the date mentioned in paragraph (2) of this regulation but shall not be bound to do so.

The Schedule and its Tables

7.—(1) Table 1 of the Schedule to these Regulations applies in respect of the fees payable for type 'L' licences.

(2) Table 2 of the Schedule to these Regulations applies in respect of the fees payable for type 'R' licences.

(3) Table 3 of the Schedule to these Regulations applies in respect of the fees payable for type 'S' licences.

(4) Table 4 of the Schedule to these Regulations applies in respect of the fees payable for type 'X' licences.

(5) Table 5 of the Schedule to these Regulations applies in respect of the fees payable for type 'Y' licences.

(6) Table 6 of the Schedule to these Regulations applies in respect of the fees payable for type 'Z' licences.

(7) All fees payable under this regulation shall be paid in pounds Sterling and in accordance with the principal Regulations.

(8) The explanatory notes at the commencement of each Table in the Schedule to these Regulations are for guidance only and shall not have legislative effect.

(9) Transhipping Licences: All fishing vessels licences will be endorsed as valid for transhipment operations on Berkeley Sound, i.e vessels licensed to fish will also be permitted to tranship without further charge. Vessels not licensed to fish, including refrigerated cargo vessels, which wish to tranship (and vessels wishing to tranship before or after their allocated licence period) must obtain a Transhipment or Transport licence. Transhipment licences once issued, will be strictly non-refundable even if the vessel requesting a licence does not arrive to use it. Where a fishing vessel is licensed to fish for 3 months or longer within the six month season, the transhipment licence will be extended to apply to the full six months season. The fee for transhipment and export licences for the period 1st July 2001 to the 31st December 2001 shall be £150 per transhipment operation.

Made this eighteenth day of April 2001

D A Lamont
Governor

THE SCHEDULE

Provision as to fishing licences in respect of the fishing season

TABLE 1 Toothfish - Type "L" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to longliners licensed to take Toothfish (*Dissostichus eleginoides*) only.
3. The season for this type of licence commences on 1st July 2001 and ends on 31st December 2001.
4. Fees set out in this table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

- A. A licence is not transferable.

FEE

Fee payable per licensed month is:

£24,244

TABLE 2 Skate - Type "R" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take Skate (*Rajidae*) only.
3. The season for this type of licence commences on 1st July 2001 and ends on 31st December 2001 and will be subject to a closed area and provisions of the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are payable in respect of the number of months for which the licence is valid.

Effective text (of legislative effect)

A. In the following Formula, "GRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed;

B. A licence is not transferable.

FORMULA

Fee payable per licence month is the result of:

$$\pounds(2.42 * GRT) + 19554$$

TABLE 3

Finfish only -Species restricted - Type "S" Licence

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers equipped with Surimi factories. licensed to take Blue Whiting (*Micromesistius australis*) and Hoki (*Macruronus magellanicus*).
3. The season for this type of licence commences on 1st July 2001 and ends on 31st December 2001 and will be subject to the Fishing (Nets and Supplementary Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are payable in respect of the number of months for which the licence is valid.

Effective text (of legislative effect)

A. In the following Formula, "GRT" means gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed;

B. A licence is not transferable.

FORMULA

Fee payable per licensed month is the result of:

$$\pounds(27.496 * GRT)$$

TABLE 4

Squid - Type "X" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take squid of the species *Loligo gahi*.

3. The season for this type of licence commences on 1st August 2001 and ends on 31st October 2001 and is exempt from the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are for the full season.

Effective text (of legislative effect)

- A. In the following Formula, "GRT" means gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules.
- B. A licence is not transferable.

FORMULA

Fee payable is the result of:

$$£(33.34 * GRT) + 59088$$

TABLE 5

Finch only - Type "Y" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the formula set in this Table apply to trawlers licensed to take finfish species with the exception of Toothfish (*Dissostichus eleginoides*), Skate (*Rajidae*) or squid.
3. The season for this type of licence commences on the 1st July 2001 and ends on 31st December 2001 and will be subject to a closed area and the Fishing (Nets and Supplementary Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are payable in respect of the number of months for which the licence is valid.

Effective text (of legislative effect)

- A. In the following Formula, "GRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International tonnage Measurement Rules in respect of the vessel to be licensed.
- B. A licence is not transferable.

FORMULA

The fee payable per licensed month of fishing is calculated by adding £5.000 to the relevant Finfish (Species Restricted) type "Z" licence fee, taking account of the GRT of the vessel.

TABLE 6

Finfish Only - Species Restricted - Type "Z" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.

2. Fees calculated by the Formula set out in this Table apply to Trawlers licensed to take all finfish species with the exception of Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) and Skate (*Rajidae*) or squid.
3. The season for this type of licence commences on 1st July 2001 and ends on the 31st December 2001 and will be subject to a closed area and the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are payable in respect of the number of months for which the licence is valid.

Effective text (of legislative effect)

- A. In the following Formula, "GRT" means gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed;
- B. A licence is not transferable.

FORMULA

Fee payable per licensed month is the result of:

$$\pounds(5.882 * GRT) + 10333$$



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

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No. 6

The following are published in this Supplement -

Registration of Charities (Exemption) Order 2001, (S.R. & O. No. 10 of 2001);

Land Acquisition Bill 2001;

Explanatory Memorandum - Land Acquisition Bill 2001;

Executive Council's Policy on Use of Compulsory Purchase Powers to Acquire Land;

The Liberia (United Nations Sanctions) (Overseas Territories) Order 2001.

SUBSIDIARY LEGISLATION

CHARITIES

Registration of Charities (Exemption) Order 2001

(S. R. & O. No: 10 of 2001)

Made: 18 May 2001

Published: 30 May 2001

Coming into force: 1 June 2001

IN EXERCISE of my powers under section 4(4) of the Charities Act 1960(a) in its application to the Falkland Islands, and of all other powers enabling me in that behalf, I make the following Order —

Citation and Commencement

1. This Order may be cited as the Registration of Charities (Exemption) Order 2001 and shall come into force on 1st June 2001.

Charities Exempt from the Requirement to Register

2. The charities mentioned in the Schedule to the Order are exempt from the requirement to be registered in the Register of Charities established and maintained in the Falkland Islands pursuant to the Charities Act 1960 in its application to the Falkland Islands but only until 31 December 2001 or such later date as may be specified by the Governor by Notice published in the Gazette.

Made this eighteenth of May 2001

D A Lamont
Governor

SCHEDULE

Flying Santa Appeal.

EXPLANATORY NOTE

(not forming part of the above Order)

This Order temporarily exempts from registration under Section 4 of the Charities Act 1960 in its application to the Falkland Islands a charitable body established in the Falkland Islands.

Land Acquisition Bill 2001

(No. of 2001)

ARRANGEMENT OF PROVISIONS

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3. Restriction on exercise of powers of compulsory acquisition
4. Exceptions to section 3(1)

General power for person to sell or dispose of land

5. Power to sell or dispose of land

Compulsory acquisition of land

6. Compulsory acquisition of land

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10. Making of order in absence of objections to be referred to Magistrate's Court
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SCHEDULE

LAND ACQUISITION BILL 2001

(No. of 2001)

A Bill

for

An Ordinance

To make new provision in relation to compulsory acquisition of land.

BE IT ENACTED by the Legislature of the Falkland Islands as follows —

PART I INTRODUCTORY *Preliminary*

Short title

1. This Ordinance may be cited as the Land Acquisition Ordinance 2001 and shall come into force on a date notified by the Governor by notice published in the *Gazette*.

Interpretation

2.—(1) In this Ordinance, except where the context otherwise requires —

“compulsory purchase order” means an order for the compulsory acquisition of land made under section 10(1) or 13(2);

“draft compulsory purchase order” means a draft compulsory purchase order prepared in accordance with section 7(2);

“land” includes buildings, structures and erections of any kind, and includes land covered by water and every estate, right, title or interest whatsoever in or relating to land;

“lease” includes an agreement for a lease;

“notice to treat” has the meaning given by section 37;

“occupier” means a person in occupation;

“operative compulsory purchase order” means a compulsory purchase order which is operative under section 19 and which has not been quashed by the Supreme Court under section 16, but where a compulsory purchase order has been so quashed in relation to some, but not all, of the land comprised therein, means such a compulsory purchase order in relation to the land in respect of which it has not been quashed;

“relevant owner” means an owner of an estate right title or interest in land and an occupier of land except a tenant under a periodic tenancy of a month or less than a month.

(2) Where under this Ordinance any notice is to be given to the owner of any land or where any act is authorised to be done with the consent of any such owner, the word “owner” shall, unless the context otherwise requires, mean any person having power to sell and convey the land to the Crown.

General principles

Restriction on exercise of powers of compulsory acquisition

3.—(1) The Governor shall not exercise the power conferred by this Ordinance to acquire any land compulsorily unless he believes —

(a) that it is not reasonably possible to acquire that land other than by exercise of the power of compulsory acquisition conferred by this Ordinance;

(b) that the compulsory acquisition of that land is reasonably justifiable in a democratic society;

(c) that it is in the public interest that the land should be acquired by the exercise of the power of compulsory acquisition conferred by this Ordinance; and

(d) that arrangements have been or will be made for the prompt payment of fair and adequate compensation in respect of the land compulsorily acquired,

and in considering those matters the Governor shall have regard to the following provisions of this section.

(2) It shall be regarded as reasonably possible to acquire the land in question other than by the exercise of a power of compulsory acquisition conferred by this Ordinance if —

(a) every relevant owner of the land in question has indicated his willingness to dispose of the land to the Crown subject to the payment of fair and adequate compensation; and

(b) every relevant owner of the land has, if the amount of the compensation has not been agreed by him, indicated his willingness to have the question of the amount of the compensation to be paid referred to the Supreme Court for determination by that Court in accordance with the provisions of this Ordinance; and

(c) no relevant owner has unreasonably refused to or delayed in executing and delivering a conveyance or transfer of the land to the Crown in a form approved on behalf of the Crown;

(3) Compulsory acquisition of the land shall not be regarded as being reasonably justifiable in a democratic society if there is not reasonable justification for the causing of any hardship that may result to any person having an interest in or right over the land in question;

(4) In considering whether it is in the public interest that the land should be compulsorily acquired by the exercise of any power conferred by this Ordinance, the Governor shall consider—

(a) whether there is any other land, in the ownership of the Crown or which might be acquired by the Crown by the exercise of the powers of compulsory acquisition conferred by

this Ordinance or otherwise might, having regard to all the circumstances, including the cost, state and condition of, and cost of any works of development and servicing that other land, be suitably used for the purpose for which the exercise of the powers of compulsory acquisition is contemplated; and

(b) the damage, loss or nuisance which may be suffered by the owners of affected land if the power of compulsory acquisition is exercised in relation to the land in question or any other land considered in accordance with subparagraph (a) if the land in question is developed for the purpose in relation to which compulsory acquisition is considered; and

(c) any hardship or inconvenience which may be suffered by the public or any section of the public if the land, the compulsory purchase of which is contemplated, is not acquired for the relevant purposes by the Crown.

(5) In considering whether arrangements have been or will be made for the prompt payment of fair and adequate compensation, the Governor, if satisfied that the Crown will be able to pay promptly any amount of compensation which might reasonably be ordered by the Supreme Court under this Ordinance may disregard (if that is the case) the fact that the amount of compensation, or the amount of compensation payable to any relevant owner, has not yet been agreed.

Exceptions to section 3(1)

4.—(1) Nothing in section 3(1) above applies to the taking of possession or acquisition of any land by the Crown —

(a) in satisfaction of any tax, rate, statutory contribution, levy or due;

(b) by way of penalty for breach of the law or forfeiture in consequence of breach of the law;

(c) as an incident of a lease, tenancy, mortgage, charge, bill of sale or contract;

(d) in the execution of judgments or orders of a court in proceedings for the determination of civil rights or obligations;

(e) in circumstances where it is reasonably necessary so to do because the property is in a dangerous state or likely to be injurious to the health of human beings, animals or plants;

(f) in consequence of any law with respect to the limitation of actions or acquisitive prescriptions;

(g) for so long as may be necessary for the purposes or for the purposes of the carrying out thereon of any work of soil conservation or the conservation of other resources or work relating to agricultural development (being work relating to such development or improvement that the owner or occupier of the land has been required, and has without reasonable excuse refused or failed to carry out);

(2) Nothing in section 3(1) extends to the taking of possession or acquisition of any land —

(a) of an enemy;

(b) of a deceased person, a person of an unsound mind or a person who has not attained the age of eighteen years, for the purpose of its administration for the benefit of the person entitled to a beneficial interest therein;

(c) the property of a person adjudged bankrupt or a body corporate in liquidation, for the purpose of its administration for the benefit of the creditors of a bankrupt or a body corporate and, subject thereto, for the benefit of other persons entitled to a beneficial interest in the property; or

(d) subject to a trust, for the purpose of vesting the land in persons appointed as trustees under the instrument creating the trust or by a court or by order of a court for the purposes of giving effect to the trust.

(3) Nothing in section 3(1) applies in respect of the compulsory acquisition of any land held by a body corporate established by law for public purposes in which no monies have been invested other than monies provided from the public funds of the Falkland Islands.

General power for person to sell or dispose of land

Power to sell or dispose of land

5. A person who has power to sell or dispose of land to any person has, notwithstanding any law deed or instrument to the contrary, power to sell it or dispose of it to the Crown.

Power to compulsorily acquire land

Compulsory acquisition of land

6.—(1) The Governor may, in the name and on behalf of Her Majesty, and subject to the provisions of this Ordinance, compulsorily acquire any land in accordance with the provisions of this Ordinance.

(2) Land may be compulsorily acquired in accordance with the provisions of this Ordinance for any public purpose.

(3) For the purposes of this Ordinance a purpose is public if it is intended to result in a benefit or advantage to the community.

(4) Without prejudice to the generality of subsection (3), land is acquired for a public purpose if it is acquired so that it may be developed used or disposed of for the promotion of the physical, economic or social well-being of the community.

PART II

COMPULSORY PURCHASE ORDER PROCEDURE

Draft purchase order, notices, objections etc

Draft compulsory purchase order

7.—(1) Authorisation of compulsory purchase shall be by order made by the Governor.

(2) An order to which subsection (1) relates shall be prepared in draft and shall describe by reference to a plan or map the land to which it applies, and shall state the public purpose or public purposes for which the land is proposed to be compulsorily acquired.

(3) Except as provided in subsection (2) the form of the order shall be such as the Governor may determine.

Notice in Gazette etc

8.—(1) The Attorney General shall publish a notice (“the notice”) of the draft compulsory purchase order in the Gazette and, where practicable, in a newspaper circulating in the Falkland Islands.

(2) The notice shall —

(a) state that the order has been prepared in draft and may, subject to this Ordinance be made;

(b) describe the land and state the public purpose or public purposes for which the land is required;

- (c) state where a copy of the draft order and plan or map referred to therein may be inspected; and
- (d) specify the time (not being less than twenty-eight days from the first publication of the notice) within which, the person to whom and the manner in which, objections to the order can be made.

Notices to owners, lessees and occupiers

9.—(1) The Attorney General shall serve on every owner, lessee and occupier (except tenants under a periodic tenancy of a month or less than a month) of any land comprised in the draft order a notice in the prescribed form —

- (a) stating the effect of the draft order,
- (b) stating that it is about to be made, and
- (c) specifying the time (not being less than twenty-eight days from service of the notice) within which, the person to whom, and the manner in which, objections to the draft order can be made.

(2) For the purposes of subsection (1) an occupier being a lessee or tenant of a dwelling house, not being a lessee or tenant for a fixed period under a lease or agreement in writing of which period at least two months remains unexpired and a licensee of land, not being a licensee by a fixed period under a licence in writing of which at least two months remains unexpired shall each be deemed to be a tenant for a period of less than one month.

Making of order in absence of objections: objections to be referred to Magistrate's Court

10.—(1) If no objection is duly made to the draft order by any such owner, lessee or occupier as is mentioned in section 9, or if all objections so made are withdrawn, the Governor on being satisfied —

- (a) that the provisions of section 3(1) are complied with in relation to the order;
- (b) that the proper notices have been published and served,

may make an order for the compulsory acquisition of the land with or without modifications to the draft order.

(2) If any such objection as aforesaid is not withdrawn, then the Governor, if he proposes to proceed to make the order shall, before he makes the order, refer it and any unwithdrawn objection to the Magistrate's Court.

(3) The Magistrate's Court, on a reference to it under subsection (2), shall notify the Attorney General and every person who has made any such representations of a day and time on which that person may appear before the court for the purpose of being heard before the court in the matter.

(4) Representations as to the value or amount of compensation to be paid are not objections to the making of a compulsory purchase order, and accordingly —

- (a) shall not be referred to the Magistrate's Court under subsection (2);
- (b) the Magistrate's Court shall not hear any person in relation thereto; and
- (c) the Governor may proceed under subsection (1) as if they had not been made.

Hearing of objections to draft order by Magistrate's Court

Procedure etc of Magistrate's Court on a referral under section 10(2)

11.—(1) On a hearing of any person pursuant to section 10(3), the Magistrate's Court shall —

- (a) first hear the Attorney General or any person appointed by him, and any evidence he may wish to call or present in support of the order and any objector or his legal practitioner or representative may cross-examine any witness giving evidence in support;
 - (b) then hear every person who wishes to be heard in relation to his objection to the order (not being an objection which the court is by section 10(4) prohibited from hearing) or, if that person so chooses a legal practitioner or other person on his behalf, and any evidence called or present of by or on behalf of such an objector; and
 - (c) if any evidence has been called or presented by or on behalf of any objector, hear the Attorney General or a person on his behalf in reply; and
 - (d) lastly, if the court considers it necessary in the interests of fairness, hear the objector or his legal practitioner or representative for a second time.
- (2) All evidence at such a hearing shall be unsworn evidence and any evidence tendered in writing may, if the court sees fit, be admitted.
- (3) The Attorney General or the person appearing on his behalf shall be permitted to cross-examine any witness giving oral evidence in support of an objection and shall be permitted to call or present evidence in rebuttal of any evidence (including any written evidence admitted under subsection (2)).
- (4) A hearing under section 10(3) shall be conducted in public.
- (5) The strict rules of evidence shall not apply in respect of any such hearing.
- (6) The court has no power to award to any person the whole or any part of the costs of any such hearing.
- (7) The court has power to adjourn any such hearing from time to time and as often as may be necessary or convenient.
- (8) Except as provided by this section or by Regulations the Magistrate's Court may determine its own procedure in relation to any such hearing.

Report of Magistrate's Court

- 12.—(1) As soon as possible after a hearing under section 10(3) has been completed, the Magistrate's Court shall submit to the Governor a report in writing of the hearing and shall send a copy of that report to the Attorney General and to every objector who took part in the hearing.
- (2) A report under subsection (1) shall include a summary of the evidence given and of the representations made by each person appearing before the court for or against the making of the order but shall not include any recommendation or view as to whether the order should be made.

Making of compulsory purchase order after objections

Governor to consider report of Magistrate's Court

- 13.—(1) The Governor on receiving a report made under section 12(1) shall consider the same and shall at the same time again consider whether the provisions of section 3(1) are complied with in relation to the making of a compulsory purchase order in relation to the land.
- (2) If he is satisfied, after such consideration, that a compulsory purchase order may properly be made under section 6 in respect of the land, he may refer the question to the Legislative Council and shall make the order if the Legislative Council so resolve.
- (3) A compulsory purchase order made after considering objections in the manner provided for in the preceding provisions of this Part may incorporate such modification to the draft order as

the Governor, with the approval of the Legislative Council thinks fit, but shall not, unless all interested persons consent, incorporate any land not included in the draft order.

(4) The Crown shall not, unless the Legislative Council has by resolution agreed to the contrary, enter into possession of land compulsorily acquired until the compensation agreed by the owner, or fixed by the Supreme Court, has been paid.

Notices after making of order

14.—(1) As soon as possible after a compulsory purchase order has been made, the Attorney General shall cause it to be published in the Gazette.

(2) The Attorney General shall as soon as possible after a compulsory purchase order has been made cause a notice —

(a) describing the land;

(b) stating that the order has been made;

(c) naming a place where a copy of the order and of the map or plan referred to therein may be inspected at all reasonable hours; and

(d) inviting the persons affected thereby to enter into negotiations with the Crown as to the compensation to be paid to them;

to be served on the persons upon whom notice was served under section 9(1), together with a copy of the order.

PART III

VALIDITY AND DATE OF OPERATION OF COMPULSORY PURCHASE ORDERS

Application to Supreme Court

Grounds for application to Supreme Court

15.—(1) If any person aggrieved by a compulsory purchase order desires to question its validity, or the validity of any provision of it, on the ground that the order is not authorised by this Ordinance or is contrary to the Constitution, he may make an application to the Supreme Court.

(2) An application to the Supreme Court under this section shall be made within six weeks from the date on which the order was first published in the Gazette under section 14(1) or such greater time as the Supreme Court may allow.

(3) The Attorney General shall be the respondent to any application under this section.

Powers of the Supreme Court

16.—(1) If an application under section 15(1) is made in relation to a compulsory purchase order, the Supreme Court may by interim order suspend the operation of the compulsory purchase order or any provision contained in it.

(2) If on determining the application the Supreme Court is satisfied that the compulsory order is not authorised by this Ordinance or is contrary to the Constitution, the court may —

(a) quash the compulsory purchase order or any provision contained in it either generally or so far as it affects the property of the applicant;

(b) modify the compulsory purchase order in any manner in which the Governor might have modified the draft compulsory purchase order under section 13(3); and

(c) may make such other order as it thinks just,

and if the court so modifies the compulsory purchase order it shall thereafter have effect as so modified.

Supplementary

Restriction on other court proceedings

17.—(1) Except on application to the Supreme Court under section 15(1), the validity of a compulsory purchase order shall not, either before or after it is made, be questioned in any legal proceedings whatsoever.

(2) Nothing in subsection (1) or in the preceding provisions of this Part applies to proceedings in the Supreme Court under the provisions of Part IV of this Ordinance (compensation).

Costs of proceedings under this Part

18.—(1) The Supreme Court may order the costs of any proceedings under this Part to be paid by such person or persons in such amounts or in such proportions as the Supreme Court thinks fit.

(2) An order for costs under subsection (1) shall be enforceable in the same way as an order for costs in a civil action in the Supreme Court.

Date of operation of compulsory purchase order

19. Subject to section 16, a compulsory purchase order becomes operative on the date on which the order is first published in the Gazette under section 14(1).

PART IV COMPENSATION

Agreement of compensation

Crown to negotiate in good faith

20.—(1) The Crown shall negotiate in good faith to attempt to agree the compensation to be paid to all persons having a relevant interest in land acquired by the Crown for a public purpose, whether the land is acquired by agreement or is the subject of a compulsory purchase order which has become operative under section 19.

(2) Any agreement as to the amount of compensation to be paid by the Crown shall be reduced to writing and signed —

(a) by the Chief Executive on behalf of the Crown; and

(b) by or on behalf of the person having a relevant interest in respect of which the compensation is to be paid.

(3) Any agreement not complying with subsection (1) is not enforceable.

(4) Any compensation agreed pursuant to this section is not payable until —

(a) the date on which all persons having a relevant interest in the land have entered into an agreement of the kind required by subsection (2);

(b) the date on which any relevant compulsory purchase order became operative under the preceding provisions of this Ordinance;

(c) the date specified in an order of the Supreme Court under section 16(2),

whichever, in the circumstances of the particular case, is the latest but shall then be paid within six weeks of that time.

(5) Compensation which under subsection (4) is to be paid is charged on the Consolidated Fund.

Delay: withdrawal of agreement

21.—(1) If a relevant owner has agreed compensation under section 20(2), he may cancel that agreement in accordance with this section.

(2) A relevant owner may if the compensation agreed remains unpaid after the expiration of three months from the date of the agreement cancel an agreement to which section 21(2) relates by notice in writing served on the Attorney General.

(3) The Crown may by notice in writing served on the relevant owner, cancel an agreement to which subsection (1) relates after the expiration of three months from the date of the agreement, but may not do so —

(a) if the time for payment of the compensation has arisen; or

(b) if a compulsory purchase order affecting the relevant owner's interest is operative.

(4) The cancellation of an agreement to which subsection (1) relates shall not preclude a fresh agreement being reached under section 20(2).

Reference of compensation to Supreme Court

22.—(1) At any time after a compulsory purchase order affecting his interest has been published under section 14(1), a relevant owner may apply to the Supreme Court to assess the amount of compensation to be paid to him in respect of that interest, but cannot do so if he has entered into an agreement under section 20(2) and he has not cancelled it under section 21(2).

(2) If an application has been made to the Supreme Court under section 15(1) by any person, or six weeks have expired from the date on which the relevant compulsory purchase order became operative under section 19 the Attorney General may apply to the Supreme Court for it to assess the amount of compensation to be paid by the Crown to any relevant owner but he cannot do so—

(a) in relation to the compensation payable to any relevant owner where an agreement with that owner under section 20(2) remains in force;

(b) in relation to any interest of any person not affected by the compulsory purchase order.

(3) Subject to this section, where an application has been made to the Supreme Court under section 15(1) and an application has also been made under subsection (1) or (2) of this section, those applications shall be consolidated and the Supreme Court shall deal with them in the same proceedings.

(4) The Attorney General shall be the respondent to any application made under subsection (1) of this section.

Ancillary expenses

23. An agreement under section 20(2) may include provision for the payment of a relevant owner's reasonable legal and other costs and expenses connected with the disposal of the land.

Power of court to award costs

24.—(1) On disposing of an application under section 22 the Supreme Court, unless under section 16(2)(a) it quashes the compulsory purchase order in so far as it affects the property of the relevant owner concerned, may order the Crown to pay to that applicant such compensation in relation to the compulsory acquisition of his property as is in the opinion of the Supreme Court fair and adequate compensation.

(2) The Supreme Court in addition to ordering the Crown to pay compensation, may order the Crown to pay to the relevant owner concerned the relevant owner's reasonable legal and other costs and expenses connected with the disposal of the land, whether or not the court awards to him any or part of the costs of the application under section 22, and may make such other order as it thinks just.

Costs of proceedings in Supreme Court and order for payment of interest

25.—(1) The Supreme Court has the same power to order a person to pay the costs or a proportion of the costs of proceedings under this Part as it has in civil proceedings to which the Administration of Justice Ordinance applies.

(2) Where the Supreme Court has under any provision of this Part ordered any person to pay any sum to another person it may order the person concerned to pay in addition to that sum interest on that sum or on any part thereof from such date until payment and at such rate of interest as the court thinks fit: but the Supreme Court shall not order payment of interest upon compensation ordered to be paid by the Crown to a relevant owner in respect of any period during which the relevant owner was in possession of the land or the rents and profits of the land.

Enforcement of orders

26.—(1) Every sum under this Part ordered by the Supreme Court to be paid by the Crown is charged upon the Consolidated Fund.

(2) Subject to subsection (1) every order of the Supreme Court under this Part for payment of a sum of money is enforceable against the person ordered to pay it in the same manner as judgment for the payment of a sum of money made in a civil action in the Supreme Court is enforceable against that person.

Untraced owners

Compensation to untraced owners

27.—(1) Where, after diligent inquiry by or on behalf of the Crown, a person appearing to the Crown to be a relevant owner of land the subject of a compulsory purchase order made under section 13(2) cannot be found, the Attorney General may apply to the Supreme Court for an order requiring the Crown to pay such amount of compensation in respect of the interest of that person as the court considers to be adequate compensation.

(2) The court, on an application being made under subsection (1) shall have the same powers as it has an application under section 22(1), and such additional powers as are conferred by section 24.

Supplemental to section 27

28.—(1) The Crown may pay into court the compensation determined on an application under section 27, and that compensation shall be held in the court trust fund for the credit of the relevant owner concerned.

(2) When the Crown has paid any compensation into court under subsection (1), the Attorney General on behalf of the Crown may execute a deed poll containing a description of the land in respect of which the payment was made, and declaring the circumstances under which, and the person to whose credit, the payment into court was made.

(3) On the execution of the deed poll all the estate and interest of the person for whose use and in respect of whom the compensation was paid into court shall vest absolutely in the Crown, and as against that person the Crown shall be entitled to immediate possession of the land:

(4) On the application of any person claiming any part of the money paid into court, the Supreme Court may order its distribution according to the respective estates, titles or interests of the claimants, and if, before the money is distributed it is invested or otherwise dealt with by the court in accordance with law, payment likewise of the dividends thereof, and may make such other order as the court thinks fit.

Refusal to convey

Deposit of compensation and execution of deed poll

29.—(1) If a relevant owner of any of the land the subject of an operative compulsory order on tender of the compensation agreed or awarded to be paid in respect of the land or interest refuses to accept it, or neglects or fails to make out a title to the land or interest to the satisfaction of the Crown, or refuses to convey or release the land as directed by the Crown it shall be lawful for the Crown to pay into the Supreme Court the compensation payable in respect of the land or interest of the relevant owner.

(2) The compensation so paid into court shall, subject to the provisions of this Ordinance be placed to the credit of the parties interested in the land in the court trust fund and the Crown shall, so far as it can, give their descriptions.

(3) When the Crown has paid into court the compensation, it shall be lawful for the Attorney General to execute a deed poll containing a description of land in respect of which the payment into court was made, and declaring the circumstances under which, and the names of the parties to whose credit, the payment into court was made.

(4) On execution of the deed poll all the estate and interest in the land of the parties for whose use and in respect whereof the compensation was paid into court shall vest absolutely in the Crown and as against those persons the Crown shall be entitled to immediate possession of the land.

(5) On the application of any person claiming all or any part of the money paid into court, or claiming all or any part of the land in respect of which it was paid into court, or any interest in it, the Supreme Court may order its distribution in accordance with the respective estates, titles or interests of the claimants and if, before the money is distributed it is invested or otherwise dealt with by the court in accordance with law, payment likewise of the dividends thereof, and may make such other order as the court thinks fit.

Acquisition of special interests

Mortgages

30.—(1) The following provisions in this section have effect only where no application has been made by the mortgagee in question to the Supreme Court under section 22(1).

(2) The Crown may purchase or redeem the interest of the mortgage of any of the land subject to compulsory purchase in accordance with either subsection (3) or (4) of this section.

(3) The Crown may pay or tender to the mortgagee the principal and interest due on the mortgage, together with his costs and charges, if any, and also six months additional interest, and thereupon the mortgagee shall immediately convey or release his interest in the land comprised in the mortgage to the Crown, or as it may direct.

(4) Alternatively, the Crown may give notice in writing to the mortgagee that it will pay all the principal and interest due on the mortgage at the end of six months, computed from the day of giving the notice; and if it has given any such notice, or if the person entitled to the equity of redemption has given six months notice of his intention to redeem, then at the expiration of either of the notices, or at any intermediate period, on payment or tender by the Crown to the mortgagee of the principal money due on the mortgage, and the interest which would become due at the end of six months from the time of giving either of the notices, together with his costs and expenses, if any, the mortgagee shall convey or release his interest in the land comprised in the mortgage to the Crown, or as it may direct.

(5) If, in a case under subsection (2) or (3) of this section, on such payment or tender the mortgagee fails to convey or release his interest in the mortgage as directed by the Crown or fails to make out a good title to that interest to the satisfaction of the Crown, it shall be lawful for the Crown to pay into court the sums payable under subsection (2) or (3) of this section, as the case may be.

(6) When the Crown has paid those sums into court, it shall be lawful for the Attorney General to execute a deed poll in the manner provided by section 29(3).

(7) On execution of the deed poll, as well as in the case of a conveyance by the mortgagee, all the estate and interest of the mortgagee (and of all persons in trust for him, or for whom he may be a trustee) in the land shall vest in the Crown and, where the mortgagee was entitled to possession of the land, the Crown shall be entitled to possession of the land.

(8) This section shall apply —

(a) whether or not the Crown has previously purchased the equity of redemption;

(b) whether or not the mortgagee is a trustee;

(c) whether or not the mortgagee is in possession of the land, and

(d) whether or not the mortgage includes other land in addition to the land subject to the compulsory purchase order.

Mortgage debt exceeding value of mortgaged land

31.—(1) This section applies subject to section 32.

(2) If the value of any such mortgaged land is less than the principal, interest and costs secured on the land, the value of the land, or the compensation to be paid by the Crown in respect of the land, shall be settled by agreement between the mortgagee and the person entitled to the equity of redemption on the one part and, the Crown on the other part, or by the Supreme Court under section 24.

(3) The amount so agreed or awarded shall be paid by the Crown to the mortgagee in satisfaction or part satisfaction of his mortgage debt.

(4) On payment or tender of the amount so agreed or awarded the mortgagee shall convey or release all his interest in the mortgaged land to the Crown or as it directs, and if he fails to do so, or fails to adduce a good title to that interest to the satisfaction of the Crown, it shall be lawful for the Crown to pay into court the amount agreed or awarded.

(5) When the Crown has so paid into court the amount agreed or awarded, it shall be lawful for the Attorney General to execute a deed poll in the manner provided by section 29(3).

(6) On execution of the deed poll the land, as to the estate and interest which were then vested in the mortgagee, or any person in trust for him, shall become absolutely vested in the Crown and.

where the mortgagee was entitled to possession of the land, the Crown shall be entitled to possession of the land.

(7) The making of payment to the mortgagee or into court of the amount agreed or awarded shall be accepted by the mortgagee in satisfaction, or part satisfaction, of his mortgage debt, and shall be a full discharge of the mortgaged land from all money due thereon.

(8) All rights and remedies possessed by the mortgagee against the mortgagor by virtue of any bond or covenant or other obligation, other than the right to the land, shall remain in force in respect of so much of the mortgage debt as has not been satisfied by payment to the mortgagee or into court.

Payment of excess to redeem mortgage

32.—(1) Where the operation of section 31 would result in a mortgage of land not being fully redeemed, the Governor shall, before entering into possession of the land unless Legislative Council has resolved under section 13(4) that the Crown may enter into possession of the land before paying compensation, and in any case as soon as possible, inform the Legislative Council of the fact that the mortgage would not be fully redeemed.

(2) The Legislative Council, on being informed pursuant to subsection (1) may resolve that the mortgage should be fully redeemed and if the Legislative Council does so, the Crown shall pay such amount by way of compensation for the land as will result in the mortgage being fully redeemed.

Compensation where mortgage paid off before stipulated time

33.—(1) The following provisions of this section have effect only where an application under section 22 to the Supreme Court has not been made in respect of the mortgagee's interest in land the subject of an operative compulsory purchase order.

(2) If in the mortgage deed a time was limited for the payment of the principal secured and under the preceding provisions of this Part if the mortgagee has been required to accept payment of the principal at a time earlier than the time so limited, the amounts payable under those sections shall include —

(a) all such costs and expenses as may be incurred by the mortgagee in respect of, or as incidental to, the re-investment of the sum paid off, and

(b) if the rate of interest secured by the mortgage is higher than can reasonably be expected to be obtained on re-investment at the time the mortgage is paid off, regard being had to the current rate of interest, compensation in respect of the loss thereby sustained.

(3) The costs under paragraph (a) of subsection (2) shall, in case of difference, be taxed and their payment enforced in the manner provided in section 22 of this Ordinance for costs of conveyances.

Acquisition of part of land subject to a mortgage

34.—(1) The following provisions of this section have effect only where an application under section 22 to the Supreme Court has not been made in respect of the mortgagee's interest in land the subject of an operative compulsory purchase order.

(2) If a part only of any mortgaged land is acquired by the Crown, and —

(a) the part so required is of less value than the principal, interest and costs secured on such land, and

- (b) the mortgagee does not consider the remaining part of the land a sufficient security for the money charged thereon, or is not willing to release the part so required.
- then the value of that part, and also compensation (if any) to be paid in respect of the severance thereof or otherwise, shall be settled by agreement between the mortgagee and the party entitled to the equity of redemption of that land on the one part and the Crown on the other.
- (3) The amount so agreed or awarded shall be paid by the Crown to the mortgagee in satisfaction or part satisfaction of his mortgage debt.
- (4) On payment or tender of the amount so agreed or awarded the mortgagee shall convey or release all his interest in the land to be taken to the Crown or as they direct.
- (5) A memorandum of what has been so paid shall be registered in the Deeds Register and shall be signed by the mortgagee; and a copy of the memorandum shall at the same time (if required) be furnished by the Crown at its expense to the person entitled to the equity of redemption of the land comprised in the mortgage.
- (6) If, on payment or tender to any such mortgagee of the amount of compensation agreed or awarded, the mortgagee fails to convey or release to the Crown or as it directs his interest in the land in respect of which the compensation has been so paid or tendered, or if he fails to adduce a good title thereto to the satisfaction of the Crown, it shall be lawful for the Crown to pay into court the amount of the compensation; and subsections (5) to (7) of section 31 shall apply as if references in those subsections to the land were references to the part of the land comprised in the mortgage which is acquired by the Crown.
- (7) Notwithstanding the foregoing provisions of this section the mortgagee shall have the same powers and remedies for recovering or compelling payment of the mortgage money or the residue of it (as the case may be), and the interest thereon, as against the remaining land comprised in the mortgage, as he would have had for recovering or compelling payment thereof as against the whole of the land originally comprised in the mortgage.

Apportionment of rent under leases

- 35.—(1) If part only of the land comprised in a lease for a term of five years unexpired is the subject of an operative compulsory purchase order, the rent payable in respect of the land comprised in the lease shall be apportioned between the land so required and the residue of the land.
- (2) The apportionment may be settled by agreement between the lessor and lessee of the land on the one part, and the Crown on the other part.
- (3) After the apportionment the lessee shall, as to all future accruing rent, be liable only for so much of the rent as is apportioned in respect of the land not required by the acquiring authority.
- (4) As respects the land not so required, and as against the lessee, the lessor shall have all the same rights and remedies for the recovery of the apportioned rent as, before the apportionment, he had for the recovery of the whole rent reserved by the lease; and all the covenants, conditions and terms of the lease, except as to the amount of rent to be paid, shall remain in force with regard to the part of the land not so required in the same manner as they would have done if that part only of the land had been included in the lease.
- (5) Every such lessee shall be entitled to receive from the Crown compensation for the damage done to him in his tenancy by reason of the severance of the land required by the Crown from that not required, or otherwise by reason of the execution of the works.

(6) Where an apportionment of rent is not agreed, the matter shall be referred by the Attorney General to the Supreme Court and determined by that Court.

Tenants at will etc

36.—(1) If any of the land subject to compulsory purchase is in the possession of a person having no greater interest in the land than as tenant for a year or from year to year, and if that person is required to give up possession of any land so occupied by him before the expiration of his term or interest in the land, he shall be entitled to compensation for the value of his unexpired term or interest in the land, and for any just allowance which ought to be made by an incoming tenant, and for any loss or injury he may sustain.

(2) If a part only of such land is required, he shall also be entitled to compensation for the damage done to him in his tenancy by severing the land held by him or otherwise injuriously affecting it.

(3) If the parties differ as to the amount of compensation payable under the foregoing provisions of this section the dispute shall be referred to the Supreme Court under section 22 and determined by the court.

(4) On payment or tender of the amount of such compensation all such persons shall respectively deliver up to the Crown, or to the person appointed by it to take possession any such land in their possession the subject of an operative compulsory purchase order.

(5) If any person having a greater interest than as tenant at will claims compensation in respect of any unexpired term or interest under any lease or grant of the land subject to compulsory purchase, the Crown may require that person to produce the lease or grant or the best evidence thereof in his power; and if, after demand in writing by the Crown, the lease or grant, or that best evidence, is not produced within twenty-one days, that person shall be considered as a tenant holding only from year to year, and be entitled to compensation accordingly.

PART V POWERS OF ENTRY

Procedure to obtain right of entry

Notice to treat

37.—(1) When the Crown wishes to proceed to purchase any land the subject of an operative compulsory purchase order, the Attorney General shall give notice to all the persons known to the Crown after diligent inquiry as being a relevant owner of that land (such a notice being hereafter in this Ordinance called a "notice to treat").

(2) Every notice to treat —

(a) shall give particulars of the land to which the notice relates,

(b) shall demand particulars of the recipient's estate and interest in the land, and of the claim made by him in respect of the land,

(c) shall state that the Crown is willing to negotiate for the purchase of the land, and as to compensation to the owner for any loss which may be sustained by reason of the execution of works caused by or connected with the purpose for which the land is to be acquired;

(d) shall draw the attention of the recipient to his rights under section 22 to refer the matter of compensation to the Supreme Court for determination if it is not agreed.

(3) Where a relevant owner cannot, after diligent inquiry, be found, the Attorney General shall, in respect of that owner, make an application under section 27(1).

Entry on land

38.—(1) When a compulsory purchase order is operative and —

- (a) six weeks have elapsed since it was published in the Gazette under section 14(1);
- (b) no application has been made in relation to the land under section 15 which remains undisposed of;
- (c) if an application under section 16 which has been disposed of, no appeal in relation to the land (except as to compensation) to the Court of Appeal under section 49 remains undisposed of;
- (d) a notice to treat has been served on every relevant owner in respect of whose interest an application under section 22 has not been made.

the Crown may at any time enter on and take possession of the land or on such part as is specified either in the notice to treat or (in respect of a relevant owner who cannot be found) in the application under section 22.

(2) Any compensation remaining unpaid at the time of entry in accordance with subsection (1) shall carry from the date of entry at one or other of the following rates —

- (a) ten per cent per annum; or
- (b) where an application has been made under section 22 in respect of a relevant owner's interest in the land, at such rate as is ordered by the Supreme Court.

Notice to be given of entry

39. Whenever the Crown, in exercise of its powers under section 38 enters on and takes possession of any land the Attorney General shall not less than three days before such entry give notice of unfounded entry and taking possession to every person on whom notice to treat was served and, where an application under section 22 has been made and remains undisposed of, also to the Supreme Court.

Entry for purpose of survey etc

40.—(1) For the purpose of surveying and taking levels of any of the land the subject of —

- (a) an operative compulsory purchase order; or
- (b) a draft compulsory purchase order in respect of which the definitive compulsory purchase order has not been quashed by the Supreme Court under section 16(2)(a) but only if six months has not elapsed since the draft order was notified under section 8(1),

the Crown after giving not less than three days' notice to the occupier of that land may enter on that land.

(2) Subsection (1) shall apply also to entry on land for the purpose of probing or boring to ascertain the nature of the soil or of setting out the time of works.

(3) The Crown shall pay compensation for any damage to the land occasioned to the owners and occupiers of the land and if that compensation is not agreed the question may be referred by any owner or occupier affected, or by the Attorney General, to the Supreme Court.

(4) Section 24 shall extend, with all necessary modifications, to a reference under subsection (3) of this section, as it applies to a reference under section 22.

Prohibited entry

41. Except as provided by section 38 or 40 the Crown shall not, except with the consent of the owners and occupiers of the land, enter upon the land the subject of a draft compulsory purchase

order until the compensation payable for the respective interests in that land has been agreed or awarded, and has been paid to the persons having those interests or has been paid into court in accordance with this Ordinance.

Supplemental

Interests omitted from purchase

42. If after the Crown has entered on any land under section 38(1) it appears that it has by mistake or inadvertence failed or omitted duly to purchase or to pay compensation for any estate, right or interest in or charge affecting that land the Crown shall remain in undisturbed possession of the land provided that within the time limited by this section —

(a) it purchases or pays compensation for the estate right or interest in or charge affecting the land, and

(b) also pays to any person who establishes a right to it, full compensation for the mesne profits.

and the compensation shall be agreed or awarded and paid (whether to claimants or into court) in the manner in which, under this Ordinance, it would have been agreed or awarded and paid if the Crown had purchased the estate, right, interest or charge before entering on the land, or as near to that manner as circumstances admit.

(2) Subsection (1) shall apply whether or not the period specified in section 43 has expired.

(3) The time limited by this section shall, subject to subsection (4), be six months after the Crown has notice of the estate, right, interest or charge or, if it is disputed by the Crown, six months after the right to the estate right or interest is finally established by law in favour of the claimant.

(4) Where an application has been made to the Supreme Court under section 22 (as applied by subsection (1) of this section) within such of the periods limited by subsection (3) as is appropriate that period is in respect of the estate right or interest affected, the time mentioned in subsection (3) shall be extended to a period expiring three months after the determination of the matter by the Supreme Court or three months after the determination by the Court of Appeal of any appeal from the Supreme Court.

(5) In this section the "mesne profits" —

(a) excludes any increase in the value of the relevant estate right or interest attributable to works carried out after the entry and taking possession of the land by the Crown;

(b) subject to paragraph (a) means the mesne profits or interest which would have accrued to the person concerned during the interval between the entry of the Crown and the time when compensation is paid, so far as the mesne profits or interest may be recoverable in proceedings.

PART VI SUPPLEMENTAL AND GENERAL

Time limit

Time limit

43.—(1) The powers of the Crown conferred by the antecedent provisions of this Ordinance and dependent on an operative compulsory purchase order having been made shall not, insofar as it is consistent with those provisions, be exercised after the expiration of three years from the date on which the compulsory purchase order was made.

(2) Nothing in subsection (1) extends to the estate right or interest of an owner who is not found after diligent inquiry by the Crown.

Costs of conveyances and form of conveyances

Costs of conveyances etc

44.—(1) The costs of all conveyances to the Crown of land subject to an operative compulsory purchase order shall be borne by the Crown.

(2) The costs shall include all charges and expenses whether incurred on the part of the Crown or on the part of the seller —

(a) of all conveyances and assurances of any of the land, and of any outstanding terms or interests in the land, and

(b) of deducing, evidencing and verifying the title to the land, terms or interests,

and all other reasonable expenses incident to the investigation, deduction and verification of the title.

(3) If the Crown and the person entitled to any such costs do not agree as to the amount of the costs, the question shall be referred to the Supreme Court for determination and the Supreme Court shall determine it. The costs of any such reference shall be in the discretion of the Supreme Court.

Form of conveyances

45.—(1) Conveyances of land subject to an operative compulsory purchase order may be according to the form in the Schedule to this Ordinance, or as near thereto as the circumstances of the case will admit, or by deed in any other form as the Attorney General may approve on behalf of the Crown.

(2) All conveyances made in accordance with subsection (1) shall be effectual to vest the land thereby conveyed in the Crown and shall operate to bar and destroy all estates, rights, titles, remainders, reversions, limitations, trusts and interests whatsoever of and in the land comprised in the conveyance which have been purchased or compensated for by the consideration mentioned in the conveyance.

Additional powers of Supreme Court

Payment into court

46.—(1) Where any money paid into court under this Ordinance was paid in respect of any lease, or any estate in land less than the whole fee simple, or of any reversion dependent on any such lease or estate, the Supreme Court on the application of any person interested in the money may order that the money shall be laid out, invested, accumulated and paid in such manner as the court may consider will give to the persons interested in the money the same benefit as they might lawfully have had from the lease, estate or reversion as the case may be.

(2) If any question arises respecting the title to land in respect of which money has been paid into court under this Ordinance, the persons respectively in possession of the land, as being the owners, or in receipt of the rents of the land, as being entitled to the rents at the time when the land was purchased, shall be deemed to have been lawfully entitled to the land until the contrary is shown to the satisfaction of the court; and unless the contrary is shown to the satisfaction of the court the persons so in possession, and all persons claiming under them, or consistently with their possession, shall be deemed to be entitled to the money so paid into court, and to the

interest and dividends of it or of the securities purchased therewith; and the money, dividends, interest and annual proceeds shall be paid and applied accordingly.

Costs in respect of money paid into court

47.—(1) This section shall apply in relation to any compensation paid into court under this Ordinance except where it was so paid in consequence —

- (a) of the wilful refusal of the person entitled to accept it;
- (b) of the wilful refusal of that person to convey the land in respect of which the compensation was payable; or
- (c) of the wilful neglect of any person to make out a good title to the land.

(2) Where this section applies the Supreme Court may order the Crown to pay —

- (a) the costs of, or incurred in consequence of, the purchase of the land, and
- (b) the cost of the investment of the compensation paid into court, or of its reinvestment in the purchase of other land.

(3) References in this section to costs include references to all reasonable charges and expenses incidental to the matters mentioned in this section and to —

- (a) the costs of obtaining the proper orders for any of the purposes set out above,
- (b) the cost of obtaining the orders for the payment of dividends out of the compensation,
- (c) the cost of obtaining the orders for the payment out of court of the principal amount of the compensation, or of any securities in which it is invested, and
- (d) the cost of all proceedings relating to such orders, except such as are occasioned by litigation between adverse claimants.

(4) The costs of not more than one application for reinvestment in land shall be allowed unless it appears to the Supreme Court that it is for the benefit of the parties interested in the compensation that it should be invested in the purchase of land in different sums and at different times.

Supreme Court may apply certain provisions

48. Where any provision of this Ordinance provides that the provisions mentioned or referred to therein (certain provisions as to compensation) shall not have effect where an application has been made to the Supreme Court under section 22, notwithstanding any provision of the kind first mentioned in this section, the Supreme Court if it sees fit to do so, and in its opinion such would not be contrary to the Constitution, may determine the application under section 22 as if the provisions mentioned in that provision did apply.

Appeals from Supreme Court

Appeals to Court of Appeal

49.—(1) Subject to this section, an appeal lies of right to the Court of Appeal at the instance of any person aggrieved thereby from any decision of the Supreme Court other than an interlocutory decision of the Supreme Court, under any provision of this Ordinance.

(2) An appeal under subsection (1) lies only on a point of law or on a point of mixed law and fact.

(3) Any person appealing under subsection (1) shall give notice of appeal, incorporating his grounds of appeal, within twenty-one days of the date of the decision appealed against.

(4) On any such appeal the Court of Appeal may do anything or make any order which the Supreme Court might have done in the first instance and may vary, discharge or quash any order made by the Supreme Court and may make any other order (including an order as to the costs of the appeal) as it sees fit to make.

Notices

Services of notices etc

50.—(1) Any notice or other document required or authorised to be served under this Ordinance may be served on any person either by delivering it to him, or by leaving it at his proper address, or by post.

(2) Any such document required or authorised to be served upon an incorporated company or body shall be duly served if it is served upon the secretary or clerk of the company or body.

(3) For the purposes of this section the proper address of any person upon whom any such document as aforesaid is to be served shall, in the case of the secretary or clerk of any incorporated company or body, be that of the registered or principal office of the company or body, and in any other case be the last known address of the person to be served:

Provided that where the person to be served has furnished an address for service, his proper address for the purposes aforesaid shall be the address furnished.

(4) If the Attorney General is satisfied that reasonable inquiry has been made and that it is not practicable to ascertain the name or address of an owner, lessee or occupier of land on whom any such document as aforesaid is to be served, the document may be served by addressing it to him by the description of "owner", "lessee" or "occupier" of the land (describing it) to which it relates, and by delivering it to some person on the premises or, if there is no person on the premises to whom it may be delivered, by affixing it or a copy of it to some conspicuous part of the premises.

Minerals

Minerals included in compulsory purchase orders

51.—(1) Unless it is expressly stated to the contrary in the compulsory purchase order concerned it shall be deemed to extend to all minerals lying in on or under the land the subject of the order, and which is the property of an owner.

(2) In subsection (1), "mineral" includes every metal, rock, ore, liquid or gas and includes peat.

(3) A conveyance to the Crown of land the subject of a compulsory purchase order, shall unless expressly stated to the contrary in such conveyance, be deemed to include minerals (as defined in subsection (2)), so far as they are the property of the conveying party, and the right to win, work, gain and take away those minerals.

Regulations

Forms may be prescribed by regulations

52. The Governor may by Order prescribe forms for the purposes of this Ordinance.

Repeals, transitional provisions etc

Repeal of Part IV of the Land Ordinance (Cap 36)

53. Part IV (Acquisition of Land) of the Land Ordinance is repealed.

Transitional provisions as to compensation

54.—(1) This section applies where any land was before the coming into operation of this Ordinance appropriated under section 33 of the Land Ordinance but compensation was not agreed and paid in respect of such appropriation before the coming into operation of this Ordinance.

(2) If compensation is not agreed and paid within six weeks after the coming into operation of this Ordinance, any owner or occupier of the land immediately prior to such appropriation or his personal representative under probate of his will or letters of administration of his estate, the Attorney General on behalf of the Crown may at any time after the expiry of such period of six weeks refer the question of the compensation to be awarded and paid in respect of such appropriation to the Supreme Court.

(3) On a reference being made to the Supreme Court under subsection (2) of this section, sections 24 to 26 of this Ordinance shall apply as if the reference had been made under section 22 of this Ordinance in respect of a compulsory purchase order validly made under section 10(1) or 13(2) of this Ordinance.

SCHEDULE

(section 45(1))

Form of conveyance

I of, in consideration of the sum of (£) paid to me [or, as the case may be to A.B., of and C.D. of two trustees appointed to receive the same] pursuant to the [here name the compulsory purchase order] by or on behalf of Her Majesty the Queen. DO HEREBY CONVEY TO HER MAJESTY ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her Other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith, ALL (describing the premises to be conveyed) and all such estate, right title and interest in and to the same or which I am or shall become seised or possessed or am empowered by the said order to convey TO HOLD the premises hereinbefore described to Her Majesty and Her heirs and successors in accordance with law, for ever.

IN WITNESS etc.

EXPLANATORY MEMORANDUM

Land Acquisition Bill 2001

Introductory

The Land Acquisition Bill 2001 would repeal and replace Part IV of the Land Ordinance (Cap. 36) which was originally enacted in the early years of this century. The Bill seeks to provide for powers of compulsory acquisition which are wholly consistent with the Constitution. It seeks to make provision which reflects adequately both the public interest and the interest of a person whose property is the subject of a compulsory purchase order or of a proposed compulsory purchase order. In relation to compulsory purchase there are two fundamental considerations which the Bill seeks to address —

- (a) the justification for compulsory acquisition; and
- (b) prompt payment of adequate compensation.

Part I of the Bill

Part I of the Bill contains a number of introductory provisions.

Clause 1 provides that the Bill, if enacted, would come into operation upon a date to be notified by the Governor in the Gazette. Clause 2 contains a number of definitions.

A number of important principles would apply by reason of clause 3(1). First of all, land could not be compulsorily acquired under the Ordinance unless the Governor is satisfied as to a number of matters. The first of these is that it is not reasonably possible to acquire the land other than by the exercise of a power of compulsory acquisition conferred by the Bill if enacted. In other words land could not be compulsorily acquired if it could reasonably be obtained by negotiations. Secondly, the compulsory acquisition would have to be “reasonably justifiable in a democratic society”. This is intended to make it clear that land could not be compulsorily acquired arbitrarily or capriciously. The third principle is that the Governor would have to be satisfied that it was in the public interest that the land should be acquired by the exercise of the power of compulsory acquisition and the fourth is that arrangements have been or will be made for the prompt payment of fair and adequate compensation in respect of the land compulsorily acquired. Those most important provisions of clause 3(1) would be “fleshed out” by the provisions of clause 3(2). Clause 4 would set out a number of exceptions to the principles reflected in clause 3, but in so doing, makes only such exceptions as are allowed by the Constitution.

Clause 5 would give anybody who has power to sell or dispose of land to any person power to sell or dispose of it to the Crown. The object of the provision is so that everybody has power to sell land to the Crown if he has power to sell that land to any person. Otherwise compulsory acquisition might be necessary for that reason only.

Clause 6 would confer a power upon the Governor in the name of the Crown to acquire land compulsorily. It could be acquired for any public purpose mentioned in clause 6(4).

Part II of the Bill - compulsory purchase order procedure

Part II of the Bill (clauses 7 to 14) would set out the procedure for making a compulsory purchase order. In the first instance, a compulsory purchase order would be made in draft. The draft order would have to set out the public purpose or public purposes for which the land was proposed to be compulsorily acquired. Under clause 8 the draft compulsory purchase order would have to be advertised in the Gazette by a notice containing the particulars required by clause 8(2) and under clause 9 a notice of draft order would have to be served on every owner, lessee and occupier of the land except tenants for a month or less than a month. Those affected would have a right under clause 10 to object to the draft order and, if they did so, the objections would be referred to the Magistrate's Court. The Magistrate's Court, however, under clause 10(4) would not be able to hear any representations as to the value or amount of compensation to be paid. This is because unless a definitive compulsory purchase order is made, the question of compensation does not arise and, under the Constitution, and under the provisions of the Bill, it would be for the Supreme Court to hear any objections as to compensation. Under clause 11 the procedure of the Magistrate's Court in relation to objections heard by it is set out. The Magistrate's Court have heard the objections in accordance with clause 11 would then, under clause 12, have to submit a report in writing to the Governor which would have to contain a summary of the evidence given and of the representations made by each party but the report would not include an recommendation or view as to whether the order should be made. On receiving the report of the Magistrate's Court this would be for the Governor (in Executive Council) to consider. A decision would then have to be taken as to whether a compulsory purchase order should be made. If a compulsory purchase order was made it would have to be published in the Gazette under clause 14(1). Additionally a notice would have to be served under clause 14(2) on the owners and tenants of the land upon whom notice of the draft order was served.

Part III of the Bill - validity and date of operation of compulsory purchase orders

Clause 15(1) would enable a person aggrieved by a compulsory purchase order to make application to the Supreme Court if he desired to question the validity of the order or the validity of any provision on it either on the ground that the order was not authorised by the provisions of the Bill or is contrary to the Constitution. Such an application under clause 15(2) would have to be made to the Supreme Court within six weeks from the date on which the order was first published in the Gazette or such greater period as the Supreme Court might allow. On such an application being made, the Supreme Court could suspend the operation of the compulsory purchase order or of any provision contained in it. The Supreme Court would have power under clause 16(2), if it were satisfied that the compulsory purchase order is not authorised by the Bill or that it is contrary to the Constitution —

- (a) to quash the compulsory purchase order or any provision contained in it either generally or so far as it affected the property of the applicant;
- (b) to modify the compulsory purchase order in any manner in which the Governor might have modified the draft compulsory purchase order; and
- (c) to make such other order as it thought just.

By clause 17(1) the validity of a compulsory purchase order could not be questioned in any legal proceedings whatsoever except proceedings brought under clause 15. By clause 18 the Supreme Court would have power to award costs. Under clause 19, and subject to the powers of the Supreme Court under section 16, a compulsory purchase order would become operative on the date on which it was first published in the Gazette under clause 14(1).

Part IV - Compensation

Clause 20 states the principle that, so far as possible, the compensation payable to anybody affected by a compulsory purchase order should be negotiated and agreed and requires an agreement in writing as to compensation. Clause 21(1) would enable an owner to cancel an agreement as to the payment of compensation by notice in writing served on the Attorney General if three months after the date of the agreement the compensation agreed had not been paid. By clauses 21(3) the Crown could cancel an agreement for payment of compensation in certain limited circumstances. By clause 21(4) the cancellation of an agreement as to compensation would not preclude a fresh agreement being reached under the clause.

Clause 22(1) would enable an owner who had not entered into an agreement as to compensation at any time after the compulsory purchase order to apply to the Supreme Court to assess the amount of compensation payable to him. He could not do so if he had entered into an agreement as to the amount of that compensation and had not cancelled it. Under clause 22(2) the Crown could refer the question of compensation to the Supreme Court after six weeks from the date on which the compulsory purchase order became operative or if an application had been made to the Supreme Court as to the validity of the compulsory purchase order. Clause 23 provides for an agreement as to compensation also covering reasonable legal and other costs and expenses of an owner whose interest is being acquired. Clause 24 would enable the Supreme Court to make an order for compensation and, additionally, to order the Crown to pay the reasonable legal and other costs and expenses connected with the disposal of the land. Under clause 25, the Supreme Court would have power to award the costs of proceedings questioning the validity of a compulsory purchase order or as to compensation payable under a compulsory purchase order. Clause 26 would deal with the enforcement of orders made by the Supreme Court.

It may sometimes happen that the owner of land cannot be found (perhaps because he has left the Falkland Islands and his address cannot be traced). Clearly in such a case, compensation could not be agreed with such an owner and clause 27 would enable the Attorney General to apply to the Supreme Court to assess the compensation in such a case. Under clause 29 provision is made for payment into court of the compensation payable to an untraced owner and for the Attorney General then to execute a deed declaring the circumstances in which the payment into court was made. On such payment, under clause 28(3) the Crown would become the owner of the interest of the untraced owner in the land. Clause 28(4) would enable a person claiming an interest in the money paid into court to make application to the court for payment out of the compensation paid into court.

It may sometimes happen that an owner of land the subject of a compulsory purchase order may refuse to accept the compensation awarded by Supreme Court or neglects or fails to make out title to the land. Clauses 29(1) would enable the Crown to pay the compensation into the

Supreme Court. Similar provision is then made by the subsequent provisions of the clause as is made in respect of untraced owners by clause 28.

Special difficulties arise in relation to mortgages. Clauses 30 to 34 make special provision in relation to them. Clause 30 deals with the ordinary case and clauses 31 and 32 deal with a case in which the amount outstanding under the mortgage exceeds the value of the land and clause 33 deals with a case where the mortgage sum is to be paid at a future date and the mortgagee is required to accept redemption at an earlier date. Clause 34 deals with the situation in which only part of the land the subject of mortgage is compulsorily acquired and the remaining land is not sufficient security for the amount secured by the mortgage.

Clause 34 deals with rent charges (a periodic payment reserved out of freehold land). These are believed to be no rent charges at present in existence in the Falkland Islands.

Clause 35 provides for the apportionment of rent under leases where only part of the land subject to a lease is acquired. Clause 36 deals with tenants at will.

Part V of the Bill - powers of entry

Under clause 37, if the Crown wished to proceed to purchase any land the subject of an operative compulsory purchase order, the Attorney General would have to give notice to the owners of the land. Notice would have to contain particulars required by clause 37(2) and invite the commencement of negotiations as to compensation. Clause 38 would confer a power of entry on the Crown six weeks after the compulsory purchase order has been published, subject to the conditions set out in clause 38(1). The compensation money payable would carry interest from the date of entry and clause 39 would require notice to be given of entry. Clause 40 would give limited powers to enter on land for the purposes of survey et cetera. The Crown would be obliged by clause 40(3) to pay compensation for any damage done to the land on exercising powers under the clause. Clause 41 would merely provide that except as allowed by clause 38 or 40 the Crown could not enter on the land until compensation payable had been agreed and paid.

Clause 42 would deal with the situation in which by mistake or inadvertence the Crown had omitted to purchase or to pay compensation for any right of ownership in land or affecting land and the action to be taken in such a case.

Part VI of the Bill - supplemental and general

Under clause 43 a compulsory purchase order would lapse three years after it is made except in respect of an owner who could not be found after inquiries had been made. Clause 44 would require the Crown to pay the conveyancing costs of the owner and clause 45 would prescribe a form of conveyance in the Schedule.

Clause 46 would confer a number of powers on the Supreme Court in relation to payments into court, and for the benefit of the persons entitled to the money paid in. Clause 47 would deal with the costs which might be ordered by the Supreme Court in relation to certain matters arising in respect of money paid into court. Clause 48 would enable the Supreme Court to apply, if it wished, and if to do so would not be contrary to the Constitution, certain provisions of the

Ordinance which, for constitutional reasons have had to be expressed so as not to bind the Supreme Court. Clause 49 would provide for appeals to the Court of Appeal and the powers of the Court of Appeal on such an appeal. Clause 50 would deal with the service of notices.

Clause 51 would have the effect that, unless stated to the contrary, minerals would be included in a compulsory purchase order of land so as to be acquired. Clause 52 would enable forms to be prescribed by order for the purposes of the Ordinance and clause 53 would repeal Part IV of the Land Ordinance (which deals with compulsory purchase). Clause 54 would preserve the validity of anything done prior to the enactment of the Bill under Part IV of the Land Ordinance and would enable questions as to compensation to be payable under an order made under Part IV of the Land Ordinance to be referred to the Supreme Court for determination under the provisions of the Bill in the same way as if the compulsory purchase order had been made under the provisions of the Bill.

The Schedule would prescribe a simple form of conveyance for use in the case of land acquired under a compulsory purchase order.

EXECUTIVE COUNCIL'S POLICY ON USE OF COMPULSORY PURCHASE POWERS TO ACQUIRE LAND

The Government will not exercise powers to acquire land compulsorily unless —

- negotiations to purchase the land have failed the owner or owners have refused to negotiate or turned down an offer of what the Government believes to be fair and adequate compensation (see below);
- the Government has considered all alternative land it could use for the purpose in question and has rejected it for sufficient reason;
- the purpose for which the Government wants the land is of national importance;
- the Government has taken into account any hardship which may be caused to the owner or owners of the land, including in particular any damage, loss or nuisance he may suffer;
- the Government believes it can justify the use of compulsory powers to the people of the Falkland Islands as being essential - i.e. the land compulsorily acquired must be acquired for the project in question to be carried out and the project must be out of national importance under the Island Plan.

The use of powers of compulsory purchase of land by the Government will always be an unavoidable last resort (note that no use of such a power has been made since 1983).

“Fair and adequate compensation” has a wide meaning. It is not limited to the market value of the land. That is just a starting point on the way. It includes compensation for disturbance, hardship and consequential loss and, where land in the same ownership is severed and the remaining land is reduced in value or less conveniently used, compensation for severance. It also includes “accommodation works” (e.g. new fence or new access, where appropriate).

If Government seeks to exercise powers of compulsory purchase, an owner or owners of land affected will have the right to object, both against the compulsory purchase itself and the amount of compensation offered.

The first stage of objection will be an inquiry by the Senior Magistrate in a fairly informal procedure.

The Government will tell him why it wants to purchase the land compulsorily and seek to justify this. The owner or owners will tell the Senior Magistrate why he or they think this should not be allowed. The Senior Magistrate will not decide the matter but will send a formal report to the Executive Council which it must consider before going any further with the idea of compulsory purchase of the land. The purpose of the inquiry by the Senior Magistrate is so that the Government before proceeding with compulsory purchase has to say publicly why it is doing so and the owner or owners have the right to say publicly why he or they objects.

The Executive Council when it receives the Senior Magistrate's report may decide to go no further with the compulsory purchase of the land. Alternatively, it may decide it wants to go ahead with compulsory purchase order. If it does, and the owner or owners are still unwilling to sell, they have a right to appeal to the Supreme Court, either against the purchase or the

compensation offered or both. If the Supreme Court thinks the compulsory purchase is unjustified it can quash the compulsory purchase order. If it thinks that the compensation offered is insufficient it can order greater compensation to be paid.

The Government will never take anybody's land compulsorily until agreed compensation or that ordered by the Court has been paid. It will never compulsorily purchase any land unless it believes this is essential in the national interest of the Falkland Islands and, if it does, it will be prepared to justify, publicly, the use of compulsory purchase powers.

Attorney General
Cable Cottage

AG/LEG/89

12 February 2001

2001 No. 946

UNITED NATIONS

The Liberia (United Nations Sanctions) (Overseas Territories) Order 2001

Made - - - - - 14th March 2001
Laid before Parliament 15th March 2001
Coming into force - - - 16th March 2001

At the Court at Buckingham Palace, the 14th day of March 2001

Present,

The Queen's Most Excellent Majesty in Council

Whereas under Article 41 of the Charter of the United Nations the Security Council of the United Nations has, by a resolution adopted on 7th March 2001, called upon Her Majesty's Government in the United Kingdom and all other States to apply certain measures to give effect to decisions of that Council in relation to Liberia:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by section 1 of the United Nations Act 1946(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation, commencement, operation, extent and amendment

1.—(1) This Order may be cited as the Liberia (United Nations Sanctions) (Overseas Territories) Order 2001 and shall come into force on 16th March 2001.

(2) Subject to paragraph (3) below, this Order shall remain in force until 7th May 2002 unless, on or before that date, the Security Council of the United Nations decides to extend the measures provided for in paragraph 5 of the resolution adopted by it on 7th March 2001, in which case this Order shall remain in force as specified in that decision.

(3) If the Security Council of the United Nations takes any decision which has the effect of cancelling or postponing or suspending the operation of the resolution adopted by it on 7th March 2001, in whole or in part, this Order shall cease to have effect or its operation shall be postponed or suspended, in whole or in part, as the case may be, in accordance with that decision.

(4) Particulars of the decisions referred to in paragraphs (2) and (3) above shall be published by the Secretary of State in a notice in the London, Edinburgh and Belfast Gazettes.

(5)(a) This Order shall extend to the territories listed in Schedule 1.

(b) Article 15 of this Order shall apply to the Sovereign Base Areas of Akrotiri and Dhekelia as set out in Schedule 2.

(c) In the application of this Order to any of the said territories the expression "the Territory" in this Order means that territory.

(a) 1946 c. 45.

(6) Articles 3, 4 and 5 shall apply to any person within the Territory and any person elsewhere who:

- (a) is a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British subject, a British National (Overseas) or a British protected person and is ordinarily resident in the Territory; or
- (b) is a body incorporated or constituted under the law of any part of the Territory.

(7) The United Nations Arms Embargoes (Dependent Territories) Order 1995(a) shall be amended by deleting the word "Liberia" from the following provisions of that Order—

- (a) the definition of "prohibited destination" in article 2;
- (b) paragraph (8)(c) of article 9; and
- (c) paragraph 4(c) of the Schedule.

Interpretation

2. In this Order the following expressions have, except where otherwise expressly provided, the meanings hereby respectively assigned to them, that is to say—

"commander", in relation to an aircraft, means the member of the flight crew designated as commander of the aircraft by the operator thereof, or, failing such a person, the person who is for the time being the pilot in command of the aircraft;

"document" includes information recorded in any form, and in relation to information recorded otherwise than in legible form, references to its production include references to producing a copy of the information in legible form;

"export" includes shipment as stores;

"exportation" in relation to any vessel, submersible vehicle or aircraft, includes the taking out of the Territory of the vessel, submersible vehicle or aircraft notwithstanding that it is conveying goods or passengers and whether or not it is moving under its own power; and cognate expressions shall be construed accordingly;

"Governor" means the Governor or other officer administering the Government of the Territory;

"master", in relation to a ship, includes any person (other than a pilot) for the time being in charge of the ship;

"operator", in relation to an aircraft or vehicle, means the person for the time being having the management of the aircraft or the vehicle;

"owner", in relation to a ship, where the owner of a ship is not the operator, means the operator and any person to whom it is chartered;

"restricted goods" means the goods specified in Part III of Schedule 1 to the Export of Goods (Control) Order 1994(b) made under the Import, Export and Customs Powers (Defence) Act 1939(c);

"the Sanctions Committee" means the Committee of the Security Council of the United Nations established by paragraph 14 of resolution 1343 adopted on 7th March 2001;

"ship" includes every description of vessel used in navigation;

"shipment" includes loading into an aircraft;

"stores" means goods for use in a vessel or aircraft and includes fuel and spare parts and other articles of equipment, whether or not for immediate fitting, but excludes any goods for use in a vessel or aircraft as merchandise for sale by retail to persons carried therein;

"vehicle" means land transport vehicle.

RESTRICTED GOODS, TECHNICAL ASSISTANCE AND TRAINING

Supply of restricted goods

3.—(1) Any person who, except under the authority of a licence granted by the Governor under this article or article 4—

- (a) supplies or delivers, or

(a) S.I. 1995/1032, as amended by S.I. 1997/272 and S.I. 1998/1502.

(b) S.I. 1994/1191 as amended by S.I. 1996/2663, S.I. 1997/1008, S.I. 1997/2758, S.I. 1999/63, S.I. 1999/1777, S.I. 2000/1239, S.I., 2000/2140 and S.I. 2000/2264.

(c) 1939 c. 69.

(b) agrees to supply or deliver, or
(c) does any act calculated to promote the supply or delivery of
restricted goods to any person in Liberia shall be guilty of an offence under this Order unless he proves that he did not know and had no reason to suppose that the goods in question were to be supplied or delivered to a person in Liberia.

(2) Nothing in paragraph (1)(b) or (c) of this article shall apply where the supply or delivery of the goods to the person concerned is authorised by a licence granted by the Governor under this article.

Exportation of restricted goods to Liberia

4. Except under the authority of a licence granted by the Governor under this article, restricted goods are prohibited to be exported from the Territory to any destination in Liberia or to any destination for the purpose of delivery, directly or indirectly, to or to the order of any person in Liberia.

Provision of certain technical assistance or training

5. Any person who, except under the authority of a licence granted by the Governor under this article, directly or indirectly provides to a person in Liberia any technical assistance or training related to the supply, delivery, manufacture, maintenance or use of any restricted goods shall be guilty of an offence under this Order.

Use of ships, aircraft and vehicles: restricted goods, technical assistance and training

6.—(1) Without prejudice to the generality of article 3, and except under the authority of a licence granted by the Governor under this article, no ship or aircraft to which this article applies, and no vehicle within the Territory, shall be used for the carriage of restricted goods if the carriage is, or forms part of, carriage from any place outside Liberia to any destination therein.

(2) This article applies to ships registered in the Territory, to aircraft so registered and to any other ship or aircraft that is for the time being chartered to any person who is—

- (a) a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British subject, a British National (Overseas), or a British protected person, and is ordinarily resident in the Territory; or
- (b) a body incorporated or constituted under the law of the Territory.

(3) If any ship, aircraft or vehicle is used in contravention of paragraph (1) of this article then—

- (a) in the case of a ship registered in the Territory or any aircraft so registered, the owner and the master of the ship or, as the case may be, the operator and the commander of the aircraft; or
- (b) in the case of any other ship or aircraft, the person to whom the ship or aircraft is for the time being chartered and, if he is such a person as is referred to in sub-paragraph (a) or sub-paragraph (b) of paragraph (2) of this article, the master of the ship or, as the case may be, the operator and the commander of the aircraft; or
- (c) in the case of a vehicle, the operator of the vehicle,

shall be guilty of an offence under this Order, unless he proves that he did not know and had no reason to suppose that the carriage of the goods in question was, or formed part of, carriage from any place outside Liberia to any destination therein.

(4) Nothing in paragraph (1) of this article shall apply where the supply or delivery or exportation from the Territory of the goods concerned to Liberia was authorised by a licence granted by the Governor under article 3 or 4.

(5) Nothing in this article shall be construed so as to prejudice any other provision of law prohibiting or restricting the use of ships, aircraft or vehicles.

GENERAL

Customs powers to demand evidence of destination which goods reach

7. Any exporter or any shipper of goods which have been exported from the Territory shall, if so required by the Governor, furnish within such time as the Governor may allow proof to the Governor's satisfaction that the goods have reached either—

- (a) a destination to which they were authorised to be exported by a licence granted under this Order, or
- (b) a destination to which their exportation was not prohibited by this Order,

and, if he fails to do so, he shall be guilty of an offence under this Order unless he proves that he did not consent to or connive at the goods reaching any destination other than such a destination as aforesaid.

Offences in connection with applications for licences, conditions attaching to licences, etc.

8.—(1) If for the purposes of obtaining any licence under this Order any person makes any statement, or furnishes any document or information which to his knowledge is false in a material particular, or recklessly makes any statement or furnishes any document or information which is false in a material particular, he shall be guilty of an offence under this Order.

(2) Any person who has done any act under the authority of a licence granted by the Governor under this Order and who fails to comply with any conditions attaching to that licence in writing shall be guilty of an offence under this Order:

Provided that no person shall be guilty of an offence under this paragraph where he proves that the condition with which he failed to comply was modified, otherwise than with his consent, by the Governor after the doing of the act authorised by the licence.

Declaration as to goods: powers of search

9.—(1) Any person who is about to leave the Territory shall, if he is required to do so by an officer authorised for the purpose by the Governor—

- (a) declare whether or not he has with him any restricted goods which are destined for Liberia or for delivery, directly or indirectly, to or to the order of any person in Liberia; and
- (b) produce any such goods as aforesaid which he has with him.

Any such officer, and any person acting under his directions, may search that person for the purpose of ascertaining whether he has with him any such goods as aforesaid:

Provided that no person shall be searched in pursuance of this paragraph except by a person of the same sex.

(2) Any person who without reasonable excuse refuses to make a declaration or fails to produce any goods or refuses to allow himself to be searched in accordance with the foregoing provisions of this article shall be guilty of an offence under this Order.

(3) Any person who under the provisions of this article makes a declaration which to his knowledge is false in a material particular or recklessly makes any declaration which is false in a material particular shall be guilty of an offence under this Order.

Investigation, etc. of suspected ships

10.—(1) Where any authorised officer has reason to suspect that any ship to which article 6 applies has been or is being or is about to be used in contravention of paragraph (1) of that article—

- (a) he may (either alone or accompanied and assisted by persons under his authority) board the ship and search her and, for that purpose, may use or authorise the use of reasonable force;
- (b) he may request the master of the ship to furnish such information relating to the ship and her cargo and produce for his inspection such documents so relating and such cargo as he may specify; and
- (c) in the case of a ship that is reasonably suspected of being or of being about to be used in contravention of paragraph (1) of article 6, any authorised officer (either there and

then or upon consideration of any information furnished or document or cargo produced in pursuance of a request made under sub-paragraph (b) above), with a view to preventing the commission (or the continued commission) of any such contravention, or in order that enquiries into the matter may be pursued, may take the further action specified in paragraph (2) below.

- (2) The further action referred to in paragraph (1)(c) of this article is either—
- (a) to direct the master of the ship to refrain, except with the consent of any authorised officer, from landing at any port specified by the officer any part of the ship's cargo that is so specified; or
 - (b) to request the master of the ship to take any one or more of the following steps:
 - (i) to cause the ship not to proceed with the voyage on which she is then engaged or about to engage until the master is notified by an authorised officer that the ship may so proceed;
 - (ii) if the ship is then in port in the Territory, to cause her to remain there until the master is notified by an unauthorised officer that the ship may depart;
 - (iii) if the ship is then in any other place, to take her to any such port specified by the officer and to cause her to remain there until the master is notified as mentioned in sub-paragraph (ii) above; and
 - (iv) to take her to any other destination that may be specified by the officer in agreement with the master.
- (3) Without prejudice to the provisions of article 13(3), where—
- (a) a master refuses or fails to comply with a request made under paragraph (2)(b) of this article; or
 - (b) an authorised officer otherwise has reason to suspect that a request that has been so made may not be complied with,
- any such officer may take such steps as appear to him to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, may for that purpose enter upon, or authorise entry upon, that ship and use, or authorise the use of, reasonable force.
- (4) In this article "authorised officer" means:—
- (a) any commissioned naval or military officer;
 - (b) any British consular officer;
 - (c) any person authorised by the Governor for the purpose of this article either generally or in a particular case.

Investigation, etc. of suspected aircraft

11.—(1) Where any authorised person has reason to suspect that any aircraft to which article 6 applies has been or is being or is about to be used in contravention of paragraph (1) of that article—

- (a) he may request the charterer, the operator and the commander of the aircraft or any of them to furnish such information relating to the aircraft and its cargo and produce for his inspection such documents so relating and such cargo as he may specify;
- (b) he may (either alone or accompanied and assisted by persons under his authority) board the aircraft and search it and, for that purpose, may use or authorise the use of reasonable force; and
- (c) if the aircraft is then in the Territory any authorised person may (either there and then or upon consideration of any information furnished or document or cargo produced in pursuance of a request made under sub-paragraph (a) above) further request the charterer, operator and the commander or any of them to cause the aircraft and any of its cargo to remain in the Territory until notified that the aircraft and its cargo may depart.

(2) Without prejudice to the provisions of article 13(3), where an authorised person has reason to suspect that any request that has been made under paragraph (1)(c) of this article may not be complied with, he may take such steps as appear to him to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, may for that purpose—

- (a) enter, or authorise entry, upon any land and upon that aircraft;
- (b) detain, or authorise the detention of, that aircraft and any of its cargo; and

(c) use, or authorise the use of, reasonable force.

(3) Before or on exercising any power conferred by this article, an authorised person shall, if requested to do so, produce evidence of his authority.

(4) In this article—

“authorised person” means any person authorised by the Governor for the purpose of this article either generally or in a particular case.

Investigation, etc. of suspected vehicles

12.—(1) Where any authorised person has reason to suspect that any vehicle in the Territory has been or is being or is about to be used in contravention of article 6—

(a) he may request the operator and the driver of the vehicle or either of them to furnish such information relating to the vehicle and any goods contained in it and produce for his inspection such documents so relating and such goods as he may specify;

(b) he may (either alone or accompanied and assisted by persons under his authority) enter the vehicle and search it and, for that purpose, may use or authorise the use of reasonable force; and

(c) any authorised person may (either there and then or upon consideration of any information furnished or document or goods produced in pursuance of a request made under sub-paragraph (a) above) further request the operator or the driver to cause the vehicle and any goods contained in it to remain in the Territory until notified that the vehicle may depart.

(2) Without prejudice to the provisions of article 13(3), where any authorised person has reason to suspect that any request that has been made under paragraph (1)(c) of this article may not be complied with, he may take such steps as appear to him to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, may for that purpose—

(a) enter, or authorise entry, upon any land and enter, or authorise entry of, that vehicle;

(b) detain, or authorise the detention of, that vehicle and any goods contained in it; and

(c) use, or authorise the use of, reasonable force.

(3) Before or on exercising any power conferred by this article, an authorised person shall, if requested to do so, produce evidence of his authority.

(4) In this article—

“authorised person” means any person authorised by the Governor for the purpose of this article either generally or in a particular case.

Provisions supplementary to articles 10 to 12

13.—(1) No information furnished or document produced by any person in pursuance of a request made under article 10, 11, or 12 shall be disclosed except—

(a) with the consent of the person by whom the information was furnished or the document was produced:

Provided that a person who has obtained information or is in possession of a document only in his capacity as servant or agent of another person may not give consent for the purposes of this sub-paragraph but such consent may instead be given by any person who is entitled to that information or to the possession of that document in his own right;

(b) to any person who would have been empowered under article 10, 11 or 12 to request that it be furnished or produced, or to any person holding or acting in any office under or in the service of—

(i) the Crown in respect of the Government of the United Kingdom;

(ii) the Government of the Isle of Man;

(iii) the States of Guernsey or Alderney or the Chief Pleas of Sark;

(iv) the States of Jersey; or

(v) the Government of any territory to which this Order extends;

(c) on the authority of the Governor, to any organ of the United Nations or to any person in the service of the United Nations or of the Government of any other country for

the purpose of assisting the United Nations or that Government in securing compliance with or detecting evasion of measures in relation to Liberia decided upon by the Security Council of the United Nations; or

- (d) with a view to the institution of, or otherwise for the purposes of, any proceedings—
- (i) in the Territory, for an offence under this Order or, with respect to any of the matters regulated by this Order, for an offence under any enactment relating to customs; or
 - (ii) for any offence under any law making provision with respect to such matters that is in force in the United Kingdom, any of the Channel Islands, the Isle of Man or any territory to which this Order extends.

(2) Any power conferred by article 10, 11 or 12 to request the furnishing of information or the production of a document or of cargo for inspection shall include a power to specify whether information should be furnished orally or in writing and in what form and to specify the time by which and the place in which the information should be furnished or the document or cargo produced for inspection.

(3) Each of the following persons shall be guilty of an offence under this Order, that is to say—

- (a) a master of a ship who disobeys any direction given under article 10(2)(a);
- (b) a master of a ship or a charterer or an operator or a commander of an aircraft or an operator or a driver of a vehicle who—
 - (i) without reasonable excuse, refuses or fails within a reasonable time to comply with any request made under article 10, 11 or 12 by any person empowered to make it, or
 - (ii) furnishes any document or information which to his knowledge is false in a material particular, or recklessly furnishes any document or information which is false in a material particular to such a person in response to such a request;
- (c) a master or a member of a crew of a ship or a charterer or an operator or a commander or a member of a crew of an aircraft or an operator or a driver of a vehicle who wilfully obstructs any person (or any person acting under the authority of any such person) in the exercise of his powers under article 10, 11, or 12.

(4) Nothing in articles 10 to 13 shall be construed so as to prejudice any other provision of law conferring powers or imposing restrictions or enabling restrictions to be imposed with respect to ships, aircraft or vehicles.

Obtaining of evidence and information

14. The provisions of Schedule 3 to this Order shall have effect in order to facilitate the obtaining by or on behalf of the Governor—

- (a) of evidence and information for the purpose of securing compliance with or detecting evasion of—
 - (i) this Order in the Territory; or
 - (ii) any law making provision, with respect to any of the matters regulated by this Order that is in force in the United Kingdom, any of the Channel Islands or the Isle of Man or any territory to which this Order extends; and
- (b) of evidence of the commission of—
 - (i) in the Territory, an offence under this Order or, with respect to any of the matters regulated by this Order, an offence relating to customs; or
 - (ii) with respect to any of those matters, an offence under the law of the United Kingdom, any of the Channel Islands or the Isle of Man or any territory to which this Order extends.

Penalties and proceedings

15.—(1) Any person guilty of an offence under article 3, 5 or 6(3) shall be liable:

- (a) on conviction on indictment to imprisonment for a term not exceeding seven years or to a fine or to both; or
- (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.

(2) Any person guilty of an offence under article 13(3)(b)(ii) or paragraph 5(b) or (d) of Schedule 3 shall be liable:

(a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both; or

(b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.

(3) Any person guilty of an offence under article 8(1) or (2), or article 9(3) shall be liable:

(a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both; or

(b) on summary conviction to a fine not exceeding £5,000 or its equivalent.

(4) Any person guilty of an offence under article 13(3)(a), (b)(i) or (c), or paragraph 5(a) or (c) of Schedule 3, shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.

(5) Any person guilty of an offence under article 7 or 9(2) shall be liable on summary conviction to a fine not exceeding £5,000 or its equivalent.

(6) Where any body corporate is guilty of an offence under this Order and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(7) Summary proceedings for an offence under this Order, being an offence alleged to have been committed outside the Territory, may be instituted at any time not later than 12 months from the date on which the person charged first enters the Territory after committing the offence.

(8) Proceedings against any person for an offence under this Order may be taken before the appropriate court in the Territory having jurisdiction in the place where that person is for the time being.

(9) No proceedings for an offence under this Order shall be instituted in the Territory except by or with the consent of the principal public officer of the Territory having responsibility for criminal prosecutions:

Provided that this paragraph shall not prevent the arrest, or the issue or execution of a warrant for the arrest, of any person in respect of such an offence, or the remand in custody or on bail of any person charged with such an offence, notwithstanding that the necessary consent to the institution of proceedings for the offence has not been obtained.

Exercise of powers of the Governor

16.—(1) The Governor may to such extent and subject to such restrictions and conditions as he may think proper, delegate or authorise the delegation of any of his powers under this Order to any person, or class or description of persons, approved by him, and references in this Order to the Governor shall be construed accordingly.

(2) Any licences granted under this Order shall be in writing and may be either general or special, may be subject to or without conditions, may be limited so as to expire on a specified date unless renewed and may be varied or revoked by the authority that granted them.

Miscellaneous

17.—(1) Any provision of this Order which prohibits the doing of a thing except under the authority of a licence granted by the Governor shall not have effect in relation to any such thing done anywhere other than the Territory provided that it is duly authorised.

(2) A thing is duly authorised for the purpose of paragraph (1) of this article if it is done under the authority of a licence granted in accordance with any law in force in the place where it is done (being a law substantially corresponding to the relevant provisions of this Order) by the authority competent in that behalf under that law.

A K Galloway
Clerk of the Privy Council

SCHEDULE 1

Article 1(3)(a)

TERRITORIES TO WHICH THIS ORDER EXTENDS

Anguilla
Bermuda
British Antarctic Territory
British Indian Ocean Territory
Cayman Islands
Falkland Islands
Gibraltar
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
St Helena
St Helena Dependencies
South Georgia and the South Sandwich Islands
Turks and Caicos Islands
The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus
Virgin Islands

SCHEDULE 2

Article 1(5)(b)

Application of Article 15 to the Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus

1.—(1) Any person who commits an offence under article 3, 5 or 6(3), or paragraph 5(b) or (d) of Schedule 3, shall be liable on conviction:—

- (a) if tried on information before the Senior Judge's Court, to imprisonment for a term not exceeding seven years, or to a fine, or to both;
- (b) if tried before the Judge's Court, to imprisonment for a term not exceeding six months, or to a fine not exceeding £5,000 or its equivalent, or to both.

2. Any person who commits an offence under article 8(1) or (2), 9(3), or 13(3)(b)(ii) is guilty of a misdemeanour and shall be liable on conviction to imprisonment for a term not exceeding two years, or to a fine, or to both.

3. Any person who commits an offence under article 13(3)(a), (b)(i) or (c), or paragraph (5)(a) or (c) of Schedule 3, is guilty of a misdemeanour and shall be liable on conviction to imprisonment for a term not exceeding six months, or to a fine not exceeding £5,000 or its equivalent, or to both.

4. Any person who commits an offence under article 7 or 9(2) is guilty of a misdemeanour and shall be liable on conviction to a fine not exceeding £5,000 or its equivalent.

5. Where a body corporate is guilty of an offence under this Order, and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

6. Proceedings for a misdemeanour under this Order, being an offence alleged to have been committed outside the Territory, may be instituted at any time not later than 12 months from the date on which the person charged first enters the Territory after committing the offence.

7. Proceedings against any person for an offence under this Order may be taken before the appropriate court in the Territory having jurisdiction in the place where that person is for the time being.

8. No proceedings for an offence under this Order shall be instituted in the Territory except by or with the consent of the principal public officer of the Territory having responsibility for criminal prosecutions:

Provided that this paragraph shall not prevent the arrest, or the issue or execution of a warrant for the arrest, of any person in respect of such an offence, or the remand in custody or on bail of any person charged with such an offence, notwithstanding that the necessary consent to the institution of proceedings for the offence has not been obtained.

Evidence and Information

1.—(1) Without prejudice to any other provision of this Order, or any provision of any other law, the Governor may request any person in or resident in the Territory to furnish to him any information in his possession or control, or to produce to him any document in his possession or control, which he may require for the purpose of securing compliance with or detecting evasion of this Order; and any person to whom such a request is made shall comply with it within such time and in such manner as may be specified in the request.

(2) Nothing in the foregoing sub-paragraph shall be taken to require any person who has acted as counsel or solicitor for any person to furnish or produce any privileged information or document in his possession in that capacity.

(3) Where a person is convicted of failing to furnish information or produce a document when requested so to do under this paragraph, the court may make an order requiring him, within such period as may be specified in the order, to furnish the information or produce the document.

(4) The power conferred by this paragraph to request any person to produce documents shall include power to take copies of or extracts from any document so produced and to request that person, or, where that person is a body corporate, any other person who is a present or past officer of, or is employed by, the body corporate, to provide an explanation of any of them.

(5) The furnishing of any information or the production of any document under this paragraph shall not be treated as a breach of any restriction imposed by statute or otherwise.

2.—(1) If any justice of the peace is satisfied by information on oath given by any police officer, constable or person authorised by the Governor to act for the purposes of this paragraph either generally or in a particular case:

- (a) that there is reasonable ground for suspecting that an offence under this Order or, with respect to any of the matters regulated by this Order, an offence under any enactment relating to customs has been or is being committed and that evidence of the commission of the offence is to be found on any premises specified in the information, or in any vehicle, ship or aircraft so specified; or
- (b) that any documents which ought to have been produced under paragraph 1 of this Schedule and have not been produced are to be found on any such premises or in any such vehicle, ship or aircraft,

he may grant a search warrant authorising any police officer or constable, together with any other persons named in the warrant and any other police officers or constables, to enter the premises specified in the information or, as the case may be, any premises upon which the vehicle, ship or aircraft so specified may be, at any time within one month from the date of the warrant and to search the premises, or as the case may be, the vehicle, ship or aircraft.

(2) Any authorised person who has entered any premises or any vehicle, ship or aircraft in accordance with sub-paragraph (1) above may do any or all of the following things:

- (a) inspect and search those premises or the vehicle, ship or aircraft for any material which he has reasonable grounds to believe may be evidence in relation to an offence referred to in this paragraph;
- (b) seize anything on the premises or on the vehicle, ship or aircraft which he has reasonable grounds for believing is evidence in relation to an offence referred to in this paragraph;
- (c) seize anything on the premises or on the vehicle, ship or aircraft which has reasonable grounds to believe are required to be produced in accordance with paragraph 1 above; or
- (d) seize anything that is necessary to be seized in order prevent it being concealed, lost, damaged, altered or destroyed.

(3) Any information required in accordance with sub-paragraph (2) above which is contained in a computer and is accessible from the premises or from any vehicle, ship or aircraft must be produced in a form in which it can be taken away and in which it is visible and legible.

(4) A police officer or constable lawfully on the premises or on the vehicle, ship or aircraft by virtue of a warrant issued under sub-paragraph (1) above may:

- (a) search any person whom he has reasonable grounds to believe may be in the act of committing an offence referred to in this paragraph; and
- (b) seize anything he finds in a search referred to in paragraph (a) above, if he has reasonable grounds for believing that it is evidence of an offence referred to in this paragraph:

Provided that no person shall be searched in pursuance of this sub-paragraph except by a person of the same sex.

(5) Where, by virtue of this paragraph, a person is empowered to enter any premises, vehicle, ship or aircraft he may use such force as is reasonably necessary for that purpose.

(6) Any documents or articles of which possession is taken under this paragraph may be retained for a period of three months or, if within that period there are commenced any proceedings for such an offence as aforesaid to which they are relevant, until the conclusion of those proceedings.

3. A person authorised by the Governor to exercise any power for the purposes of this Schedule shall, if requested to do so, produce evidence of his authority before exercising that power.

4. No information furnished or document produced (including any copy of an extract made of any document produced) by a person in pursuance of a request made under this Schedule and no document seized under paragraph 2(2) above shall be disclosed except:

- (a) with the consent of the person by whom the information was furnished or the document was produced or the person from whom the document was seized: provided that a person who has obtained information or is in the possession of a document only in his capacity as servant or agent of another person may not give consent for the purposes of this sub-paragraph but such consent may instead be given by any person who is entitled to that information or to possession of that document in his own right; or
- (b) to any person who would have been empowered under this Schedule to request that it be furnished or produced or to any person holding or acting in any office under or in the service of—
 - (i) the Crown in respect of the Government of the United Kingdom;
 - (ii) the Government of the Isle of Man;
 - (iii) the States of Guernsey or Alderney or the Chief Pleas of Sark;
 - (iv) the States of Jersey; or
 - (v) the Government of any territory to which this Order extends;
- (c) on the authority of the Secretary of State, to any organ of the United Nations or to any person in the service of the United Nations or to the Government of any other country for the purpose of assisting the United Nations or that Government in securing compliance with or detecting evasion of measures in relation to Liberia decided upon by the Security Council of the United Nations; or
- (d) with a view to the institution of, or otherwise for the purposes of, any proceedings—
 - (i) in the Territory, for an offence under this Order or, with respect to any of the matters regulated by this Order, for an offence under any enactment relating to customs; or
 - (ii) for any offence under the law making provision with respect to such matters that is in force in the United Kingdom, any of the Channel Islands, the Isle of Man or any territory to which this Order extends.

5. Any person who—

- (a) without reasonable excuse, refuses or fails within the time and in the manner specified (or, if no time has been specified, within a reasonable time) to comply with any request made under this Schedule by any person who is empowered to make it; or
- (b) furnishes any information or produces any document which to his knowledge is false in a material particular, or recklessly furnishes any document or information which is false in a material particular to such a person in response to such a request; or
- (c) otherwise wilfully obstructs any person in the exercise of his powers under this Schedule; or
- (d) with intent to evade the provisions of this Schedule, destroys, mutilates, defaces, secretes or removes any document,

shall be guilty of an offence under this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, made under the United Nations Act 1946, applies to each of the territories specified in Schedule 1. It imposes restrictions on the delivery or supply of arms and related *matériel* and the provision of related technical assistance and training to Liberia pursuant to a decision of the Security Council of the United Nations in its resolution 1343 of 7th March 2001.

The Order also revokes the United Nations Arms Embargoes (Dependent Territories) Order 1995 in so far as that Order relates to Liberia.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

13th June 2001

No. 7

The following are published in this Supplement -

- Customs Resolution of the Legislative Council, (Resolution No. 1 of 2001);**
- Family Allowances Regulations (Amendment) Order 2001, (S.R. & O. No. 11 of 2001);**
- Falkland Islands Pension Scheme (Dispute Procedures) Regulations 2001,
(S.R. & O. No. 12 of 2001);**
- Immigration (Amendment) Ordinance 2001;**
- Falkland Islands Pension Scheme (Amendment) Ordinance 2001;**
- Electoral (Amendment) (Referendum) Ordinance 2001;**
- Family Allowances (Amendment) Ordinance 2001;**
- Finance Ordinance 2001;**
- Appropriation Ordinance 2001.**

LEGISLATIVE COUNCIL OF THE FALKLAND ISLANDS

Customs Ordinance (Title 26)
(section 5)

CUSTOMS RESOLUTION OF THE LEGISLATIVE COUNCIL

No: 1 of 2001

RESOLVED by the Legislative Council, under section 5 of the Customs Ordinance (Title 26), on the 25th day of May 2001, as follows —

1. That the Customs Order No. 6 of 1948 is amended by the substitution for paragraph 2 thereof the following —

“2. The following import duties of customs shall be payable —

| Item | Article | Rate of Duty |
|------|--------------------------------|--------------|
| 1. | Beer per litre | £0.22 |
| 2. | Wines per litre | £0.58 |
| 3. | Fortified Wines per litre | £0.69 |
| 4. | Spiritous Beverages per litre. | £4.70 |
| 5. | Spirits per litre | £8.57 |
| 6. | Tobacco per kilo: | |
| | (a) Cigars | £137.31 |
| | (b) Cigarettes | £99.32 |
| | (c) Tobacco | £90.25” |

2. This resolution may be cited as the Customs (Amendment of Import Duties) Resolution 2001 and comes into force on the 26th day of May 2001.

C Anderson
Clerk of Councils

SUBSIDIARY LEGISLATION

FAMILY ALLOWANCES

Family Allowances Regulations (Amendment) Order 2001

S. R. & O. No: 11 of 2001

Made: 5 June 2001

Published: 13 June 2001

Coming into force: 1st December 2000

IN EXERCISE of my powers under section 15 of the Family Allowances Ordinance 1960(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Family Allowances Regulations (Amendment) Order 2001 and shall be deemed to have come into force 1st December 2000.

Amendment of Regulations

2.—(1) In this Order “the Regulations” means the Family Allowances Regulations 1960(b).

(2) Regulation 4 of the Regulations is amended by the insertion of the following sub-paragraphs below regulation 4(1)(iii) —

“(iv) if he is undergoing a course of education or training overseas;

(v) if he is a child accompanying a parent and that parent is undergoing a course of education or training overseas.”

Made this fifth day of June 2001

D A Lamont
Governor

(a) Title 65.1

(b) Title 65.1.1

EXPLANATORY NOTE
(not forming part of the above Order)

The effect of this Order is to amend the Regulations to extend the meaning of temporary absence under the Family Allowances Ordinance 1960 to include a parent undergoing a course of education or training overseas and a child accompanying a parent when that parent is undergoing a course of education or training overseas as being within that definition.

SUBSIDIARY LEGISLATION

PENSIONS

Falkland Islands Pensions Scheme (Dispute Procedures) Regulations 2001

S. R. & O. No: 12 of 2001

Arrangement of Provisions

1. Citation and commencement
2. Interpretation
3. Prescribed persons and complainants
4. Representation
5. Application for a decision
6. Notice of a decision
7. Reconsideration of application
8. Notice of a decision on an application for reconsideration of a disagreement
9. Exclusion of certain disputes

SUBSIDIARY LEGISLATION

PENSIONS

Falkland Islands Pensions Scheme (Dispute Procedures) Regulations 2001

S. R. & O. No: 12 of 2001

Made:30 May 2001

Published: 13 June 2001

Coming into force: on publication

IN EXERCISE of my powers under section 16 of the Falkland Islands Pensions Scheme Ordinance 1997(a) and of all other powers enabling me in that behalf, I make the following Regulations —

Citation and commencement

1. These Regulations may be cited as the Falkland Islands Pensions Scheme (Disputes Procedures) Regulations 2001, and shall come into force on publication.

Interpretation

2. In these Regulations —

“the 1997 Ordinance” means the Falkland Islands Pensions Scheme Ordinance 1997;

“the Board” means the Pensions Board constituted in accordance with section 5 of that Ordinance;

“the disputes arrangements” means arrangements for the resolution of disputes made under section 16 of that Ordinance;

“the fund manager” means the person appointed fund manager under section 11 of that Ordinance;

and any reference in these regulations to a section is to that section of the 1997 Ordinance.

Prescribed persons and complainants

3.—(1) For the purposes of section 16 of the 1997 Ordinance the following are prescribed persons —

(a) members of the Scheme;

(b) a widow, widower or dependant of a person who was a member of the Scheme immediately before his death;

(c) prospective members of the Scheme,

(d) any person who ceased to be within any of paragraphs (a) to (c) above within six months of the date on which he made an application under regulation 4 below; and

(a) No 18 of 1997

- (e) where there is a disagreement which relates to a question whether a person who claims to be a person within any of paragraphs (a) to (d) above is such a person, the person so claiming.
- (2) For the purposes of section 16 and of these regulations a complainant of a prescribed description is a claimant who is a prescribed person or who is an employer.

Representation

- 4.—(1) An application under the disputes arrangements may be made or continued on behalf of the complainant by a representative nominated by him.
- (2) Where a complainant dies or is otherwise incapable of acting for himself, an application may be made or continued on his behalf—
- (a) in the case of his death, by his personal representatives; and
 - (b) in any other case by a member of his family or some other person suitable to represent him.

Application for a decision

- 5.—(1) An application for a decision under the disputes arrangements shall set out particulars of the disagreement in respect of which a decision is sought.
- (2) The particulars shall include—
- (a) the full name, address and date of birth of the complainant;
 - (b) where the complainant is a person within regulation 3(1)(b), his relationship with the member and the full name, last address and date of birth of the member;
 - (c) the full name and address of any representative of the complainant;
 - (d) an address for service on the complainant of any documents in connection with the disagreement;
 - (e) a statement as to the nature of the disagreement with sufficient details to show why the complainant is aggrieved.
- (3) The application shall be signed by or on behalf of the complainant.

Notice of a decision

- 6.—(1) Subject to paragraph (3), a decision on the matters raised by an application under regulation 5 shall be given and issued to the complainant and his representative (if any) within two months of the date on which the particulars specified in regulation 5(2) were received.
- (2) The decision shall be issued to the complainant by notice in writing which shall include, in addition to the decision itself—
- (a) a reference to any legislation relied upon,
 - (b) a reference to the complainant's right to refer the disagreement for reconsideration by the Board or fund manager within six months of the date on which notice of the decision is issued.
- (3) If, in any case, written notice of a decision is not issued in accordance with paragraph (1) above, an interim reply must immediately be sent to the complainant and his representative (if any) setting out the reasons for the delay and a date by which the decision is expected to be issued.

Reconsideration of application

7.—(1) An application to the Board or fund manager to reconsider a disagreement in respect of which a decision has been issued may be made within six months of the date on which the decision was issued.

(2) An application under paragraph (1) above shall —

(a) be made in writing,

(b) comply with regulation 5(2)(a) to (d) and (3) above,

(c) include a copy of the decision to which the application refers and a statement of the reasons why the complainant is dissatisfied with the decision, and

(d) include a statement that the complainant wishes the disagreement to be reconsidered by the Board or fund manager.

Notice of a decision on an application for reconsideration of a disagreement

8.—(1) Subject to paragraph (3), a decision on the matters raised by an application under regulation 7 shall be given and issued to the complainant and his representative (if any) within two months of the date on which the application was received.

(2) The decision shall be issued to the complainant by notice in writing which shall include, in addition to the decision itself —

(a) a reference to any legislation relied upon,

(b) an explanation as to whether and if so the extent to which the decision confirms or replaces the previous decision on the disagreement.

(3) If, in any case, written notice of a decision is not issued in accordance with paragraph (1) above, an interim reply must immediately be sent to the complainant and his representative (if any) setting out the reasons for the delay and a date by which the decision is expected to be issued.

Exclusion of certain disputes

9. The disputes arrangements shall not apply in relation to any disagreement in respect of which proceedings have been begun in any court or tribunal.

Made this thirtieth day of May 2001

D A Lamont
Governor

EXPLANATORY NOTE
(not forming part of the above Regulations)

Regulation 1 provides for the citation and commencement of the regulations.

Regulation 2 provides for the interpretation of the regulations.

Regulation 3 identifies the persons who may apply for a decision on a disputed matter under section 16 of the Falkland Islands Pensions Scheme Ordinance 1997, which requires the Pensions Board to establish arrangements for the settlement of disputes relating to the Scheme.

Regulation 4 allows a complainant to be represented by another person for the purposes of an application under section 16.

Regulation 5 sets out the particulars which must be included in an application under section 16.

Regulation 6 makes provision with respect to decisions on applications under section 16, including requiring either a decision or an interim reply to be issued within 2 months of the date on which the application was made.

Regulation 7 allows a complainant to require the Pensions Board or the fund manager to reconsider a complaint.

Regulation 8 makes provision with respect to decisions on applications for reconsideration of a disagreement, including requiring either a decision or an interim reply to be issued within 2 months of the date on which the application was made.

Regulation 9 excludes from the disputes arrangements any matter in respect of which legal proceedings have been commenced.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Immigration (Amendment) Ordinance 2001

(No: 6 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of the Immigration Ordinance 1999

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

IMMIGRATION (AMENDMENT) ORDINANCE 2001

(No: 6 of 2001)

(assented to: 6 June 2001)
(commencement: upon publication)
(published: 13 June 2001)

AN ORDINANCE

To amend the Immigration Ordinance 1999 so as to permit Work Permits with the permission of the Governor to be granted for an initial period greater than two years.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Immigration (Amendment) Ordinance 2001.

Amendment of the Immigration Ordinance 1999

2. The Immigration Ordinance 1999 is amended by replacing the words “subject to paragraph (ii)” appearing in section 17(5)(b)(i) (maximum period for which a work permit may initially be granted) and replacing those words with the words “without the consent of the Governor” .

Passed by the Legislature of the Falkland Islands this 25th day of May 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Falkland Islands Pension Scheme (Amendment) Ordinance 2001

(No: 7 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Amendment of the 1997 Ordinance

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

FALKLAND ISLANDS PENSION SCHEME (AMENDMENT) ORDINANCE 2001

(No: 7 of 2001)

(assented to: 6 June 2001)
(commencement: upon publication)
(published: 13 June 2001)

AN ORDINANCE

To amend the Falkland Islands Pension Scheme Ordinance 1997.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

- 1.—(1) This Ordinance may be cited as the Falkland Islands Pension Scheme (Amendment) Ordinance 2001.
- (2) This Ordinance shall come into force on publication.

Amendment of the 1997 Ordinance

2. Paragraph 5 of Schedule 3 to the Falkland Islands Pension Scheme Ordinance 1997(a) shall have effect, and shall be deemed always to have had effect, subject to the following amendments—

- (a) in sub-paragraph (2) the words “(calculated in accordance with section 24(3))” shall be omitted; and
- (b) after that sub-paragraph there shall be inserted —

(a) No 18 of 1997

“(2A) For the purposes of this paragraph, the accumulated value of a member’s share shall be calculated in accordance with section 24(2) but disregarding —

- (a) any additional voluntary contributions made in respect of the member in respect of any period, and
- (b) any amount allocated to the benefit of the member by reference to any such contribution.”

Passed by the Legislature of the Falkland Islands this 25th day of May 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Electoral (Amendment)(Referendum) Ordinance 2001

(No: 8 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of the Electoral Ordinance

Schedule

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

ELECTORAL (AMENDMENT) (REFERENDUM) ORDINANCE 2001

(No: 8 of 2001)

(assented to: 6 June 2001)
(commencement: upon publication)
(published: 13 June 2001)

AN ORDINANCE

To amend the Electoral Ordinance (Title 30.1) so as to facilitate the holding of referenda under its provisions.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Electoral (Amendment)(Referendum) Ordinance 2001.

Amendment of the Electoral Ordinance

2. The Schedule to this Ordinance shall have effect.

SCHEDULE

Amendment of the Electoral Ordinance

1. A reference in any subsequent paragraph of this Schedule to a provision, however described, is a reference to the corresponding provision of the Electoral Ordinance.

Postal votes

2. Section 23 is amended —

- (a) in subsection (1) by inserting the words “in a referendum or” before the words “at an election”;
- (b) in both subsection (2) and subsection (4) —
 - (i) in paragraph (a) of each of those subsections, by inserting the words “referendum or” before the word “election” and the words “referenda or” before the word “elections”,
 - (ii) in paragraph (b) of each of those subsections, by inserting the words “referenda and” before the word “elections”;
 - (iii) in the last line of the subsection, by inserting the words “referenda and” before the word “elections”;
- (c) in subsection (6), by inserting the words “or between 12 noon on the fourteenth day preceding the date on which a referendum is to be held and the declaration of the result of that referendum” before the words “(“the closed period”)”.

- 3. Section 24(b)(iii) is amended by inserting the words “referendum or referenda,” before the word “election”.
- 4. Section 26(2)(c) is amended by inserting “the referenda” before the word “elections”.

Proxy votes

- 5. Section 27(2)(a) is amended by inserting the words “referendum or referenda.” before the words “election or elections”.
- 6. Section 28(1) is amended by inserting the words “in a referendum or” before the words “at an election”.
- 7. Section 35(b)(iii) is amended by inserting the words “referendum or referenda,” before the words “election or elections”.
- 8. Section 39 is amended —
 - (a) in subsection (1)(c) by inserting the words “referenda or” before the word “elections”;
 - (b) in subsection (2)(b) by inserting the words “referendum or referenda” before the words “election or elections”.

Supplemental

- 9. Section 42(4)(b) is amended by inserting the words “referendum or” before the word “election”.

Referenda and voting

- 10. The present title of Part V of the Ordinance is replaced by “PART V: REFERENDA, ELECTIONS AND VOTING”.
- 11. Section 47(3) is amended by inserting the words “in a referendum” before the words “at an election” and by inserting the words “Chief Counting Officer or” before the words “Returning Officer”.
- 12. Section 54 is amended —

- (a) in subsection (1) by inserting the words “in a referendum” before the words “at an election”;
- (b) in subsection (2) by inserting the words “referendum or” before the word “election”; and
- (c) in subsection (3) by inserting the words “referendum or” before the word “election” in both places it occurs and by replacing the word “elections” with the word “referenda or elections, as the case may be,”.

13. Section 55 is amended by inserting the words “in a referendum” before the words “at an election”.

14. Section 56 is amended —

- (a) in subsection (1) by inserting the words “referendum or” before the word “election” in both places where that word occurs in that subsection;
- (b) in subsection (2)(a) by inserting the words “in the referendum or” before the words “at the election”.

15. Section 57(1) is amended by inserting the words “in a referendum or” before the words “at an election”.

16. Section 58 is amended —

- (a) in subsection (1) by inserting the words “In a referendum or” before the words “at a general election”;
- (b) in subsection (2) by inserting the words “in a referendum” before the words “at every election”; and
- (c) in subsection (3) by inserting the words “in a referendum” before the words “at every election” and by inserting the words “in the referendum or” before the words “the election”.

17. Section 59 is amended —

- (a) in subsection (1) by inserting the words “referendum or” before the word “election” and the words “the day on which the referendum is to be held or” before the words “polling day”;
- (b) in subsections (2) and (3) by inserting the words “a referendum is to be held or” before the words “a poll is to be taken” appearing in each of those subsections; and
- (c) in subsection (4) by inserting the words “the day on which the referendum is to be held or” before the words “polling day”.

18. Section 60(1) is amended by inserting the words “in a referendum or” before the words “at an election”.

19. Section 61 is amended in subsection (9) by inserting the words “a referendum or” before the words “an election”.

20. Section 62 is amended by the addition of the following subsection —

“(3) Subsection (1) shall apply in relation to a referendum with the following substitutions —

- (a) “the fourteenth day before the day on which the referendum is to be held and ending with that day” shall replace the words “the date on which the names of candidates are published in the *Gazette* and ending with polling day”; and
- (b) the words “the referendum” shall replace the words “ the election”.”

21. Section 73 is amended —

- (a) by constituting the present section as subsection (1) of that section;
- (b) by inserting in subsection (1) thus created the words “In an election,” before the words “The votes at the poll”;
- (c) by adding the following subsection —

“(2) In a referendum the votes shall be given by ballot and the result shall be ascertained by counting the votes cast for and against each question appearing on the ballot paper, and the result of the referendum shall be ascertained accordingly.”

22. Section 74 is amended —

- (a) in subsections (1), (2) and (3) by inserting the words “At an election” at the beginning of each of those subsections; and
- (b) the following subsections are added to the section —

“(4) At a referendum, the ballot of every voter shall consist of a ballot paper on which the questions prescribed by Order as the questions to be put at that referendum, and no others, shall appear.

(5) At a referendum every ballot paper shall be in a form prescribed by Order and shall be printed in accordance with the directions contained in the prescribing regulations and —

- (a) shall set out the questions to be answered at such referendum;
- (b) shall be capable of being folded up;
- (c) shall have a number printed on the back;
- (d) shall have attached a counterfoil with the same number printed on the face; and
- (e) where the referendum is held on the same day as an election of a member or members of the Legislative Council shall be printed on a ballot paper of a different colour from any ballot paper used at that election.”

23. Section 75(3) is amended by inserting the words “in a referendum or” before the words “at an election”.

24. Section 76 is replaced by the following section —

“76. No person who has voted in a referendum or at an election shall, in any legal proceeding to question the referendum, election or return, be required to state how he voted.”

25. Section 80 is amended —

- (a) in subsection (1), by inserting the words “In an election” at the beginning of the subsection;
- (b) by inserting the following subsection after subsection (1) —

“(1A) In a referendum no person other than —

- (a) the Returning Officer and his clerks;
- (b) the Chief Counting Officer and any counting officer appointed by him in accordance with the provisions of any relevant law;
- (c) counting observers appointed by the Chief Counting Officer under the provisions of any relevant law,

(d) any other person permitted by the Chief Counting Officer to be present at the count, may be present at the proceedings on the issue or receipt of postal ballot papers. In this subsection “Chief Counting Officer”, “counting officer” and “counting observer” have the same meaning as they have under the Referendum Arrangements Order 2001.”

26. Section 86 is amended —

- (a) in subsection (2) by replacing the word “agents” where it first appears in that subsection with the word “persons” and by replacing the word “agents” where it secondly appears in that subsection with the words “persons present”; and
- (b) in subsection (3), by inserting the words “the referendum or” before the words “the election”.

27. Section 90 is amended —

(a) in subsection (1) by inserting, at the end of the subsection, the words and punctuation “, in the case of an election and in the presence of one or more counting officers or counting observers, in the case of a referendum.”

(b) in subsection (3) by inserting the words and punctuation “In the case of an election,” at the beginning of the subsection.

28. Section 91(3) is amended in the proviso by inserting the words “in an election” before the words “the declaration”.

29. Section 96 is amended by inserting the following subsection —

“(3) Subsection (1) shall apply in respect of referenda with the substitution of the words “fifteenth day preceding the day on which the referendum is to be held” for the words “the business day preceding the last day for delivery of nominations”.”

30. Section 97 is amended in subsections (1), (2) and (3) by inserting the words “the referendum or” before the words “the election” appearing in those subsections.

31. Section 98(1) is amended by inserting the following paragraph after paragraph (c) —

“(d) in a referendum, the Chief Counting Officer, every counting officer and every counting observer,”

32. Section 103 is amended —

(a) in subsection (1) —

- (i) in paragraph (f) by inserting the words “or, in a referendum, the Chief Counting Officer” before the words “to attend”;

(ii) by replacing the full stop at the end of paragraph (f) by a comma and the word “and”;
and

(iii) by adding the following paragraph (g) —

“(g) in a referendum, the Chief Counting Officer, every counting officer and every counting observer.”

(b) in subsection (2)(c) by inserting the words “or, in a referendum, the Chief Counting Officer,” before the words “to attend”; and

(c) in subsection (3) by inserting the words “and, in a referendum, the Chief Counting Officer” before the words “shall make the declaration”.

33. Section 108 is amended in subsection (1) —

(a) in paragraph (a)(ii) by inserting “[referendum]” after “[general election]”,

(b) in paragraph (b)(ii) by inserting “[referendum]” after the words “present election”.

34. Section 109 is amended by inserting the following subsection after subsection (1) —

“(1A) Subsection (1) shall apply in relation to referenda with the substitution of the words “in this referendum” for the words “in this election” in paragraph (a) of that subsection.”

35. Section 115(3)(a) is amended by inserting the words “in the referendum” before the words “at the election”.

36. Section 121 is amended —

(a) in subsection (2) by inserting the words “In an election and” at the beginning of the subsection: and

(b) by inserting the following subsection after subsection (2) —

“(2A) In a referendum and without prejudice to subsection (6), no person other than —

(a) the Chief Counting Officer, the Returning Officer and his clerks;

(b) persons appointed by the Chief Counting Officer for the purpose of counting the votes;

(c) persons appointed by the Chief Counting Officer to observe the counting of the votes and the verification of the ballot paper accounts,

may be present at the counting of the votes unless permitted by the Chief Counting Officer to attend.”; and

(c) by adding the following subsection after subsection (6) —

“(7) In a referendum section (6) shall apply with the substitution of the words “the Chief Counting Officer” for the words “the Returning Officer”.”.

37. Section 122 is amended by inserting the following subsection at the end of the section —

“(8) The preceding provisions of this section shall apply in a referendum with the substitution of the words “the Chief Counting Officer” for the words “the Returning Officer” wherever they appear.”.

38. Section 124 is amended —

(a) in subsection (2) by insertion of the words “or, in a referendum, in relation to more than one question,” before the words “a ballot paper”;

(b) by inserting the following subsection at the end of the section —

“(6) The preceding provisions of this section shall apply in a referendum with the substitution of the words “the Chief Counting Officer” for “the Returning Officer” wherever they appear in those provisions.”.

39. Section 125 is amended by the insertion of the words “in an election, and of the Chief Counting Officer, in a referendum,” before the words “on any question”.

40. Section 127 is amended by the addition of the following subsection —

“(3) In a referendum, when the result of the poll has been ascertained the Chief Counting Officer shall forthwith declare the number of votes cast for and against each question in the referendum —

(a) in each constituency; and

(b) in aggregate, in the Falkland Islands as a whole,
and shall cause public notice to be given in the *Gazette* of the result.”.

41. Section 129 is amended by the addition of the following subsection —

“(3) In a referendum the preceding provisions of this section apply with the substitution of the words “the Chief Counting Officer” for “the Returning Officer.”.

42. Section 132 is amended —

(a) in subsection (1) —

(i) by inserting the words “a referendum or to” before the words “an election”; and

(ii) by inserting the words “the Chief Counting Officer or by” before the words “Returning Officer”; and

(b) in subsection (2) by inserting the words “referendum or” before the word “election”.

43. The following section is inserted immediately after section 167 —

“Result of referendum not to be questioned in any court

167A.—(1) Except by way of proceedings for judicial review no referendum and no result declared by the counting officer of any referendum shall be called into question in any court or other tribunal in any proceedings whatsoever.

(2) No court has power after the expiration of twenty-one days from the date on which the result of it was declared to grant leave for or otherwise permit an application for judicial review to be made in respect of a referendum or the result declared by the counting officer in respect of it.”

Passed by the Legislature of the Falkland Islands this 25th day of May 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Family Allowances (Amendment) Ordinance 2001

(No: 9 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Amendment of section 3 of the Family Allowances Ordinance 1960

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

FAMILY ALLOWANCES (AMENDMENT) ORDINANCE 2001

(No: 9 of 2001)

(assented to: 6 June 2001)

(commencement: in accordance with section 1)

(published: 13 June 2001)

AN ORDINANCE

To amend the Family Allowances Ordinance 1960 (Title 65.1)

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Family Allowances (Amendment) Ordinance 2001 and shall be deemed to have come into force on 1st December 2000.

Amendment of section 3 of the Family Allowances Ordinance 1960

2. Section 3 of the Family Allowances Ordinance 1960 is amended by insertion of the following new subsection (7) —

“(7) Notwithstanding the previous provisions of this Ordinance, a person shall not be entitled to any allowance under this section if the Financial Secretary is satisfied that that person is receiving a corresponding allowance from the state or country of residence of that person.”

Passed by the Legislature of the Falkland Islands this 25th day of May 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Finance Ordinance 2001

(No: 10 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Increase in harbour dues
3. Amendment of Companies and Private Partnerships Ordinance
4. Amendment of Registration Regulations
5. Amendment of Registration of Marriages Regulations 1999
6. Amendment of Retirement Pensions (Prescribed Rates) Regulations 1996
7. Amendment of Elected Councillors' Allowances Ordinance 1990
8. Amendment of Lands Ordinance
9. Amendment of Registration of United Kingdom Patents Ordinance

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

FINANCE ORDINANCE 2001

(No: 10 of 2001)

(assented to: 6 June 2001)
(commencement: in accordance with section 1)
(published: 13 June 2001)

AN ORDINANCE

To increase harbour dues, to increase existing fees and introduce new fees in number of Registries administered by the Registrar General to amend the Retirement Pensions Ordinance and to increase Councillors allowances.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

- 1.—(1) This Ordinance may be cited as the Finance Ordinance 2001.
- (2) This Ordinance shall come into force as follows —
 - (a) as to this section, on publication;
 - (b) as to sections 2 and 6 on 1 January 2002;
 - (c) as to sections 3, 4, 5, 8 and 9 on 1 July 2002; and
 - (d) as to section 7, as therein mentioned.

Increase in harbour dues

2. Paragraph (1) of Schedule III of the Harbour Regulations (Title 57.3.1) is replaced by the following —

“(1) The following harbour dues shall be payable on all vessels arriving in a harbour in the Colony —

| | £ |
|---|------|
| Yachts | 50 |
| Vessels under 15 tons | 55 |
| Vessels of 15 tons and up to 30 tons | 90 |
| Vessels of over 30 tons and up to 50 tons | 175 |
| Vessels of over 50 tons and up to 800 tons | 260 |
| Vessels of over 800 tons and up to 1000 tons | 340 |
| Vessels of over 1000 tons and up to 1500 tons | 390 |
| Vessels of over 1500 tons and up to 2000 tons | 470 |
| Vessels of over 2000 tons and up to 5000 tons | 570 |
| Vessels of over 5000 tons and up to 7000 tons | 700 |
| Vessels of over 7000 tons and up to 10000 tons | 1030 |
| Vessels of over 10000 tons and up to 15000 tons | 1290 |
| Vessels of over 15000 tons and up to 20000 tons | 1500 |
| Vessels of over 20000 tons | 1750 |

but notwithstanding the foregoing, locally registered vessels normally employed in trading shall be exempt from payment of the foregoing dues.”.

Amendment of Companies and Private Partnership Ordinance

3. The Companies and Private Partnership Ordinance (Title 18.1) is amended by replacing the text of Schedule A appearing after the heading “TABLE OF FEES” with the following —

| | |
|---|--|
| “For the registration of a company | £250 |
| for the registration of a change of name of a company | £20 |
| for the issue of a certificate of registration of a company (other than on incorporation) | £40 |
| for registration of a mortgage, debenture or other charge | £30 |
| for the search of a file of any company | £10 |
| for a certified copy of any document held upon any company file | £5 plus 25p for each page certified excluding the first page |
| on filing an annual return of a company (except one which the Register is satisfied is not trading) | £50 |
| filing annual return of a company which the Register is satisfied is not trading | no fee.”. |

Amendment of Registration Regulations

4. Item 4 under the heading “REGISTRAR GENERAL'S AND REGISTRAR'S FEES” in the Second Schedule to the Registration Regulations (Title 62.2.1) is amended by substituting “£7.50 per register” for “£5.00”.

Amendment of Registration of Marriages Regulations 1999

5. Regulation 18(1)(e) of the Registration of Marriages Regulations 1999(a) is amended by replacing “£5.00” with “£10.00”.

Amendment of the Retirement Pensions (Prescribed Rates) Regulations 1996

6. The Retirement Pensions (Prescribed Rates) Regulations 1996(b) are amended —

(a) in regulation 3 —

(i) in subparagraph (a) (standard weekly rate of pension) by replacing “£90.00” with “£95.00”; and

(ii) in subparagraph (b) (standard weekly rate of married couple’s supplement) by replacing “£50.50” with “£53.00”.

(b) in regulation 5(1) —

(i) in subparagraph (a) (employee’s weekly contribution) by replacing “£7.00” with “£8.00”; and

(ii) in subparagraph (b) (self-employed or retired person’s weekly contribution) by replacing “£14.00” with “£16.00”.

(c) in regulation 5(2) (employer’s weekly contribution) by replacing “£7.00” with “£8.00”.

(d) in regulation 5(3) —

(i) in subparagraph (a) (voluntary resident contributor’s weekly contribution) by replacing “£14.00” with “£16.00”; and

(ii) in subparagraph (b) (voluntary overseas contributor’s weekly contribution) by replacing “£19.20” with “£20.30”.

(d) in regulation 5(4) (assisted contributions payable by Government) by replacing “£14.00” by “£16.00”.

(e) in regulation 6 (weekly earnings limit before contribution payable) by replacing “£70.00” with “£160.00”.

Amendment of Elected Councillors’ Allowances Ordinance 1990

7. The Schedule to the Elected Councillors’ Allowances Ordinance 1990 (as replaced as provided by paragraph 2 of the Elected Councillors’ Allowances (Amendment) Order 1998) is amended —

(a) in paragraph 2 by replacing the words “with effect from 1st January 1998” with the words “with effect from the day the Writ is returned following the next General Election held after the 1st June 1998”;

(b) in paragraph 3 (elected members annual allowance) by replacing “£2,850” with “£3,250”; and

(c) in paragraph 4 (elected Councillors daily allowance in respect of qualifying attendance) by replacing “£85.50” with “£98.00”.

Amendment of Lands Ordinance

8.—(1) Part I of the Second Schedule to the Lands Ordinance (as replaced by the Land (Fees)(Amendment) Regulations 1991(c)) is amended —

(a) SR&O No 17 of 1999

(b) SR&O No 39 of 1996

(c) SR&O No 1 of 1991

- (a) in paragraph 2(a) (registration fee in respect of first deed or document present on same occasion relating to same title) by replacing “£50” with “£60”; and
- (b) in paragraph 2(b) (registration fee in respect of each subsequent deed or document presented on same occasion and relating to same title) by replacing “£10” with “£15”.

(2) Part II of that Schedule is amended in paragraph (a) (search of file) by replacing “£10” with “£20 per hour and pro rata for part of an hour”.

Amendment of Registration of United Kingdom Patents Ordinance

9.—(1) Section 3(d) of the Registration of United Kingdom Patents Ordinance (Title 43.1) is amended by replacing “£100” with “£150”.

(2) Section 7 of the Ordinance is amended by replacing “£1” with “£10”.

Passed by the Legislature of the Falkland Islands this 25th day of May 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Appropriation Ordinance 2001

(No: 11 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Appropriation of £45,107,900 for the service of the year 2001/2002

Schedule

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

APPROPRIATION ORDINANCE 2001

(No: 11 of 2001)

(assented to: 6 June 2001)
(commencement: upon publication)
(published: 13 June 2001)

AN ORDINANCE

To provide for the service of the financial year commencing on 1 July 2001 and ending on 30 June 2002.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Appropriation Ordinance 2001.

Appropriation of £45,107,900 for the service of the year 2001/2002

2. The Financial Secretary may cause to be issued out of the Consolidated Fund and applied to the service of the year commencing on 1 July 2001 and ending on 30 June 2002 (“the financial year”), sums not exceeding in aggregate the sum of FORTY FIVE MILLION ONE HUNDRED AND SEVEN THOUSAND NINE HUNDRED POUNDS (£45,107,900) which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto and which will come in course of payment during the financial year.

SCHEDULE

| NUMBER | HEAD OF SERVICE | Total Operating Budget | <u>Less</u> Internal Charges | Operating Budget net of Internal Charges |
|--------------------------------|--|------------------------------|------------------------------------|---|
| | | £ | £ | £ |
| PART I OPERATING BUDGET | | | | |
| 100 | Aviation | 1,789,900 | 37,000 | 1,752,900 |
| 150 | Posts & Telecommunications | 374,200 | 14,200 | 360,000 |
| 200 | Health & Social Services | 4,022,500 | 147,000 | 3,875,500 |
| 250 | Education & Training | 3,445,600 | 120,500 | 3,325,100 |
| 300 | Customs & Immigration | 247,400 | 900 | 246,500 |
| 320 | Fisheries | 6,189,200 | 576,600 | 5,612,600 |
| 350 | Public Works Department | 6,843,100 | 270,900 | 6,572,200 |
| 390 | Fox Bay Village | 131,700 | 600 | 131,100 |
| 400 | Agriculture | 1,024,100 | 26,700 | 997,400 |
| 450 | Justice | 483,900 | 1,900 | 482,000 |
| 452 | Registry | 53,700 | 1,300 | 52,400 |
| 453 | Court Services | 115,300 | 500 | 114,800 |
| 500 | Falkland Islands Defence Force | 385,300 | 14,600 | 370,700 |
| 551 | Police & Prisons | 551,900 | 11,600 | 540,300 |
| 552 | Fire & Rescue Service | 266,800 | 15,300 | 251,500 |
| 600 | Central Administration & Current Reserves | 4,243,600 | 74,600 | 4,169,000 |
| 603 | Investment Income & Public Debt | 283,300 | 0 | 283,300 |
| 609 | Taxation | 535,500 | 2,500 | 533,000 |
| 610 | Falkland Islands Training & Enterprise Committee | 442,100 | 0 | 442,100 |
| 620 | Department of Mineral Resources | 445,700 | 3,200 | 442,500 |
| 750 | The Governor | 174,900 | 4,400 | 170,500 |
| 800 | Legislature | 398,200 | 4,800 | 393,400 |
| 850 | Falkland Islands Government Office - London | 580,600 | 0 | 580,600 |
| TOTAL OPERATING BUDGET | | 33,028,500 | 1,329,100 | 31,699,400 |
| PART II CAPITAL BUDGET | | | | |
| 950 | Programmed Expenditure for 2001/2002 | 13,408,500 | | 13,408,500 |
| TOTAL EXPENDITURE | | | | 45,107,900 |

Passed by the Legislature of the Falkland Islands this 25th day of May 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

28th June 2001

No. 8

The following are published in this Supplement -

12 James Street Direction 2001, (S.R. & O. No. 13 of 2001);

Currency Notes Regulations 2001, (S.R. & O. No. 14 of 2001);

Finance Ordinance 2001 (Rectification of Error) Order 2001, (S.R. & O. No. 15 of 2001).

SUBSIDIARY LEGISLATION

**PLANNING AND BUILDING
General Development Order 1991**

12 James Street Direction 2001

S. R. & O. No. 13 of 2001

Given:25 June 2001

Published:28 June 2001

Coming into force: on publication

IN EXERCISE of my powers under Article 6 of the General Development Order 1991(a), I give the following Direction —

Citation and commencement

1. This Direction may be cited as the 12 James Street Direction 2001 and shall come into force on publication.

Requirement to obtain planning permission

2.—(1) The planning permission granted by Article 5 of and Part 1 of Schedule 2 to the General Development Order 1991 does not apply to all or any development (except such as may fall within Class N in the said Part 1) within the curtilage of 12 James Street, Stanley.

(2) For the purposes of this Direction the curtilage of 12 James Street is the piece of land on the South side of James Street, Stanley shown outlined in pink on the plan attached to the planning application reference 23/01/P.

Given this 25th day of June 2001

R T Jarvis
Acting Governor

EXPLANATORY NOTE

(not forming part of the above Direction)

The effect of a Direction under Article 6 of the General Development Order 1991 is to require the specific grant of planning permission for a number of categories of development which would otherwise have been granted planning permission under Article 5 of the Order.

The reason for this Direction is that 12 James Street is a smaller piece of land than a house would otherwise have been permitted to be built upon and further development of the plot might result in over-intensive site coverage.

SUBSIDIARY LEGISLATION

CURRENCY

Currency Notes Regulations 2001

S. R. & O. No: 14 of 2001

Made: 25 June 2001

Published: 28 June 2001

Coming into force: on publication

IN EXERCISE of my powers under section 22 of the Currency Ordinance(a), I by Order made with the approval of the Secretary of State make the following Regulations —

Citation

1. These Regulations may be cited as the Currency Notes Regulations 2001.

Amendment of the Currency Notes Rules

2.—(1) Rule 19 of the Currency Notes Rules(b) is revoked and replaced by the following —

“19.—(1) When any currency note has been selected under rule 17 for destruction it shall, so soon as reasonably practicable, be destroyed in the presence of a Commissioner of Currency and two currency officers by being shredded in a cross cut paper shredder into pieces not greater than 20 millimetres long and 2 millimetres broad and by those pieces being placed in an incinerator by them and burnt in their presence.

(2) Whenever any currency notes are destroyed in accordance with paragraph (1), the Commissioner and currency officers present shall make out and shall each sign a certificate of the face value of each denomination of notes destroyed and deliver that certificate to the Financial Secretary.”

(2) Rule 20 of the Currency Notes Rules is revoked.

(a) Title 25.1

(b) Title 25.1.1

Made this 25th day of June 2001

R T Jarvis
Acting Governor

EXPLANATORY NOTE
(not forming part of the above Regulations)

These Regulations simplify the procedure for destroying currency notes which are withdrawn from circulation.

SUBSIDIARY LEGISLATION

FINANCE

Finance Ordinance 2001 (Rectification of Error) Order 2001

S. R. & O. No. 15 of 2001

Made:25 June 2001

Published:28 June 2001

Coming into force: on publication

IN EXERCISE of my powers under section 93 of the Interpretation and General Clauses Ordinance(a), and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Finance Ordinance 2001 (Rectification of Error) Order 2001 and shall come into force on publication.

Rectification of Finance Ordinance 2001

2. Section 1(2)(c) of the Finance Ordinance 2001(b) is rectified by replacing the date “2002” appearing therein with the date “2001”.

Made this Twenty fifth day of June 2001

G J Cripps
Acting Attorney General

(a) Title 67.2 Revised Laws of the Falkland Islands

(b) No 10 of 2001



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

4th July 2001

No. 9

The following is published in this Supplement -

The Aviation Security and Piracy (Overseas Territories) Order 2000.

2000 No. 3059

CIVIL AVIATION

**The Aviation Security and Piracy (Overseas Territories)
Order 2000**

Made - - - - - *15th November 2000*

Coming into force *6th December 2000*

At the Court at Buckingham Palace, the 15th day of November 2000

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 39 of the Aviation Security Act 1982(a), section 51 of the Aviation and Maritime Security Act 1990(b), section 26(5) of the Merchant Shipping and Maritime Security Act 1997(c), and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:

Citation, commencement and construction

1.—(1) This Order may be cited as the Aviation Security and Piracy (Overseas Territories) Order 2000 and shall come into force on 6th December 2000.

(2) For the purpose of construing the provisions of the Acts extended by this Order as part of the law of any Territory, "the Territory" means that Territory.

Territories to which the Order applies

2. This Order applies to the Territories specified in Schedule 1 to this Order.

Extension of aviation security legislation

3.—(1) The following parts of the Aviation Security Act 1982, as amended by the Extradition Act 1989(d) and by the Aviation and Maritime Security Act 1990, as set out with modifications and adaptations in Schedules 2 and 3 to this Order, shall extend to the Territories to which this Order applies, namely Part I, Part II, sections 37 and 38 of, and Schedule 1 to, the Act of 1982.

(2) Sections 1 and 50 of the Aviation and Maritime Security Act 1990, as set out with modifications and adaptations in Schedule 4 to this Order, shall extend to the Territories to which this Order applies.

(a) 1982 c. 36.
(b) 1990 c. 31.
(c) 1997 c. 28.
(d) 1989 c. 33.

Piracy

4. The provisions of section 26 of the Merchant Shipping and Maritime Security Act 1997 and Schedule 5 to that Act (which are set out with modifications and adaptations in Schedule 5 to this Order) shall apply to proceedings before a court exercising jurisdiction in respect of piracy.

Disapplication and revocation of Orders

5.—(1) On the coming into force of this Order, the following Orders shall cease to apply to the Territories to which this Order applies:

The Hijacking Act 1971 (Overseas Territories) Order 1971(a);
The Protection of Aircraft Act 1973 (Overseas Territories) Order 1973(b); and
The Hijacking Act 1971 (Overseas Territories) (Amendment) Order 1973(c);

(2) The Aviation Security (Anguilla) Order 1987(d) is revoked.

A. K. Galloway
Clerk of the Privy Council

(a) S.I. 1971/1739.
(b) S.I. 1973/1757.
(c) S.I. 1973/1893.
(d) S.I. 1987/451.

TERRITORIES TO WHICH THIS ORDER APPLIES

Anguilla
 Bermuda
 British Virgin Islands
 Cayman Islands
 Falkland Islands
 Montserrat
 St. Helena and Dependencies
 The Sovereign Base Areas of Akrotiri and Dhekelia
 Turks and Caicos Islands.

SCHEDULE 2 TO THIS ORDER

Article 3(1)

PROVISIONS OF THE AVIATION SECURITY ACT 1982 AS ADAPTED AND
 MODIFIED WHICH ARE EXTENDED TO ALL THE TERRITORIES SPECIFIED IN
 SCHEDULE 1

PART I OF THE AVIATION SECURITY ACT 1982

OFFENCES AGAINST THE SAFETY OF AIRCRAFT ETC.

Hijacking

1.—(1) A person on board an aircraft in flight who unlawfully, by the use of force or by threats of any kind, seizes the aircraft or exercises control of it commits the offence of hijacking, whatever his nationality, whatever the State in which the aircraft is registered and whether the aircraft is in the Territory or elsewhere, but subject to subsection (2) below.

(2) If—

- (a) the aircraft is used in military, customs or police service, or
- (b) both the place of take-off and the place of landing are in the territory of the State in which the aircraft is registered,

subsection (1) above shall not apply unless—

- (i) the person seizing or exercising control of the aircraft is a United Kingdom national; or
- (ii) his act is committed in the Territory; or
- (iii) the aircraft is registered in the United Kingdom or in the Territory or is used in the military or customs service of the United Kingdom or of the Territory or in the service of any police force in the United Kingdom or the Territory.

(3) A person who commits the offence of hijacking shall be liable on conviction to imprisonment for life.

(4) If the Secretary of State by order made by statutory instrument declares—

- (a) that any two or more States named in the order have established an organisation or agency which operates aircraft; and
- (b) that one of those States has been designated as exercising, for aircraft so operated, the powers of the State of registration.

the State declared under paragraph (b) of this subsection shall be deemed for the purposes of this section to be the State in which any aircraft so operated is registered; but in relation to such an aircraft subsection (2)(b) above shall have effect as if it referred to the territory of any one of the States named in the order.

(5) For the purposes of this section the territorial waters of any State shall be treated as part of its territory.

Destroying, damaging or endangering safety of aircraft

2.—(1) It shall, subject to subsection (4) below, be an offence for any person unlawfully and intentionally—

- (a) to destroy an aircraft in service or so to damage such an aircraft as to render it incapable of flight or as to be likely to endanger its safety in flight; or
- (b) to commit on board an aircraft in flight any act of violence which is likely to endanger the safety of the aircraft.

(2) It shall also, subject to subsection (4) below, be an offence for any person unlawfully and intentionally to place, or cause to be placed, on an aircraft in service any device or substance which is likely to destroy the aircraft, or is likely so to damage it as to render it incapable of flight or as to be likely to endanger its safety in flight; but nothing in this subsection shall be construed as limiting the circumstances in which the commission of any act—

- (a) may constitute an offence under subsection (1) above, or
- (b) may constitute attempting or conspiring to commit, or aiding, abetting, counselling or procuring, the commission of such an offence.

(3) Except as provided by subsection (4) below, subsections (1) and (2) above shall apply whether any such act as is therein mentioned is committed in the Territory or elsewhere, whatever the nationality of the person committing the act and whatever the State in which the aircraft is registered.

(4) Subsections (1) and (2) above shall not apply to any act committed in relation to an aircraft used in military, customs or police service unless—

- (a) the act is committed in the Territory, or
- (b) where the act is committed outside the Territory, the person committing it is a United Kingdom national.

(5) A person who commits an offence under this section shall be liable on conviction to imprisonment for life.

(6) In this section “unlawfully”—

- (a) in relation to the commission of an act in the Territory, means so as (apart from this Act) to constitute an offence under the law of the Territory, and
- (b) in relation to the commission of an act outside the Territory, means so that the commission of the act would (apart from this Act) have been an offence under the law of the Territory if it had been committed in the Territory.

(7) In this section “act of violence” means—

- (a) any act done in the Territory which constitutes one of the prescribed offences; and
- (b) any act done outside the Territory which, if done in the Territory, would constitute one of the prescribed offences.

Other acts endangering or likely to endanger safety of aircraft

3.—(1) It shall, subject to subsections (5) and (6) below, be an offence for any person unlawfully and intentionally to destroy or damage any property to which this subsection applies, or to interfere with the operation of any such property, where the destruction, damage or interference is likely to endanger the safety of aircraft in flight.

(2) Subsection (1) above applies to any property used for the provision of air navigation facilities, including any land, building or ship so used, and including any apparatus or equipment so used, whether it is on board an aircraft or elsewhere.

(3) It shall also, subject to subsections (4) and (5) below, be an offence for any person intentionally to communicate any information which is false, misleading or deceptive in a material particular, where the communication of the information endangers the safety of an aircraft in flight or is likely to endanger the safety of an aircraft in flight.

(4) It shall be a defence for a person charged with an offence under subsection (3) above to prove—

- (a) that he believed, and had reasonable grounds for believing, that the information was true; or
- (b) that, when he communicated the information, he was lawfully employed to perform duties which consisted of or included the communication of information and that he communicated the information in good faith in the performance of those duties.

(5) Subsections (1) and (3) above shall not apply to the commission of any act unless either the act is committed in the Territory or, where it is committed outside the Territory—

- (a) the person committing it is a United Kingdom national; or
- (b) the commission of the act endangers or is likely to endanger the safety in flight of a civil aircraft registered in the United Kingdom or the Territory or chartered by demise to a lessee whose principal place of business, or (if he has no place of business) whose permanent residence, is in the Territory; or
- (c) that act is committed on board a civil aircraft which is so registered or so chartered, or
- (d) the act is committed on board a civil aircraft which lands in the Territory with the person who committed the act still on board.

(6) Subsection (1) above shall also not apply to any act committed outside the Territory and so committed in relation to property which is situated outside the Territory and is not used for the provision of air navigation facilities in connection with international air navigation, unless the person committing the act is a United Kingdom national.

(7) A person who commits an offence under this section shall be liable on conviction to imprisonment for life.

(8) In this section “civil aircraft” means any aircraft other than an aircraft used in military, customs or police service and “unlawfully” has the same meaning as in section 2 of this Act.

Offences in relation to certain dangerous articles

4.—(1) It shall be an offence for any person without lawful authority or reasonable excuse (the proof of which shall lie on him) to have with him—

- (a) in any aircraft registered in the United Kingdom or the Territory, whether at a time when the aircraft is in the Territory or not, or
- (b) in any other aircraft at a time when it is in, or in flight over, the Territory, or
- (c) in any part of an aerodrome in the Territory, or
- (d) in any air navigation installation in the Territory which does not form part of an aerodrome,

any article to which this section applies.

(2) This section applies to the following articles, that is to say—

- (a) any firearm, or any article having the appearance of being a firearm, whether capable of being discharged or not;
- (b) any explosive, any article manufactured or adapted (whether in the form of a bomb, grenade or otherwise) so as to have the appearance of being an explosive, whether it is capable of producing a practical effect by explosion or not, or any article marked or labelled so as to indicate that it is or contains an explosive; and

- (c) any article (not falling within either of the preceding paragraphs) made or adapted for use for causing injury to or incapacitating a person or for destroying or damaging property, or intended by the person having it with him for such use, whether by him or by any other person.

(3) For the purposes of this section a person who is for the time being in an aircraft, or in part of an aerodrome, shall be treated as having with him in the aircraft, or in that part of the aerodrome, as the case may be, an article to which this section applies if—

- (a) where he is in an aircraft, the article, or an article in which it is contained, is in the aircraft and has been caused (whether by him or by any other person) to be brought there as being, or as forming part of, his baggage on a flight in the aircraft or has been caused by him to be brought there as being, or as forming part of, any other property to be carried on such flight, or
- (b) where he is in part of an aerodrome (otherwise than in an aircraft), the article, or an article in which it is contained, is in that part or any other part of the aerodrome and has been caused (whether by him or by any other person) to be brought into the aerodrome as being, or as forming part of, his baggage on a flight from that aerodrome or has been caused by him to be brought there as being, or forming part of, any other property to be carried on such a flight on which he also is to be carried,

notwithstanding that the circumstances may be such that (apart from this subsection) he would not be regarded as having the article with him in the aircraft or in a part of the aerodrome, as the case may be.

(4) A person guilty of an offence under this section shall be liable on conviction to a fine or to imprisonment for a term not exceeding five years or both.

(5) Nothing in subsection (3) above shall be construed as limiting the circumstances in which a person would, apart from that subsection, be regarded as having an article with him as mentioned in subsection (1) above.

Jurisdiction of courts in respect of air piracy

5.—(1) Any court in the Territory having jurisdiction in respect of piracy committed on the high seas shall have jurisdiction in respect of piracy committed by or against an aircraft, wherever that piracy is committed.

(2) In subsection (1) above, “aircraft” means any aircraft other than an aircraft in military service or an aircraft belonging to and exclusively employed in the service of the Crown in right of the United Kingdom.

Ancillary offences

6.—(1) Without prejudice to section 2(1)(b) of this Act, where a person (of whatever nationality) does on board any aircraft (wherever registered) and while outside the Territory any act which, if done in the Territory would constitute one of the prescribed offences, his act shall constitute that offence if it is done in connection with the offence of hijacking committed or attempted by him on board that aircraft.

(2) It shall be an offence for any person in the Territory to induce or assist the commission outside the Territory of any act which—

- (a) would, but for subsection (2) of section 1 of this Act, be an offence under that section; or
- (b) would, but for subsection (4) of section 2 of this Act, be an offence under that section; or
- (c) would, but for subsection (5) or (6) of section 3 of this Act, be an offence under that section.

(3) A person who commits an offence under subsection (2) above shall be liable on conviction to imprisonment for life.

(4) Subsection (2) above shall have effect without prejudice to the operation, in relation to any offence under section 1, 2 or 3 of this Act, of any enactment or rule of law relating to accessories or abettors.

Powers exercisable on suspicion of intended offence under Part I

7.—(1) Where a police officer has reasonable cause to suspect that a person about to embark on an aircraft in the Territory, or a person on board such an aircraft, intends to commit, in relation

to the aircraft, an offence under any of the preceding provisions of this Part of this Act (other than section 4), the police officer may prohibit him from travelling on board the aircraft, and for the purpose of enforcing that prohibition the police officer—

- (a) may prevent him from embarking on the aircraft or, as the case may be, may remove him from the aircraft; and
- (b) may arrest him without warrant and detain him for so long as may be necessary for that purpose.

(2) Any person who intentionally obstructs a person acting in the exercise of a power conferred on him by subsection (1) above shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a term not exceeding two years or to both.

(3) Subsection (1) above shall have effect without prejudice to the operation in relation to any offence under this Act of any enactment or rule of law relating to the power of arrest without warrant.

Prosecution of offences and proceedings

8. Proceedings for an offence under any of the preceding provisions of this Act (other than sections 4 and section 7) shall not be instituted in the Territory except by or with the consent of the person for the time being performing the functions of Attorney-General of the Territory.

PART II OF THE AVIATION SECURITY ACT 1982

PROTECTION OF AIRCRAFT, AERODROMES AND AIR NAVIGATION INSTALLATIONS AGAINST ACTS OF VIOLENCE

General Purposes

Purposes to which Part II applies

10.—(1) The purposes to which this Part of this Act applies are the protection against acts of violence—

- (a) of aircraft, and of persons or property on board aircraft;
- (b) of aerodromes, and of such persons or property as (in the case of persons) are at any time present in any part of an aerodrome or (in the case of property) forms part of an aerodrome or is at any time (whether permanently or temporarily) in any part of an aerodrome; and
- (c) of air navigation installations which do not form part of an aerodrome.

(2) In this Part of this Act “act of violence” means any act (whether actual or potential, and whether done or to be done in the Territory or elsewhere) which either—

- (a) being an act done in the Territory, constitutes, or
- (b) if done in the Territory would constitute,

one of the prescribed offences or the offence of criminal damage.

Powers of Governor

Power for Governor to require information

11.—(1) The Governor may, by notice in writing served on any person who—

- (a) is the operator of one or more aircraft registered or operating in the Territory,
- (b) is the manager of an aerodrome in the Territory,
- (c) occupies any land forming part of an aerodrome in the Territory, or
- (d) is permitted to have access to a restricted zone of an aerodrome for the purposes of the activities of a business carried on by him,

require that person to provide the Governor with such information specified in the notice as the Governor may require in connection with the exercise by the Governor of his functions under this Part of this Act.

(2) A notice under subsection (1) above shall specify a date (not being earlier than seven days from the date on which the notice is served) before which the information required by the notice in accordance with subsection (1) above is to be furnished to the Governor.

(3) Any such notice may also require the person on whom it is served, after he has furnished to the Governor the information required by the notice in accordance with subsection (1) above, to inform the Governor if at any time the information previously furnished to the Governor (including any information furnished in pursuance of a requirement imposed by virtue of this subsection) is rendered inaccurate by any change of circumstances (including the taking of any further measures for purposes to which this Part of this Act applies or the alteration or discontinuance of any measures already being taken).

(4) In so far as such a notice requires further information to be furnished to the Governor in accordance with subsection (3) above, it shall require that information to be furnished to him before the end of such period not being less than seven days from the date on which the change of circumstances occurs as is specified in the notice for the purposes of this subsection.

(5) Any person who—

- (a) without reasonable excuse, fails to comply with a requirement imposed on him by a notice under this section, or
- (b) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a term not exceeding two years or to both.

(6) A notice served on a person under subsection (1) above may at any time—

- (a) be revoked by a notice in writing served on him by the Governor, or
- (b) be varied by a further notice under subsection (1) above.

Designation of restricted zones

11A.—(1) The Governor may, after consulting the manager of an aerodrome and the authority responsible for any air navigation installation, designate the whole or any part of any aerodrome as a restricted zone for the purposes of this Part of this Act.

(3) Where the Governor proposes to designate a restricted zone, he may require the manager of the aerodrome to provide him with such plans of the aerodrome as he may specify.

(7) The whole or any part of an aerodrome may be designated as a restricted zone, or part of a restricted zone, for specified days or times of day only.

(8) The Governor shall give notice of any designation under this section to—

- (a) the manager of the aerodrome, and
- (b) the authority responsible for any air navigation installation which forms part of the aerodrome,

and the designation of the restricted zone shall take effect on the giving of the notice.

(9) In relation to an air navigation installation in the Territory which does not form part of an aerodrome, this section has effect as if any reference to an aerodrome were a reference to such an air navigation installation and any reference to the manager of an aerodrome were a reference to the authority responsible for such an air navigation installation.

(10) Where the whole or any part of an aerodrome has been designated under this section as a restricted zone—

- (a) the foregoing subsections also have effect in relation to any variation of the designation, and
- (b) the designation may at any time be revoked by the Governor.

Power to impose restrictions in relation to aircraft

12.—(1) For purposes to which this Part of this Act applies, the Governor may give a direction in writing to the operator of any one or more aircraft registered or operating in the Territory, or to the manager of any aerodrome in the Territory requiring him—

- (a) not to cause or permit persons or property to go or be taken on board any aircraft to which the direction relates, or to come or be brought into proximity to any such aircraft, unless such searches of those persons or that property as are specified in the direction have been carried out by police officers or by other persons of a description specified in the direction, or
 - (b) not to cause or permit any such aircraft to fly unless such searches of the aircraft as are specified in the direction have been carried out by police officers or by other persons of a description so specified.
- (5) Subject to the following provisions of this Part of this Act, a direction given to an operator of aircraft under subsection (1) above may be given so as to relate—
- (a) either to all the aircraft registered or operating in the Territory of which at the time when the direction is given or at any subsequent time he is the operator or only to one or more such aircraft, or to a class of such aircraft, specified in the direction;
 - (b) either to all persons or only to one or more persons, or persons of one or more descriptions, specified in the direction; and
 - (c) either to property of every description or only to particular property, or property of one or more descriptions, specified in the direction.
- (6) Subject to the following provisions of this Part of this Act, a direction given to the manager of an aerodrome under subsection (1) above may be given so as to relate—
- (a) either to all aircraft which at the time when the direction is given or at any subsequent time are in any part of the aerodrome, or to a class of such aircraft specified in the direction;
 - (b) either to all persons or only to one or more persons, or persons of one or more descriptions, specified in the direction; and
 - (c) either to property of every description or only to particular property, or property of one or more descriptions, specified in the direction.
- (7) Subject to the following provisions of this Part of this Act, any direction given under this section to any person not to cause or permit anything to be done shall be construed as requiring him to take all such steps as in any particular circumstances are practicable and necessary to prevent that thing from being done.
- (8) A direction may be given under this section to a person appearing to the Governor to be about to become—
- (a) such an operator as is mentioned in subsection (1) above; or
 - (b) such a manager as is mentioned in subsection (1) above;
- but a direction given to a person by virtue of this subsection shall not take effect until he becomes such an operator or manager, and, in relation to a direction so given, the preceding provisions of this section shall apply with the necessary modifications.
- (9) Any person who, without reasonable excuse, fails to comply with a direction given to him under this section shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a term not exceeding two years or to both.
- (10) Where a person is convicted of an offence under subsection (9) above, then, if without reasonable excuse the failure in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and liable on conviction to a daily fine for each day on which the failure continues.

Power to require aerodrome managers to promote searches at aerodromes

13.—(1) For purposes to which this Part of this Act applies, the Governor may give a direction in writing to the manager of any aerodrome in the Territory requiring him to use his best endeavours to secure that such searches to which this section applies as are specified in the

direction are carried out by police officers or by other persons of a description specified in the direction.

- (2) The searches to which this section applies, in relation to an aerodrome, are searches—
- (a) of the aerodrome or any part of it;
 - (b) of any aircraft which at the time when the direction is given or at any subsequent time is in any part of the aerodrome; and
 - (c) of persons or property (other than aircraft) which may at any such time be in any part of the aerodrome.

(3) Without prejudice to section 7 of this Act, where a direction given under this section to the manager of an aerodrome is for the time being in force, then if a police officer, or any other person specified in the direction in accordance with this section, has reasonable cause to suspect that an article to which section 4 of this Act applies is in, or may be brought into, any part of the aerodrome, he may, by virtue of this subsection and without a warrant, search any part of the aerodrome or any aircraft, vehicle, goods or other moveable property of any description which, or any person who, is for the time being in any part of the aerodrome, and for that purpose—

- (a) may enter any building or works in the aerodrome, or enter upon any land in the aerodrome, if need be by force, and
 - (b) may stop any such aircraft, vehicle, goods, property or person and detain it or him for so long as may be necessary for that purpose.
- (4) Any person who—
- (a) without reasonable excuse fails to comply with a direction given to him under this section, or
 - (b) intentionally obstructs a person in the exercise of a power conferred on him by subsection (3) above,

shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a term not exceeding two years or to both.

(4A) Where a person is convicted of an offence under subsection (4)(a) above, then, if without reasonable excuse the failure in respect of which he was convicted is continued after the conviction he shall be guilty of a further offence and liable on conviction to a daily fine for each day on which the failure continues.

(5) Subsection (3) above shall have effect without prejudice to the operation in relation to any offence under this Act of any enactment or rule of law relating to the power of arrest without warrant.

Power to require other persons to promote searches

13A.—(1) For the purposes to which this Part of this Act applies, the Governor may give a direction in writing to any person (other than the manager of an aerodrome) who—

- (a) occupies any land forming part of an aerodrome in the Territory, or
- (b) is permitted to have access to a restricted zone of such an aerodrome for the purposes of the activities of a business carried on by him,

requiring him to use his best endeavours to secure that such searches to which this section applies as are specified in the direction are carried out by police officers or by other persons of a description specified in the direction.

- (2) The searches to which this section applies are—
- (a) in relation to a person falling within subsection (1)(a) above, searches—
 - (i) of the land which he occupies within the aerodrome, and
 - (ii) of persons or property which may at any time be on that land; and
 - (b) in relation to a person falling within subsection (1)(b) above, searches—
 - (i) of any land which he occupies outside the aerodrome for the purposes of his business, and

(ii) of persons or property which may at any time be on that land.

(3) Any person who, without reasonable excuse, fails to comply with a direction given to him under this section shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a term not exceeding two years, or to both.

(4) Where a person is convicted of an offence under subsection (3) above, then, if without reasonable excuse the failure in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and liable on conviction to a daily fine for each day on which the failure continues.

General power to direct measures to be taken for purposes to which Part II applies

14.—(1) Subsection (1A) below applies to any person who—

- (a) is the operator of one or more aircraft registered or operating in the Territory,
- (b) is the manager of an aerodrome in the Territory,
- (c) occupies any land forming part of an aerodrome in the Territory, or
- (d) is permitted to have access to a restricted zone of such an aerodrome for the purposes of the activities of a business carried on by him.

(1A) Subject to the following provisions of this section, the Governor may give a direction in writing to any person to whom this subsection applies requiring him to take such measures for purposes to which this Part of this Act applies as are specified in the direction—

- (a) in the case of a direction given to a person as the operator of any aircraft, in respect of all the aircraft registered or operating in the Territory of which (at the time when the direction is given or at any subsequent time) he is the operator, or in respect of any such aircraft, or any class of such aircraft, specified in the direction;
- (b) in the case of a direction given to a person as the manager of an aerodrome, in respect of that aerodrome;
- (c) in the case of a direction given to a person as a person occupying any land forming part of an aerodrome, in respect of any such land as is specified in the direction; and
- (d) in the case of a direction given to a person as a person who is permitted to have access to a restricted zone as mentioned in subsection (1)(d) above, in respect of such activities carried on by that person in that zone as are specified in the direction.

(2) Without prejudice to the generality of subsection (1A) above, the measures to be specified in a direction given under this section to any person to whom that subsection applies may include the provision by that person of persons charged with the duty (at such times as may be specified in the direction)—

- (a) where the direction is given to a person as the operator of aircraft, of guarding the aircraft against acts of violence;
- (b) where the direction is given to a person as the manager of an aerodrome, of guarding the aerodrome, or persons or property (including aircraft) in any part of the aerodrome, against acts of violence;
- (c) where the direction is given to a person as falling within subsection (1)(c) above, of guarding against acts of violence any aircraft in the aerodrome which is for the time being under his control; or
- (d) where the direction is given to a person as falling within subsection (1)(d) above, of guarding—
 - (i) any land outside the aerodrome occupied by him for the purposes of his business, any vehicles or equipment used for those purposes and any goods which are in his possession for those purposes, and
 - (ii) any aircraft which is for the time being under his control,

for purposes to which this Part of this Act applies.

(3) A direction given under this section may be either of a general or of a specific character, and may require any measures specified in the direction to be taken at such time or within such period as may be so specified.

(5) A direction under this section—

- (a) shall not require any search (whether of persons or of property), and
- (b) shall not require the modification or alteration of any aircraft, or of any of its apparatus or equipment, or the installation of additional apparatus or equipment, or prohibit any aircraft from being caused or permitted to fly without some modification or alteration of the aircraft or its apparatus or equipment or the installation of additional apparatus or equipment.

(6) A direction may be given under this section to a person appearing to the Governor to be about to become a person to whom subsection (1A) above applies, but a direction given to a person by virtue of this subsection shall not take effect until he becomes such a person, and, in relation to a direction so given, the preceding provisions of this section shall apply with the necessary modifications.

(7) Any person—

- (a) who, without reasonable excuse, fails to comply with a direction given to him under this section, or
- (b) intentionally interferes with any building constructed or works executed on any land in compliance with a direction under this section or with anything installed on, under, over or across any land in compliance with such a direction,

shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a term not exceeding two years or to both.

(7A) Where a person is convicted of an offence under subsection (7)(a) above, then, if without reasonable excuse the failure in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and liable on conviction to a daily fine for each day on which the failure continues.

(8) The ownership of any property shall not be affected by reason only that it is placed on or under, or affixed to, any land in compliance with a direction under this section.

Supplemental provisions with respect to directions

Matters which may be included in directions under sections 12 to 14

15.—(1) A direction under subsection (1) of section 12 or under section 13 or 13A of this Act may specify the minimum number of persons by whom any search to which the direction relates is to be carried out, the qualifications which persons carrying out any such search are to have, the manner in which any such search is to be carried out, and any apparatus, equipment or other aids to be used for the purpose of carrying out any such search.

(4) A direction under section 14 of this Act may specify—

- (a) the minimum number of persons to be employed for the purposes of any measures required by the direction to be taken by the person to whom it is given, and the qualifications which persons employed for those purposes are to have, and
- (b) any apparatus, equipment or other aids to be used for those purposes.

(5) Where a direction under any of the preceding provisions of this Part of this Act requires searches to be carried out, or other measures to be taken, by police officers, the direction may require the person to whom it is given to inform the chief officer of police for the police area in which the searches are to be carried out or the other measures taken that the Governor considers it appropriate that police officers should be duly authorised to carry, and should carry, firearms when carrying out the searches or taking the measures in question.

(6) Nothing in the foregoing subsections shall be construed as limiting the generality of any of the preceding provisions of this Part of this Act.

(7) In this section “qualifications” includes training and experience.

Limitations on scope of directions under sections 12 to 14

16.—(1) Without prejudice to subsection (5) of section 15 of this Act, a direction shall not require or authorise any person to carry a firearm.

(2) A direction shall not have effect in relation to any aircraft used in military, customs or police service.

(3) A direction shall not have effect in relation to any aircraft of which the operator is the Government of a country outside the Territory or is a department or agency of such a Government, except at a time when any such aircraft is being used for the carriage of passengers or cargo for reward or is for the time being allocated by that Government, department or agency for such use.

(4) A direction (except in so far as it requires any building or other works to be constructed, executed, altered, demolished or removed) shall not be construed as requiring or authorising the person to whom the direction was given, or any person acting as his employee or agent, to do anything which, apart from the direction, would constitute an act of violence; but nothing in this subsection shall restrict the use of such force as is reasonable in the circumstances (whether at the instance of the person to whom the direction was given or otherwise) by a police officer, or its use by any other person in the exercise of a power conferred by section 7(1) or 13(3) of this Act or by any of the following provisions of this Act.

(5) In so far as a direction requires anything to be done or not done at a place outside the Territory—

- (a) it shall not have effect except in relation to aircraft registered in the Territory, and
- (b) it shall not have effect so as to require anything to be done or not done in contravention of any provision of the law (whether civil or criminal) in force at that place, other than any such provision relating to breach of contract.

(6) In so far as a direction given to the manager of an aerodrome or to any person mentioned in section 14(1)(c) or (d) of this Act requires any building or other works to be constructed, executed, altered, demolished or removed on land outside the aerodrome, or requires any other measures to be taken on such land, the direction shall not confer on the person to whom it is given any rights as against a person having—

- (a) an interest in that land, or
- (b) a right to occupy that land, or
- (c) a right restrictive of its use;

and accordingly the direction shall not be construed as requiring the person to whom it is given to do anything which would be actionable at the suit or instance of such a person having such interest or right in his capacity as a person having that interest or right.

(7) Nothing in this section shall be construed as derogating from any exemption or immunity of the Crown in relation to the provisions of this Part of this Act.

(8) In this section "direction" means a direction under section 12, 13, 13A or 14 of this Act.

General or urgent directions under sections 12 to 14

17.—(1) A direction given to any person under section 12, 13, 13A or 14 of this Act need not be addressed to that particular person, but may be framed in general terms applicable to all persons to whom such a direction may be given or to any class of such persons to which that particular person belongs.

(2) If it appears to the Governor that an exception from any direction given under any of those sections is required as a matter of urgency in any particular case he may, by a notification given (otherwise than in writing) to the person for the time being subject to the direction, authorise that person to disregard the requirements of the direction—

- (a) in relation to such aircraft or class of aircraft, in relation to such aerodrome or part of an aerodrome, in relation to such land outside an aerodrome, in relation to such activities, or in relation to such persons or property or such description of persons or property, and
- (b) on such occasion or series of occasions, or for such period,

as he may specify; and the direction shall have effect in that case subject to any exceptions so specified.

(3) Any notification given to any person under subsection (2) above with respect to any direction shall cease to have effect (if it has not already done so)—

- (a) if a direction in writing is subsequently given to that person varying or revoking the original direction; or
- (b) if no such direction in writing is given within the period of thirty days beginning with the date on which the notification was given, at the end of that period.

(4) Any notification given under subsection (2) above shall be regarded as given to the person to whom it is directed if it is given—

- (a) to any person authorised by that person to receive any such direction or notification;
- (b) where that person is a body corporate, to the secretary, clerk or similar officer of the body corporate; and
- (c) in any other case, to anyone holding a comparable office or position in that person's employment.

Objections to certain directions under section 14

18.—(1) This section applies to any direction given under section 14 of this Act which—

- (a) requires a person to take measures consisting of or including the construction, execution, alteration, demolition or removal of a building or other works; and
- (b) does not contain a statement that the measures are urgently required and that accordingly the direction is to take effect immediately.

(2) At any time before the end of the period of thirty days beginning with the date on which a direction to which this section applies is given, the person to whom the direction is given may serve on the Governor a notice in writing objecting to the direction, on the grounds that the measures specified in the direction, in so far as they relate to the construction, execution, alteration, demolition or removal of a building or other works—

- (a) are unnecessary and should be dispensed with; or
- (b) are excessively onerous or inconvenient and should be modified in a manner specified in the notice.

(3) Where the person to whom such a direction is given serves a notice under subsection (2) above objecting to the direction, the Governor shall consider the grounds of the objection and, if so required by the objector, shall afford to him an opportunity of appearing before, and being heard by, a person appointed by the Governor for the purpose, and shall then serve on the objector a notice in writing either—

- (a) confirming the direction as originally given; or
- (b) confirming it subject to one or more modifications specified in the notice under this subsection; or
- (c) withdrawing the direction;

and the direction shall not take effect until it has been confirmed (with or without modifications) by a notice served under this subsection.

Enforcement notices

18A.—(1) Where an authorised person is of the opinion that any person has failed to comply with any general requirement of a direction given to him under section 12, 13, 13A or 14 of this Act, the authorised person may serve on that person a notice (in this Part of this Act referred to as an "enforcement notice")—

- (a) specifying those general requirements of the direction with which he has, in the opinion of the authorised person, failed to comply, and
- (b) specifying, subject to section 18B of this Act, the measures that ought to be taken in order to comply with those requirements.

(2) For the purposes of this section a requirement of a direction given by the Governor under section 12, 13, 13A or 14 of this Act is a "general requirement" if the provision imposing the requirement—

- (a) has been included in two or more directions given to different persons (whether or not at the same time), and
- (b) is framed in general terms applicable to all the persons to whom those directions are given.

Contents of enforcement notice

18B.—(1) An enforcement notice may specify in greater detail measures which are described in general terms in those provisions of the direction to which it relates which impose general

requirements, but may not impose any requirement which could not have been imposed by a direction given by the Governor under the provision under which the direction was given.

(2) An enforcement notice may be framed so as to afford the person on whom it is served a choice between different ways of complying with the specified general requirements of the direction.

(3) An enforcement notice which relates to a direction given under section 12 of this Act must require the person to whom the direction was given not to cause or permit things to be done as mentioned in subsection (1)(a) or (b) of that section, as the case requires, until the specified measures have been taken.

(5) An enforcement notice which relates to a direction given under section 13, 13A or 14 of this Act must either—

(a) require the person to whom the direction was given to take the specified measures within a specific period which—

(i) where the measures consist of or include the construction, execution, alteration, demolition or removal of a building or other works, must not be less than thirty days beginning with the date of service of the notice, and

(ii) in any other case, must not be less than seven days beginning with that date; or

(b) require him not to do specified things, or cause or permit specified things to be done, until the specified measures have been taken.

(6) Subject to section 18E(2) of this Act, an enforcement notice requiring a person not to cause or permit anything to be done shall be construed as requiring him to take all such steps as in any particular circumstances are practicable and necessary to prevent that thing from being done.

Offences relating to enforcement notices

18C.—(1) Any person who, without reasonable excuse, fails to comply with an enforcement notice served on him shall be guilty of an offence and liable on conviction to a fine.

(2) Where a person is convicted of an offence under subsection (1) above, then, if without reasonable excuse the failure in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and liable on conviction to a daily fine for each day on which the failure continues.

(3) Any person who intentionally interferes with any building constructed or works executed on any land in compliance with an enforcement notice or with anything installed on, under, over or across any land in compliance with such a notice shall be guilty of an offence and liable on conviction to a fine.

Objections to enforcement notices

18D.—(1) The person on whom an enforcement notice is served may serve on the Governor a notice in writing of his objection to the enforcement notice, specifying the grounds of the objection.

(2) Any notice of objection under subsection (1) above must be served—

(a) where the enforcement notice specifies measures falling within section 18B(5)(a)(i) of this Act, before the end of the period of thirty days beginning with the date on which the enforcement notice was served, or

(b) in any other case, before the end of the period of seven days beginning with that date.

(3) The grounds of objection to an enforcement notice are—

(a) that the general requirements of the direction which are specified in the notice for the purposes of section 18A(1)(a) of this Act have been complied with,

(b) that the notice purports to impose a requirement which could not have been imposed by a direction given under the provision under which the direction to which the notice relates was given, or

(c) that any requirement of the notice—

(i) is unnecessary for complying with the general requirements specified as mentioned in paragraph (a) above and should be dispensed with, or

- (ii) having regard to the terms of those general requirements, is excessively onerous or inconvenient and should be modified in a manner specified in the notice of objection under subsection (1) above.

(4) Where the person on whom an enforcement notice is served serves a notice under subsection (1) above objecting to the enforcement notice, the Governor shall consider the grounds of the objection and, if so required by the objector, shall afford to him an opportunity of appearing before and being heard by a person appointed by the Governor for the purpose, and shall then serve on the objector a notice in writing either—

- (a) confirming the enforcement notice as originally served, or
 - (b) confirming it subject to one or more modifications specified in the notice under this subsection, or
 - (c) cancelling the enforcement notice.
- (5) An enforcement notice to which an objection has been made under subsection (1) above—
- (a) if it contains such a requirement as is mentioned in section 18B(3) of (5)(b) of this Act, shall continue to have effect as originally served until it has been cancelled, or it has been confirmed subject to modification by a notice under subsection (4) above, and
 - (b) in any other case, shall not take effect until it has been confirmed (with or without modification) by a notice under subsection (4) above.

Enforcement notices: supplementary

18E.—(1) An enforcement notice served on any person—

- (a) may be revoked by a notice served on him by an authorised person, and
 - (b) may be varied by a further enforcement notice.
- (2) Sections 15 and 16 of this Act apply to an enforcement notice as they apply to the direction to which the notice relates.
- (3) The ownership of any property shall not be affected by reason only that it is placed on or under or affixed to, any land in compliance with an enforcement notice.
- (4) Where an authorised person has served an enforcement notice specifying the general requirements of a direction with which the person on whom it is served has, in the opinion of the authorised person, failed to comply, the person on whom the notice is served shall not be taken, for the purposes of section 12(9), 13(4), 13A(3) or 14(7) of this Act, to have failed to comply with the direction by reason of the matters specified in the notice.
- (5) Subsection (4) above does not apply in relation to any proceedings commenced before the service of the enforcement notice.
- (6) Where an enforcement notice has been served in relation to a direction, the fact that the notice specifies certain general requirements of the direction as those with which the person on whom the notice is served has, in the opinion of the authorised person, failed to comply shall not in any proceedings be evidence that any other requirement of the direction has been complied with.
- (7) In this section “direction” means a direction under section 12, 13, 13A or 14 of this Act.

Operation of directions under Part II in relation to rights and duties under other laws

19.—(1) The following provisions of this section, where they refer to a direction under any of the preceding provisions of this Part of this Act, shall be construed as referring to that direction as it has effect subject to any limitation imposed on its operation—

- (a) by section 16 of this Act, or
- (b) by any exemption or immunity of the Crown;

and any reference in those provisions to compliance with such a direction shall be construed as a reference to compliance with it subject to any limitation so imposed.

(2) In so far as any such direction requires anything to be done or not done in the Territory, the direction shall have effect notwithstanding anything contained in any contract (whether a Territory contract or not) or contained in, or having effect by virtue of, any other Act or any rule

of law; and accordingly no proceedings (whether civil or criminal) shall lie against any person in any Territory court by reason of anything done or not done by him or on his behalf in compliance with such a direction.

(3) In so far as a direction requires anything to be done or not done at a place outside the Territory, the direction shall have effect notwithstanding anything contained in any contract (whether a Territory contract or not); and accordingly, where such a direction is inconsistent with anything in such a contract, it shall (without prejudice to any proceedings in a court other than a Territory court) be construed as requiring compliance with the direction notwithstanding that compliance would be in breach of that contract.

(4) No proceedings for breach of contract shall lie against any person in a Territory court by reason of anything done or not done by him or on his behalf at a place outside the Territory in compliance with any such direction, if the contract in question is a Territory contract.

(4A) Any reference in this section to a direction under any of the preceding provisions of this Part of this Act includes a reference to an enforcement notice.

(5) In this section "Territory court" means a court exercising jurisdiction in the Territory under the law of the Territory, and "Territory contract" means a contract which is either expressed to have effect in accordance with the law of the Territory or (not being so expressed) is a contract the law applicable to which is the law of the Territory.

Inspection of aircraft and aerodromes

20.—(1) For the purpose of enabling the Governor to determine whether to give a direction to any person under any of the preceding provisions of this Part of this Act, or of ascertaining whether any such direction or any enforcement notice is being or has been complied with, an authorised person shall have power, on production (if required) of his credentials, to inspect—

- (a) any aircraft registered or operating in the Territory, at a time when it is in the Territory, or
- (b) any part of any aerodrome in the Territory, or
- (c) any land outside an aerodrome which is occupied for the purposes of a business by a person who—
 - (i) also occupies (or appears to the authorised person to be about to occupy) land within an aerodrome for the purposes of that business, or
 - (ii) is permitted (or appears to the authorised person to be about to be permitted) to have access to a restricted zone of an aerodrome for the purposes of the activities of that business.

(2) An authorised person inspecting an aircraft, any part of an aerodrome or any land outside an aerodrome under subsection (1) above shall have power—

- (a) to subject any property found by him in the aircraft (but not the aircraft itself or any apparatus or equipment installed in it) or, as the case may be, to subject that part of the aerodrome or any property found by him there or on that land, to such tests, or
- (aa) to take such steps—
 - (i) to ascertain what practices or procedures are being followed in relation to security, or
 - (ii) to test the effectiveness of any practice or procedure relating to security; or
- (b) to require the operator of the aircraft, the manager of the aerodrome or the occupier of the land, to furnish to him such information,

as the authorised person may consider necessary for the purpose for which the inspection is carried out.

(3) Subject to subsection (4) below, an authorised person, for the purpose of exercising any power conferred on him by the preceding provisions of this section in relation to an aircraft, in relation to an aerodrome or in relation to any land outside an aerodrome, shall have power—

- (a) for the purpose of inspecting an aircraft, to enter it and to take all such steps as are necessary to detain it, or
- (b) for the purpose of inspecting any part of an aerodrome, to enter any building or works in the aerodrome or enter upon any land in the aerodrome, or

- (c) for the purpose of inspecting any land outside an aerodrome, to enter upon the land and to enter any building or works on the land.
- (4) The powers conferred by subsection (3) above shall not include power for an authorised person to use force for the purpose of entering any aircraft, building or works or entering upon any land.
- (5) Any person who—
 - (b) without reasonable excuse, fails to comply with a requirement imposed on him under subsection (2)(b) above, or
 - (c) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a term not exceeding two years or to both.

Air navigation installations

Application of provisions of Part II to air navigation installations

21.—(1) Sections 11, 13, 13A, 14, 15, 16 and 20 of this Act shall have effect in relation to air navigation installations in the Territory in accordance with the following provisions of this section.

(2) In relation to any such air navigation installation which does not form part of an aerodrome, those sections shall have effect, subject to subsection (5) below, as if in them any reference to an aerodrome were a reference to such an air navigation installation and any reference to the manager of an aerodrome were a reference to the authority responsible for such an air navigation installation.

(3) Where an air navigation installation forms part of an aerodrome in the Territory, those sections shall have effect, subject to subsection (5) below, as if in them any reference to an aerodrome were a reference either—

- (a) to an aerodrome, or
- (b) to an air navigation installation which forms part of an aerodrome, or
- (c) to so much of an aerodrome as does not consist of an air navigation installation;

and accordingly a notice under section 11 of this Act or a direction under section 13 or 14 of this Act may be served or given either in respect of the whole of the aerodrome, or in respect of the air navigation installation separately, or in respect of so much of the aerodrome as does not consist of an air navigation installation.

(4) For the purposes—

- (a) of the service of a notice or the giving of a direction under section 11, 13 or 14 of this Act as modified by subsection (3) above, where the notice is to be served or the direction given in respect of an air navigation installation separately, and
- (b) of the operation of section 16(6) of this Act in relation to a direction so given,

any reference in any of those sections to the manager of the aerodrome shall be construed as a reference to any person who is either the manager of the aerodrome or the authority responsible for the air navigation installation.

(5) Subsections (2) and (3) above shall not apply to section 13(3) of this Act; but where a direction given under section 13 of this Act, as applied or modified by the preceding provisions of this section, is for the time being in force—

- (a) if it is a direction given in respect of an air navigation installation separately (whether that installation forms part of an aerodrome or not), the said section 13(3) shall have effect in relation to that direction as if the air navigation installation were an aerodrome and, where the direction was given to the authority responsible for the air navigation installation, as if it had been given to the manager of that aerodrome;
- (b) if it is a direction given in respect of so much of an aerodrome as does not consist of an air navigation installation, the said section 13(3) shall have effect in relation to that direction as if any air navigation installation comprised in the aerodrome did not form part of the aerodrome.

(6) A direction under section 14 of this Act, as applied or modified by the preceding provisions of this section, may be given to the authority responsible for one or more air navigation installations so as to relate either—

- (a) to all air navigation installations in the Territory for which it is responsible at the time when the direction is given or at any subsequent time, or
- (b) only to one or more such air navigation installations, or to a class of such air navigation installations, specified in the direction.

(7) Any reference in section 17, 18(1), 18A, 18B, 18E or 19(1) of this Act to a direction given under a provision therein mentioned shall be construed as including a reference to a direction given under that provision as applied or modified by the preceding provisions of this section.

(8) Notwithstanding anything in subsection (2)(a) of section 20 of this Act, a person inspecting an air navigation installation under this section (or under that section as applied or modified by the preceding provisions of this section) shall not be empowered thereby to test any apparatus or equipment which constitutes or forms part of the air navigation installation.

Offences relating to security at aerodromes etc.

False statements relating to baggage, cargo etc.

21A.—(1) Subject to subsection (3) below, a person commits an offence if, in answer to a question which—

- (a) relates to any baggage, cargo or stores (whether belonging to him or to another) that is or are intended for carriage by a civil aircraft registered or operating in the Territory, and
- (b) is put to him for purposes to which this Part of this Act applies—
 - (i) by any of the persons mentioned in subsection (2) below,
 - (ii) by any employee or agent of such a person in his capacity as employee or agent, or
 - (iii) by a police officer,

he makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular.

(2) The persons referred to in subsection (1)(b) above are—

- (a) the manager of an aerodrome in the Territory,
- (b) the operator of one or more aircraft registered or operating in the Territory, and
- (c) any person who—
 - (i) is permitted to have access to a restricted zone of an aerodrome for the purposes of the activities of a business carried on by him, and
 - (ii) has control in that restricted zone over the baggage, cargo or stores to which the question relates;
- (d) any air cargo agent who is included on the list of security approved air cargo agents maintained by the Governor pursuant to regulations made under section 21F of this Act.

(3) Subsection (1) above does not apply in relation to any statement made by an authorised person in the exercise of the power conferred by section 20(2)(aa) of this Act.

(4) A person guilty of an offence under subsection (1) above shall be liable on conviction to a fine.

(5) In this section—

“cargo” includes mail;

“civil aircraft” has the same meaning as in section 3 of this Act; and

“stores” means goods intended for sale or use on an aircraft, including spare parts and other articles of equipment, whether or not for immediate fitting.

False statements in connection with identity documents

21B.—(1) Subject to subsection (4) below, a person commits an offence if—

- (a) for the purpose of, or in connection with, an application made by him or another for the issue of an identity document to which this subsection applies, or
- (b) in connection with the continued holding by him or another of any such document which has already been issued,

he makes to any of the persons specified in subsection (3) below, to any employee or agent of such a person or to a police officer, a statement which he knows to be false in a material particular, or recklessly makes to any of those persons, to any such employee or agent or to a police officer, a statement which is false in a material particular.

(2) Subsection (1) above applies to any identity document which is to be or has been issued by any of the persons specified in subsection (3) below in accordance with arrangements the maintenance of which is required by a direction given by the Governor under section 14 of this Act.

(3) The persons referred to in subsection (1) above are—

- (a) the manager of an aerodrome in the Territory,
- (b) the authority responsible for an air navigation installation in the Territory,
- (c) the operator of one or more aircraft registered or operating in the Territory,
- (d) any person who is permitted to have access to a restricted zone of an aerodrome or air navigation installation for the purposes of the activities of a business carried on by him, and
- (e) any air cargo agent who is included on the list of security approved air cargo agents maintained by the Governor pursuant to regulations made under section 21F of this Act.

(4) Subsection (1) above does not apply in relation to any statement made by an authorised person in the exercise of the power conferred by section 20(2)(aa) of this Act.

(5) A person guilty of an offence under subsection (1) above shall be liable on conviction to a fine.

Unauthorised presence in restricted zone

21C.—(1) A person shall not—

- (a) go, with or without a vehicle, onto any part of a restricted zone of—
 - (i) an aerodrome, or
 - (ii) an air navigation installation which does not form part of an aerodrome,

except with the permission of the manager of the aerodrome, the authority responsible for the air navigation installation or a person acting on behalf of that manager or authority, and in accordance with any conditions subject to which that permission is for the time being granted, or

- (b) remain on any part of such a restricted zone after being requested to leave by the manager of the aerodrome, the authority responsible for the air navigation installation or a person acting on behalf of that manager or authority.

(2) Subsection (1)(a) above does not apply unless it is proved that, at the material time, notices stating that the area concerned was a restricted zone were posted so as to be readily seen and read by persons entering the restricted zone.

(3) A person who contravenes subsection (1) above without lawful authority or reasonable excuse shall be guilty of an offence and liable on conviction to a fine.

Unauthorised presence on board aircraft

21D.—(1) A person shall not—

- (a) get into or onto an aircraft at an aerodrome in the Territory except with the permission of the operator of the aircraft or a person acting on his behalf, or
- (b) remain on an aircraft at such an aerodrome after being requested to leave by the operator of the aircraft or a person acting on his behalf.

(2) A person who contravenes subsection (1) above without lawful authority or reasonable excuse shall be guilty of an offence and liable on conviction to a fine.

Offences relating to authorised persons

21E.—(1) A person who—

- (a) intentionally obstructs an authorised person acting in the exercise of a power conferred on him by or under this Part of this Act, or
- (b) falsely pretends to be an authorised person,

commits an offence.

(2) A person guilty of an offence under subsection (1)(a) above shall be liable on conviction to a fine or to imprisonment for a term not exceeding two years or to both.

(3) A person guilty of an offence under subsection (1)(b) above shall be liable on conviction to a fine.

Air cargo agents

Air cargo agents

21F.—(1) The Governor may make regulations for the purposes to which this Part of this Act applies, in relation to persons (in this section referred to as “air cargo agents”) who carry on a business of handling cargo which is to be delivered (whether by them or any other person) to the operator of any aircraft for carriage from any aerodrome in the Territory by a civil aircraft.

(2) Regulations under this section may, in particular—

- (a) enable the Governor to maintain a list of air cargo agents who are approved by him for purposes related to aviation security, to include the name of an air cargo agent on that list, on application being made to the Governor in accordance with the regulations, if he is satisfied as to such matters as are specified in the regulations, and to remove the name of any person from that list in such circumstances as are so specified,
- (b) provide that any provision of this Part of this Act which applies in relation to persons who are permitted to have access to a restricted zone of an aerodrome for the purposes of the activities of a business (including any such provision which creates a criminal offence) shall also apply, with such modifications as are specified in the regulations, in relation to air cargo agents included on any such list,
- (d) make provision (including any such provision as is mentioned in paragraphs (a) and (b) above) relating to a class of air cargo agents specified in the regulations and not to other air cargo agents,
- (e) make different provision for different cases, and
- (f) make such incidental supplementary or transitional provision as the Governor considers necessary or expedient in consequence of any provision made by the regulations.

(3) Before making any regulations under this section the Governor shall consult organisations appearing to him to represent persons affected by the proposed regulations.

(5) Without prejudice to the generality of sections 12 and 14 of this Act, the exemptions that may be included in any direction given to an operator of aircraft under section 12 or 14 which requires the carrying out of searches of cargo, or the taking of any other measures in relation to

cargo, include exemptions from such requirements in relation to cargo received from any air cargo agent included on any list maintained by the Governor under regulations under this section or from any air cargo agent falling within a class of such air cargo agents specified in the direction.

(6) In this section—

“cargo” includes stores and mail; and

“stores” means any goods intended for sale or use on an aircraft, including spare parts and other articles of equipment, whether or not for immediate fitting.

Reporting of certain occurrences relating to aviation security

Duty to report certain occurrences

21G.—(1) For purposes to which this Part of this Act applies, the Governor may make regulations requiring such persons as are specified in the regulations to make a report to him, in such manner and within such period as are specified, of any occurrence of a description so specified.

(2) Before making any regulations under this section, the Governor shall consult organisations appearing to him to represent persons affected by the proposed regulations.

(3) Regulations under this section may—

(a) provide that any person who, in making a report required by the regulations, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular, is to be guilty of an offence and liable on conviction to a fine or to imprisonment for a term not exceeding two years or to both, and

(b) provide for persons to be guilty of an offence in such other circumstances as may be specified in the regulations and to be liable on conviction to a fine.

(4) Regulations under this section may require the reporting of occurrences taking place outside the Territory only if those occurrences relate to aircraft registered in the Territory.

Miscellaneous supplemental provisions

Compensation in respect of certain measures taken under Part II

22.—(1) The provisions of this section shall have effect where, in compliance with a direction under section 14 of this Act or under that section as applied or modified by section 21 of this Act, or in compliance with an enforcement notice, the person to whom the direction was given or on whom the notice was served takes any measures consisting of the construction, execution, alteration, demolition or removal of a building or other works on land either within or outside an aerodrome or air navigation installation, as the case may be.

(2) If the value of any interest in that land to which a person is entitled is depreciated in consequence of the taking of those measures, or the person having such an interest suffers loss in consequence of them by being disturbed in his enjoyment of any of that land, he shall be entitled to compensation equal to the amount of the depreciation or loss.

(3) If any land other than the land on which the measures are taken is injuriously affected by the taking of those measures, any person having an interest in that other land, who suffers loss in consequence of its being injuriously affected, shall be entitled to compensation equal to the amount of the loss.

(4) Any compensation to which a person is entitled under this section shall be payable to him by the person by whom the measures in question were taken.

(5) The provisions of Schedule 1 to this Act shall have effect for the purposes of this section; and the preceding provisions of this section shall have effect subject to the provisions of that Schedule.

Annual report by Governor as to notices and directions

23.—(1) The Governor shall, at the first session of the Legislative Council in each year, lay before the Council a report stating the number of notices served by him under section 11 of this

Act and the number of directions given by him under sections 12, 13, 13A and 14 of this Act and the number of enforcement notices served by authorised persons during the period of twelve months which expired with the preceding December.

(3) In this section any reference to section 11, 13, 13A or 14 of this Act shall be construed as a reference to that section as applied or modified by section 21 of this Act.

Service of documents

24.—(1) This section has effect in relation to any notice, any document containing a direction and any other document authorised or required by any provision of this Part of this Act to be served on or given to any person.

(2) Any such document may be given to or served on any person—

- (a) by delivering it to him, or
- (b) by leaving it at his proper address, or
- (c) by sending it by post to him at that address, or
- (d) by sending it to him at that address by telex or other similar means which produce a document containing the text of the communication.

(3) Any such document may, in the case of a body corporate, be given to or served on the secretary, clerk or similar officer of that body.

(4) For the purposes of this section (and any general provision of the law of the Territory relating to the service of documents by post in its application to this section), the proper address of any person to whom or on whom any document is to be given or served is his usual or last known address or place of business (whether in the Territory or elsewhere), except that in the case of a body corporate or its secretary, clerk or similar officer, it shall be the address of the registered or principal office of that body in the Territory (of, if it has no office in the Territory, of its principal office, wherever it may be).

(5) If the person to or on whom any document mentioned in subsection (1) above is to be given or served has notified the Governor of an address within the meaning of subsection (4) above, as the one at which he or someone else on his behalf will accept documents of the same description as that document, that address shall also be treated for the purposes of this section and such provision of the law of the Territory as his proper address.

(6) Where an authorised person—

- (a) intends to serve an enforcement notice on any person (“the intended recipient”), and
- (b) is of the opinion that all the requirements of the notice could be complied with by an employee or agent of the intended recipient,

the authorised person may, after consulting that employee or agent, serve the notice on the intended recipient by delivering it to that employee or agent or by sending it to that employee or agent at the proper address of the employee or agent by such means as are mentioned in subsection (2)(d) above.

(7) An authorised person who serves an enforcement notice under subsection (6) above on an employee or agent of the intended recipient shall serve a copy of the notice on the intended recipient.

(8) Nothing in subsection (6) above shall be taken to impose on the employee or agent to whom the enforcement notice is delivered or sent any obligation to comply with it.

Interpretation of Part II

24A.—(1) In this Part of this Act, except in so far as the context otherwise requires—

“act of violence” has the meaning given by section 10(2) of this Act,

“authorised person” means the Governor or a person authorised in writing by the Governor for the purposes of this Part of this Act,

“employee”, in relation to a body corporate, includes officer,

“enforcement notice” has the meaning given by section 18A(1) of this Act, and

“restricted zone”, in relation to an aerodrome or air navigation installation, means any part of the aerodrome or installation designated under section 11A of this Act or, where the whole of the aerodrome or installation is so designated, that aerodrome or installation.

(2) For the purposes of this Part of this Act a person is permitted to have access to a restricted zone of an aerodrome or air navigation installation if he is permitted to enter that zone or if arrangements exist for permitting any of his employees or agents to enter that zone.

PART V OF THE AVIATION SECURITY ACT 1982

MISCELLANEOUS AND GENERAL

Offences by bodies corporate

37.—(1) Where an offence under this Act (including any provision of Part II as applied by regulations made under section 21F of this Act) or under regulations made under section 21G of this Act has been committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

Interpretation

38.—(1) In this Act, except in so far as the context otherwise requires—

“aerodrome” means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft (and the buildings and works thereon) and includes—

- (a) any area or space, whether on the ground, or on the roof of a building or elsewhere, which is designed or equipped or set apart for affording facilities for the landing and departure of aircraft capable of descending or climbing vertically;
- (b) any land, building or works situated within the boundaries of an area designated, by an order made by the Governor which is for the time being in force, as constituting the area of an aerodrome for the purposes of this Act;

“air navigation installation” means any building, works, apparatus or equipment used wholly or mainly for the purpose of assisting air traffic control or as an aid to air navigation, together with any land contiguous or adjacent to any such building, works, apparatus or equipment and used wholly or mainly for purposes connected therewith;

“aircraft registered or operating in the Territory” means any aircraft which is either—

- (a) an aircraft registered in the Territory, or
- (b) an aircraft not so registered which is for the time being allocated for use on flights which (otherwise than in exceptional circumstances) include landing at or taking off from one or more aerodromes in the Territory;

“article” includes any substance, whether in solid or liquid form or in the form of a gas or a vapour;

“explosive” means any article manufactured for the purpose of producing a practical effect by explosion, or intended for that purpose by a person having the article with him;

“firearm” includes an airgun or air pistol;

“manager”, in relation to an aerodrome, means the person (whether the Government of the Territory or any other person) by whom the aerodrome is managed;

“military service” includes naval and air force service;

“measures” (without prejudice to the generality of that expression) includes the construction, execution, alteration, demolition or removal of buildings or other works and also includes the institution or modification, and the supervision and enforcement, of any practice or procedure;

“operator”, in relation to an aircraft, means the person having the management of the aircraft for the time being or, in relation to a time, at that time;

“police officer” includes any member of the police force of the Territory and any other person having the powers and privileges of a police officer;

“property” includes any land, buildings or works, any aircraft or vehicle and any baggage, cargo or other article of any description;

“Territory” includes the territorial waters adjacent thereto;

“United Kingdom national” means an individual who is—

(a) a British citizen, a British Dependent Territories citizen, a British National (Overseas) or a British Overseas citizen;

(b) a person who under the British Nationality Act 1981(a) is a British subject; or

(c) a British protected person (within the meaning of that Act).

(1A) Where any provision in the law of a Territory which is inserted in subsection (1) in accordance with Schedule 3 of the Aviation Security (Overseas Territories) Order 2000 is repealed and re-enacted, with or without modification, the reference to that provision in Schedule 3 shall be construed as a reference to the provision as so re-enacted.

(2) For the purposes of this Act and in the absence of any other authority with responsibility for an air navigation system, the manager of the aerodrome by which it is wholly or mainly used, shall be taken to be the authority responsible for that air navigation installation.

(3) For the purposes of this Act—

(a) the period during which an aircraft is in flight shall be deemed to include any period from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation, and, in the case of a forced landing, any period until the competent authorities take over responsibility for the aircraft and for persons and property on board; and

(b) an aircraft shall be taken to be in service during the whole of the period which begins with the pre-flight preparation of the aircraft for a flight and ends 24 hours after the aircraft lands having completed that flight, and also at any time (not falling within that period) while, in accordance with the preceding paragraph, the aircraft is in flight.

(6) Any power to give a direction under any provision of this Act shall be construed as including power to revoke or vary any such direction by a further direction.

(7) Subject to any provision of any other law relating to offences under two or more laws, Part I of this Act shall not be construed as—

(a) conferring a right of action in any civil proceedings in respect of any contravention of this Act, or

(b) derogating from any right of action or other remedy (whether civil or criminal) in proceedings instituted otherwise than under this Act.

SCHEDULE 1 TO THE AVIATION SECURITY ACT 1982

PROVISIONS RELATING TO COMPENSATION

1. This Schedule applies to compensation under section 22 of this Act (in this Schedule referred to as “the relevant section”).

2. No compensation to which this Schedule applies shall be payable unless the person to whom it is payable in accordance with the relevant section (or in accordance with regulations made under the following provisions of this Schedule) serves on the person by whom the measures in question were taken a notice in writing claiming compensation under that section, and that notice is served before the end of the period of two years from the completion of the measures.

3. In relation to any measures taken by any person on land outside an aerodrome or air navigation installation any reference in the relevant section to a direction or enforcement notice, or to compliance with a direction or enforcement notice, shall be construed as if subsection (6) of section 16 of this Act were omitted.

4. In calculating value for any of the purposes of the relevant section—

(a) 1981 c. 61.

(a) the following rules shall apply:

- (i) the value of land shall, subject as hereinafter provided, be taken to be the amount which the land if sold in the open market by a willing seller might be expected to realise;
- (ii) the special suitability or adaptability of the land for any purpose shall not be taken into account if that purpose is a purpose to which it could be applied only in pursuance of statutory powers, or for which there is no market apart from the requirements of any authority possessing compulsory purchase powers;
- (iii) where the value of the land is increased by reason of the use thereof or of any premises thereon in a manner which could be restrained by any court, or is contrary to law, or is detrimental to the health of the occupants of the premises or to the public health, the amount of that increase shall not be taken into account;

(b) if the interest to be valued is subject to a mortgage, it shall be treated as if it were not subject to the mortgage.

5. The Governor in Council may make Regulations—

- (a) requiring compensation to which this Schedule applies, in such cases as may be specified in the regulations, to be paid to a person other than the person entitled to it in accordance with the relevant section;
- (b) as to the application of any compensation to which this Schedule applies, or any part of it, in cases where the right to claim compensation is exercisable by reference to an interest in land which is subject to a mortgage, or to a rent charge, or to the trusts of a settlement, or to the purposes of a trust, or which was so subject at a time specified in the regulations; or
- (c) as to any assumptions to be made, or matters to be taken into or left out of account, for the purpose of assessing any compensation to which this Schedule applies.

7. Any dispute arising under the relevant section or under this Schedule, whether as to the right to any compensation or as to the amount of any compensation or otherwise, shall be referred to and determined by the appropriate acquisition authority.

SCHEDULE 3 TO THIS ORDER

Article 3(1)

ADAPTATIONS AND MODIFICATIONS TO THE AVIATION SECURITY ACT 1982 WHICH ARE APPLICABLE TO PARTICULAR TERRITORIES

Anguilla

Insert the following definitions in the appropriate alphabetical position in section 38(1)—

“appropriate acquisition authority” means the High Court;

“daily fine” means a fine of East Caribbean dollars 500 per day;

“fine” on a trial in the High Court means such fine as may be imposed by that Court and on a trial in a subordinate court means a fine of East Caribbean dollars 5000;

“offence of criminal damage” means an offence under section 3, 4, 5, 6, 7, 8 or 44 of the Malicious Damage Act(a);

“prescribed offence” means the offence of murder, attempted murder, manslaughter, or an offence under section 17, 19, 20, 21, 22, 23, 27, 28 or 29 of the Offences against the Person Act(b) or section 9 or 10 of the Malicious Damage Act;

(a) Cap. 49 of the Laws of Anguilla.

(b) Cap. 56 of the Laws of Anguilla.

Bermuda

Insert the following definitions in the appropriate alphabetical position in section 38(1)—

“appropriate acquisition authority” means arbitration on a reference of the Minister under section 6(2) of the Acquisition of Land Act(a);

“daily fine” means a fine of Bermuda dollars 500 per day;

“fine” on a trial in the Supreme Court means such fine as may be imposed by that Court and on a trial in a subordinate court means a fine of Bermuda dollars 5000;

“Legislative Council” means the House of Assembly;

“offence of criminal damage” means an offence under section 426, 427 or 448 of the Criminal Code(b);

“prescribed offence” means murder, attempted murder, manslaughter or an offence under section 303, 304, 305, 306, 307 or 308 of the Criminal Code;

In respect of Bermuda, the definition of police officer shall include an “airport policeman” within the meaning of the Bermuda Airport Regulations 1959 (Title 23/1(b)) and the Aviation Security Officer.

British Virgin Islands

Insert the following definitions in the appropriate alphabetical position in section 38(1)—

“appropriate acquisition authority” means the High Court;

“daily fine” means a fine of United States dollars 500 per day;

“fine” on a trial in the High Court means such fine as may be imposed by that Court and on a trial in a court of summary jurisdiction means a fine of United States dollars 5000;

“offence of criminal damage” means an offence under section 265, 266, 267, 268, or 272 of the Criminal Code 1997(c);

“prescribed offence” means murder, attempted murder, manslaughter and an offence under section 163, 164, 165, 166, 167, 168, 169, 171, 172, 173 or 174 of the Criminal Code 1997;

Cayman Islands

Insert the following definitions in the appropriate alphabetical position in section 38(1)—

“appropriate acquisition authority” means the Grand Court;

“daily fine” means a fine of Cayman Islands dollars 500 per day;

“fine” on a trial in the Grand Court means such fine as may be imposed by that Court and on a trial in a subordinate court means a fine of Cayman Islands dollars 5000;

“offence of criminal damage” means an offence under section 250, 257 or 258 of the Penal Code(d);

“prescribed offence” means murder, attempted murder, manslaughter, or an offence under section 199, 201, 202, 204, or 205 of the Penal Code;

Falkland Islands

Insert the following definitions in the appropriate alphabetical position in section 38(1)—

“appropriate acquisition authority” means the Supreme Court;

“daily fine” means a fine of not exceeding one tenth of level 5 on the standard scale, as prescribed under the Criminal Justice Ordinance 1989(e) per day;

“fine” on a trial in the Supreme Court means such fine as may be imposed by that Court and on a trial in a subordinate court means a fine not exceeding the statutory maximum as prescribed under the Criminal Justice Ordinance 1989;

(a) Title 19/2 of the Laws of Bermuda.

(b) Title 8/31 of the Laws of Bermuda.

(c) Laws of the Virgin Islands 1/1997.

(d) Law 12/75, 1995 Rev., in the Laws of the Cayman Islands.

(e) Ord. 17/1989 in the Laws of the Falkland Islands.

“offence of criminal damage” means section 1 of the Criminal Damage Act 1971 of the United Kingdom Parliament(a) as applied by the Crimes Ordinance 1989(b);

“prescribed offence” means murder, attempted murder, manslaughter, or an offence under section 18, 20, 21, 22, 23, 24, 28 or 29 of the Offences against the Person Act 1861 of the United Kingdom Parliament(c), or section 1 of the Explosive Substances Act 1883 of the United Kingdom Parliament(d), both as applied by the Crimes Ordinance 1989;

Montserrat

Insert the following definitions in the appropriate alphabetical position in section 38(1)—

“appropriate acquisition authority” means the High Court;

“daily fine” means a fine of East Caribbean dollars 500 per day;

“fine” on a trial in the High Court means such fine as may be imposed by that Court and on a trial in a subordinate court means a fine of East Caribbean dollars 5000;

“offence of criminal damage” means an offence under section 265 of the Penal Code(e);

“prescribed offence” means murder, attempted murder, manslaughter or an offence under section 163, 164, 165, 166, 167, 168, 170, 171, 172 or 173 of the Penal Code;

St. Helena and Dependencies

Insert the following definitions in the appropriate alphabetical position in section 38(1)—

“appropriate acquisition authority” means the Land Valuation Board established under the Land Acquisition Ordinance(f);

“Attorney-General of the Territory” means the Attorney-General of St. Helena;

“daily fine” means a fine not exceeding one hundred pounds per day;

“fine” on a trial in the Supreme Court means such fine as may be imposed by that Court and on a trial in a subordinate court means a fine not exceeding one thousand pounds;

“offence of criminal damage” means an offence under section 3 of the Criminal Damage Ordinance 1979(g);

“prescribed offence” means murder, attempted murder, manslaughter or an offence under section 18, 20, 21, 22, 23, 24, 28 or 29 of the United Kingdom Offences against the Person Act 1861 or under section 2 of the United Kingdom Explosive Substances Act 1883 as those Acts have effect in accordance with the English Law (Application) Ordinance 1987(h), and the Application of English Law (Ascension) Ordinance 1973(i);

Sovereign Base Areas of Akrotiri and Dhekelia

Section 25 of the Act, as set out in Schedule 2 of this Order, shall not apply and paragraph 5 of Schedule 1 to the Act shall have effect as if the words “in Council” were deleted.

Insert the following definitions in the appropriate alphabetical position in section 38(1)—

“appropriate acquisition authority” means the Compensation Assessment Tribunal;

“daily fine” means a fine not exceeding one tenth of level 5 on the standard scale, as prescribed under the law of the United Kingdom, per day;

“fine” on a trial in the Judge’s Court or the Senior Judge’s Court means such fine as may be imposed by that Court;

“offence of criminal damage” means an offence under section 324 of the Criminal Code(j);

(a) 1971 c. 48.

(b) Ord. 10/1989 in the Laws of the Falkland Islands.

(c) 1861 c. 100.

(d) 1883 c. 3.

(e) Ord. 12/1983 in the Laws of Montserrat.

(f) Cap. 59 in the Laws of St. Helena.

(g) Ord. 8/1979 in the Laws of St. Helena.

(h) Ord. 16/1987 of the Laws of St. Helena.

(i) Ord. 1/1973 of the Laws of Ascension.

(j) Cap. 155 of the Laws of Cyprus as adapted and applied in the Sovereign Base Areas.

“prescribed offence” means premeditated murder, an attempt to commit premeditated murder, homicide or an offence under section 226, 227, 228, 231, 232, 234, or 325 of the Criminal Code;

Turks and Caicos Islands

Insert the following definitions in the appropriate alphabetical position in section 38(1)—

“appropriate acquisition authority” means the Supreme Court;

“daily fine” means a fine of United States dollars 500 per day;

“fine” on a trial in the Supreme Court means such fine as may be imposed by that Court and on a trial in the Magistrates Court means a fine of United States dollars 5000;

“offence of criminal damage” means an offence under section 4, 5, 6, 7, 8, 9, 10, 14 or 32 of the Malicious Injuries to Property Ordinance(a) or under section 7 of the Summary Offences Ordinance(b);

“prescribed offence” means murder, attempted murder, manslaughter or an offence under section 10, 11, 12, 13, 14, 15, 18, 19 or 20 of the Offences against the Person Ordinance(c) or section 9(e) of the Summary Offences Ordinance.

SCHEDULE 4 TO THIS ORDER

Article 3(2)

SECTIONS 1 AND 50 OF THE AVIATION AND MARITIME SECURITY ACT 1990 AS EXTENDED TO THE TERRITORIES SPECIFIED IN SCHEDULE 1

Endangering safety at aerodromes

1.—(1) It is an offence for any person by means of any device, substance or weapon intentionally to commit at an aerodrome serving international civil aviation any act of violence which—

- (a) causes or is likely to cause death or serious injury, and
- (b) endangers or is likely to endanger the safe operation of the aerodrome or the safety of persons at the aerodrome.

(2) It is also, subject to subsection (4) below, an offence for any person by means of any device, substance or weapon unlawfully and intentionally—

- (a) to destroy or seriously to damage—
 - (i) property used for the provision of any facilities at an aerodrome serving international civil aviation (including any apparatus or equipment so used), or
 - (ii) any aircraft which is at such an aerodrome but is not in service, or
- (b) to disrupt the services of such an aerodrome,

in such a way as to endanger or be likely to endanger the safe operation of the aerodrome or the safety of persons at the aerodrome.

(3) Except as provided by subsection (4) below, subsections (1) and (2) above apply whether any such act as is referred to in those subsections is committed in the Territory or elsewhere and whatever the nationality of the person committing the act.

(4) Subsection (2)(a)(ii) above does not apply to any act committed in relation to an aircraft used in military, customs or police service unless—

- (a) the act is committed in the Territory, or
- (b) where the act is committed outside the Territory, the person committing it is a United Kingdom national.

(a) Cap. 31 of the Laws of the Turks and Caicos Islands.

(b) Cap. 32 of the Laws of the Turks and Caicos Islands.

(c) Cap. 28 of the Laws of the Turks and Caicos Islands.

(5) A person who commits an offence under this section is liable on conviction to imprisonment for life.

(6) Section 38(3)(b) (period during which aircraft is in service) of the Aviation Security Act 1982 (as applied to the Territory by the Aviation Security (Overseas Territories) Order 2000) applies for the purposes of this section as it applies for the purposes of that Act and the reference in section 38(7) of that Act (other proceedings) to Part I of that Act and to that Act include references to this section.

(7) Proceedings for an offence under this section shall not be instituted in the Territory except by or with the consent of the person for the time being performing the functions of Attorney General of the Territory.

(9) In this section—

“act of violence” has the same meaning as in section 2(7) of the Aviation Security Act 1982 as applied to the Territory by the Aviation Security (Overseas Territories) Order 2000;

“aerodrome” has the same meaning as in the Aviation Security Act 1982, as so applied;

“military service” and “United Kingdom national” have the same meaning as in the Aviation Security Act 1982, as so applied;

“unlawfully”

(a) in relation to the commission of an act in the Territory, means so as (apart from this section) to constitute an offence under the law of the Territory, and

(b) in relation to the commission of an act outside the Territory, means so that the commission of the act would (apart from this section) have been an offence under the law of the Territory if it had been committed in the Territory.

Offences by bodies corporate

50.—(1) Where an offence under this Act has been committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

SCHEDULE 5 TO THIS ORDER

Article 4

SECTION 26 OF AND SCHEDULE 5 TO THE MERCHANT SHIPPING AND MARITIME SECURITY ACT 1997

Piracy

26.—(1) For the avoidance of doubt, it is hereby declared that for the purposes of any proceedings before a court in the Territory in respect of piracy, the provisions of the United Nations Convention on the Law of the Sea 1982, set out in Schedule 5, shall be treated as constituting part of the law of nations; and any such court having jurisdiction in respect of piracy committed on the high seas shall have jurisdiction in respect of piracy committed by or against an aircraft wherever that piracy is committed.

(2) For the purposes of those provisions the high seas shall (in accordance with paragraph 2 of Article 58 of that convention) be taken to include all waters beyond the territorial sea of the Territory or of any other country.

Schedule 5

PROVISIONS OF UNITED NATIONS CONVENTION ON THE LAW OF THE SEA TO BE TREATED AS PART OF THE LAW OF NATIONS

Article 101

Definition of piracy

Piracy consists of any of the following acts:

- (a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed—
 - (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
 - (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
- (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
- (c) any act of inciting or of intentionally facilitating an act described in sub-paragraph (a) or (b).

Article 102

Piracy by a warship, government ship or government aircraft whose crew has mutinied

The acts of piracy, as defined in article 101, committed by a warship, government ship or government aircraft whose crew has mutinied and taken control of the ship or aircraft are assimilated to acts committed by a private ship or aircraft.

Article 103

Definition of a pirate ship or aircraft

A ship or aircraft is considered a pirate ship or aircraft if it is intended by the persons in dominant control to be used for the purpose of committing one of the acts referred to in article 101. The same applies if the ship or aircraft has been used to commit any such act, so long as it remains under the control of the persons guilty of that act.

EXPLANATORY NOTE

(This note is not part of the Order)

1. This Order extends certain provisions of the Aviation Security Act 1982, (as amended) and of the Aviation and Maritime Security Act 1990, with adaptations and modifications, to the Territories specified in Schedule 1.

2. A number of the provisions now forming part of Part I of the 1982 Act were previously contained in the following instruments:

- (a) Orders made under the Hijacking Act 1971 and the Protection of Aircraft Act 1973 in relation to all the Territories with the exception of Anguilla; and
- (b) with respect to Anguilla, in an Order made under the 1982 Act.

3. The present Order consolidates the earlier provisions together with:

- (a) the provisions of Part II of the 1982 Act (as amended) which relate to the protection of aircraft, aerodromes and air navigation installations;
- (b) the provisions of section 1 of the 1990 Act which relate to endangering safety at aerodromes,

with appropriate adaptations and modifications.

4. The Order also extends the provisions of section 26(1) and (2) of the Merchant Shipping and Maritime Security Act 1997 relating to piracy to the Territories.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

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No. 10

The following are published in this Supplement -

Explanatory Memorandum - Licensing (Amendment) Bill 2001;

Licensing (Amendment) Bill 2001.

EXPLANATORY MEMORANDUM

Licensing (Amendment) Bill 2001

Introductory

1. The Licensing (Amendment) Bill 2001 ("the Bill") would amend the Licensing Ordinance 1994. A consultation paper was circulated in 2000 on possible changes in the present licensing law of the Falkland Islands. This raised a number of questions for consideration and a number of suggestions were made by those responding to the consultation paper. The results of the consultation exercise were considered by the Executive Council at its meeting in November 2000 and the Bill results from the decisions that the Executive Council then took.

Overview of the Bill

2. The Bill would transfer the responsibility for the grant of new licences to the Police Committee. Renewals of existing licences, the grant of extensions of permitted hours and occasional licences are conferred upon the Chief Police Officer. In each case there is a right of appeal to the Magistrate's Court.

3. Public house licensing hours would be altered —

(a) on Sundays and Good Fridays so as to be 12 noon to 10.30 pm; and

(b) in respect of Christmas day so that they are 12 noon to 3 pm and 7 pm to 12.30am on the following day.

4. The existing Ordinance would be amended so as to introduce provisions enabling a Children's Certificate to be granted for a bar or an area which includes a bar if the Police Committee is satisfied as to the matters specified in the Bill.

5. The Licensing Ordinance would be amended so as to enable persons under the age of 18 to be present in a bar on licensed premises on an occasion when the premises are closed to the general public if the premises are bona fide being used for a private occasion notified to the Chief Police Officer 7 days in advance.

6. Persons of 16 but under 18 would be permitted to attend dances and entertainment functions held, other than at a public house, where a bar is being operated, subject to the consent of the person holding the function (but under 18s will not be able to purchase or consume alcohol at the function).

7. The 1994 Ordinance would be amended to provide for the grant of Entertainment Certificates to suitable venues permitting them on nights when entertainment is provided (which must not exceed 2 nights in any week plus any public holiday in that week) to serve alcohol until 1.30 am or 30 minutes before the entertainment is due to end, whichever is the earlier and subject to the holder of the entertainment certificate notifying the Police 7 days in advance of any entertainment at which it is proposed to take advantage of the provisions of the Entertainment Certificate.

8. Provision is made by the Bill for the Police Committee to revoke or suspend a licence or certificate or alter the terms and conditions of a licence or certificate either when the matter is

referred to them by a Court for the purpose of consideration of such action or when the Committee, of its own initiative, believes that such action is necessary in the public interest.

Detail

9. Clause 3 of the Bill would enable "wine bar licences" to be granted. These could be applied for by persons holding restaurant licences. The effect of a wine bar licence would be to enable the licensee to sell wine at the bar to persons not taking a meal at the restaurant. It would not allow the sale of beers or spirits.

10. Clause 4 would amend section 45 of the existing Ordinance so as to provide that a Special Hours Certificate ("Entertainment Certificate") could be granted to premises on which entertainment is intended to be provided without requiring that "substantial refreshment" should also be supplied on such premises. The clause would require that the Entertainment Certificate could not be used on any night unless at least 7 days before that night notice in writing had been given to the Chief Police Officer of the intention to provide music and dancing or entertainment on that night or on more than 2 occasions in addition to any public holiday and the morning following it falling within any continuous period of 7 days. The following clause (clause 5) will insert a new section 47A in the Licensing Ordinance 1994 so as to enable persons over 16 but under 18 to be on premises in respect of which a Special Hours Certificate is held. This does not apply to public houses or any premises in respect of which or a time of day in respect of which the Committee has inserted in the Special Hours Certificate a limitation to the contrary. It only applies during such time as music and dancing or entertainment are provided upon the premises and only applies to that part or those parts of the premises in which it is provided. The sale or supply of intoxicating liquor upon the premises to anybody under the age of 18 years would still be prohibited.

11. Clause 6 of the Bill would repeal and replace section 66 of the 1994 Ordinance which relates to the presence of persons under 18 in bars. A person under 18 would be permitted to be in a bar in licensed premises by virtue of the new section 66(2) if —

- (a) he or she is in the company of one or both of his or her parents or of a person apparently of 25 years of age or more who appears to have charge of him or her for the time being; **AND**
- (b) a Children's Certificate under a new section 66A relating to the bar is in force; **AND**
- (c) the Certificate is operational or subsection (3) applies ("operational" means within the hours permitted by the Children's Certificate). Subsection (3) provides an "eating up time" of 30 minutes after the Certificate ceased to be operational, in respect of meals purchased before the Certificate ceased to be operational.

12. Clause 7 of the Bill would insert a new section 66A in the Licensing Ordinance providing for the grant of Children's Certificates. It would enable a publican to apply for a Children's Certificate in respect of any part of his premises which consists of or includes a bar. Under the new section 66A(2) the Police Committee could grant an application for a Certificate if they thought it appropriate to do so, but could not do so unless they were satisfied —

- (a) that the area to which the application related constituted an environment in which it would be suitable for persons under 18 to be present; and

(b) that meals and beverages other than intoxicating liquor would be available for consumption in that area.

13. Under sub-clause (3) of the section where a Children's Certificate is held, the holder of the licence would have to post a notice in the area of the premises affected stating that a Children's Certificate is in force in relation to that area and explaining its effect and that of any conditions attached to it. The remaining provisions of the new section make supplementary provision as does a new Schedule 7 to the Ordinance which would be introduced by the new section 66A(6). Paragraph 10 of Schedule 7 provides for appeals to the Magistrate's Court against a refusal by the Committee to grant a Certificate, as to the conditions attached to the grant of a Certificate and other matters related to Children's Certificates.

14. The new section 66B which would be inserted in the 1994 Ordinance by clause 7 of the Bill would permit persons under 18 to be present in a bar when the bar is closed for the holding of a private function (such as a wedding reception) and provided that the conditions specified in the proposed subsection (2) were met. The section would not permit intoxicating liquor to be sold or supplied to any persons under the age of 18 attending the function except as may be permitted by any other provision of the Ordinance.

15. Clause 8 of the Bill would amend section 67 of the 1994 Ordinance so as to allow a person of 16 or over accompanied by one or both of its parents or of a person or persons apparently of at least 25 years of age or more who appear to have charge of him for the time being to be supplied with beer, porter, cider or perry to be consumed as an ancillary to a meal taken by him in an area of the premises to which a Children's Certificate relates and is operational.

16. Clause 9 of the Bill would amend section 76 of the 1994 Ordinance (prohibition orders). Under it a person convicted of supply of intoxicating liquor to a person subject to a prohibition order would himself become subject to a prohibition order. Additionally provision would be made for renewal or further renewal of a prohibition order by the court on the application of any person, but the court would not be permitted to renew an order other than on the application of the person concerned without first giving him an opportunity to be heard in opposition to the renewal of the order. There is at present no power to renew a prohibition order.

17. Clause 10 of the Bill would confer powers on the Committee to revoke a licence or certificate, to require it to be transferred or to vary the licence or certificate in such manner as might be specified by the Committee and to prohibit any person specified by the Committee from being employed or engaged in or about any licensed premises or registered club and subject to a right of appeal to the Magistrates Court. The powers of the Committee could not be exercised without giving the person affected a right to be heard.

18. Clause 11 would enable the powers of the Committee in relation to the renewal of licences and certificates, the grant of occasional licences and the grant of extensions of permitted hours in respect of licensed premises on special occasions to be delegated to the Chief Police Officer.

19. Clause 12 would make the minor and consequential amendments of the Licensing Ordinance set out in Schedule 1 to the Bill. Clause 13 would repeal a number of spent provisions of the

Licensing Ordinance 1994 and clause 14 would disapply section 7 of the Children and Young Persons Act 1933 and the Children and Young Persons (Tobacco) Act 1991. The reason for disapplying them is that they duplicate provisions now contained in Falkland Islands law and therefore are unnecessary.

Attorney General
Cable Cottage

Ref: AG/LEG/12A

28 May 2001

Licensing (Amendment) Bill 2001

(No: of 2001)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title and commencement
2. Interpretation
3. Wine bar licences
4. Replacement of section 5 of the 1994 Ordinance
5. Amendment of section 45 of the principal Ordinance
6. New section 47A
7. Replacement of section 66 of the 1994 Ordinance
8. New sections 66A and 66B of the 1994 Ordinance
9. Amendment of section 67 of the 1994 Ordinance: special provisions in relation to persons aged 16 and over
10. Amendment of section 76 of the 1994 Ordinance
11. New section 83A
12. Minor and consequential amendments to the Licensing Ordinance 1994
13. Repeals of spent provisions of the Licensing Ordinance 1994
14. Disapplication of English provisions

Schedule 1 - Minor and consequential amendments

Schedule 2 - Repeal of spent provisions

LICENSING (AMENDMENT) BILL 2001

(No: of 2001)

(assented to: 2001)

(commencement: 2001)

(published: 2001)

A BILL

for

AN ORDINANCE

To amend the Licensing Ordinance 1994 and disapply section 7 of the Children and Young Persons Act 1933 and the Children and Young Persons (Tobacco) Act 1991.

BE IT ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Licensing (Amendment) Ordinance 2001 and shall come into force on such date as the Governor may appoint by notice published in the *Gazette*.

Interpretation

2. In this Ordinance “1994 Ordinance” means the Licensing Ordinance 1994.

Wine bar licences

3. The following subsection is added to section 3 of the 1994 Ordinance —

“(4) A wine bar licence may be granted in respect of the bar area of premises licensed under a restaurant licence and if so granted the permitted hours in respect of that area shall be those applicable to Part V licences by virtue of section 42(4), but section 53(1)(b) shall not extend to sales under such a wine bar licence.”

Replacement of section 5 of the 1994 Ordinance

4. Section 5 of the 1994 Ordinance is repealed and replaced by the following section —

“Exercise of licensing powers

5.—(1) The Committee shall, subject to this section, be responsible for the exercise of the powers conferred upon it by this Ordinance.

(2) None of the powers conferred upon the Committee shall, except as is provided by subsection (3) be exercised unless at least three members of the Committee are present.

(3) The Committee may delegate to the chief police officer the exercise of any or all of its powers as to —

- (a) the renewal of licences and certificates;
- (b) the grant of occasional licences;

(c) the grant of extensions of permitted hours in respect of licensed premises on special occasions,
subject to such conditions and limitations as it from time to time thinks fit. Where the chief police officer exercises any such power it shall be deemed to have been exercised by the Committee. No such delegation shall prevent the Committee from itself exercising such powers or any of them.

Amendment of section 45 of the principal Ordinance

5. Section 45 is amended —

- (a) in subsection (1)(b) by deleting the words “and substantial refreshment”: and
- (b) by inserting the following subsection after subsection (3) —

“(3A) Notwithstanding section 44(2) there shall be no extension of permitted hours by virtue of a special hours certificate upon any premises —

- (a) on any night unless not less than seven days before that night notice in writing has been given to the chief police officer of the intention to provide music and dancing or entertainment on that night;
- (b) on more than two occasions in addition to any public holiday and the morning following it falling within any continuous period of seven days.”

New section 47A

6. The following section is inserted after section 47 —

“Admission of persons over 16 to premises licensed under a special hours certificate

47A.—(1) Subject to this section, it shall be lawful for persons aged over the age of 16 years but under the age of 18 years to be upon premises in respect of which a special hours certificate is held if the licensee permits them to be present.

(2) Subsection (1) does not apply in respect of public houses or in respect of any premises in respect of which or a time of day in respect of which the Committee have under section 45(1) inserted in the special hours certificate a limitation to the contrary.

(3) Subsection (1) only applies during such time as music and dancing or entertainment are provided upon the premises and only applies to that part or those parts of the premises in which it is provided.

(4) Nothing in this section authorises the sale or supply of intoxicating liquor upon the premises to any person under the age of eighteen years.”

Replacement of section 66 of the 1994 Ordinance

7. Section 66 of the 1994 Ordinance is repealed and is replaced by the following section —

“Children and young persons prohibited from bars

66.—(1) Subject to this Ordinance —

- (a) the holder of a licence shall not allow a person under eighteen to be in the bar of licensed premises during the permitted hours;
- (b) no person shall cause or procure, or attempt to cause or procure, any person under the age of eighteen years to be in the bar of licensed premises during the permitted hours;

- (c) where it is shown that a person under eighteen was in the bar of any licensed premises, the holder of the licence commits an offence under this section unless he proves either —
- (i) that he exercised all due diligence to prevent the person under eighteen from being admitted to the bar, or
 - (ii) that the person under eighteen had apparently attained that age.
- (2) No offence is committed under subsection (1) of this section if —
- (a) the person under eighteen is in the company of one or more of his parents or of a person apparently of 25 years of age or more who appears to have charge of him for the time being;
 - (b) there is in force a certificate under section 66A of this Ordinance relating to the bar; and
 - (c) the certificate is operational or subsection (3) applies.
- (3) This subsection applies where —
- (a) the person under eighteen, or the person in whose company he is, is consuming a meal purchased before the certificate ceased to be operational, and
 - (b) not more than thirty minutes have elapsed since the certificate ceased to be operational.
- (4) No offence is committed under subsection (1)(b) of this section if the person causes or procures, or attempts to cause or procure, the person under eighteen to be in the bar in the circumstances mentioned in paragraphs (a) to (c) of subsection (2) of this section.
- (5) No offence is committed under this section if the person under eighteen —
- (a) is the licence-holder's child, or
 - (b) resides on the premises but is not employed there, or
 - (c) is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (6) A person who contravenes this section is liable on conviction to a fine not exceeding the maximum of level 1 on the standard scale.
- (7) Where in any proceedings under this section it is alleged that a person was at any time under eighteen, and he appears to the court to have been under that age, he shall be deemed for the purposes of the proceedings to have been then under that age, unless the contrary is shown."

New sections 66A and 66B of the 1994 Ordinance

8. The following sections are inserted in the 1994 Ordinance after section 66 —

“Children’s certificates

66A.—(1) The holder of a licence for on-sales may apply to the Committee for the grant of a certificate in relation to any area of the premises for which the licence is in force which consists of or includes a bar.

(2) The Committee may grant an application for a certificate under subsection (1) of this section (“a children’s certificate”) if it appears to them to be appropriate to do so, but shall not do so unless they are satisfied —

- (a) that the area to which the application relates constitutes an environment in which it is suitable for persons under eighteen to be present;

- (b) that meals and beverages other than intoxicating liquor will be available for consumption in that area.
- (3) Where a children's certificate is in force, the holder of the licence for the licensed premises to which the certificate relates shall keep posted in some conspicuous place in the area to which the certificate relates a notice which —
- (a) states that a children's certificate is in force in relation to that area, and
 - (b) explains the effect of the certificate and of any conditions attached to it.
- (4) A person who fails to perform the duty imposed on him by subsection (3) of this section commits an offence and is liable on conviction of that offence to a fine not exceeding the maximum of level 1 on the standard scale.
- (5) In any proceedings for an offence under subsection (4) of this section, it is a defence for the accused to prove that he took all reasonable precautions and exercised all due diligence, to avoid the commission of the offence.
- (6) Schedule 7 to this Ordinance (supplementary provisions) shall have effect.
- (7) Subsection (1) of this section shall apply to an applicant for a licence as it applies to the holder of a licence, and, in its application by virtue of this subsection, shall have effect as if the reference to premises for which the licence is in force were to the premises which are the subject of the application for a licence for on-sales.

Admission of persons under 18 to private functions in a bar

66B.—(1) Nothing in section 66 shall operate so as to prohibit the presence of persons under eighteen in the bar of licensed premises during permitted hours if the requirements of this section are satisfied.

- (2) The requirements referred to in subsection (1) are that —
- (a) the only persons who are permitted to be present in the bar at the time in question are the licensee, the licensee's employees and persons invited to attend a private function being held in the room in which the bar is;
 - (b) at least 48 hours notice of the holding of the private function has been given by the licensee to the chief police officer and he has not signified any objection to the private function; and
 - (c) no intoxicating liquor is sold or supplied to persons under the age of 18, except as may be permitted by any other provision of this Ordinance; and
 - (d) that beverages other than intoxicating liquor are supplied or are available for sale at all times the private function is being held in the bar."

Amendment of section 67 of the 1994 Ordinance: special provisions in relation to persons aged 16 and over

9. Section 67 of the 1994 Ordinance is amended —

- (a) by replacing subsection (1) with the following —

“(1) In licensed premises and in a registered club, subject in the case of licensed premises to subsection (3A) —

- (a) the holder of the licence (in the case of licensed premises);
- (b) the committee of the club (in the case of a registered club); and
- (c) any person engaged by the holder of the licence or by his employer (in the case of licensed premises) or by or on behalf of the club (in the case of a registered club);

shall not sell or supply intoxicating liquor to a person under the age of eighteen or knowingly allow any person under the age of eighteen to consume intoxicating liquor in a bar or knowingly allow any other person to do sell or supply intoxicating liquor to a person under the age of eighteen.”

(b) in subsections (2) and (3), by the insertion at the beginning of each of those subsections of the words “Subject to subsection (3A),”;

(c) by inserting the following subsections after subsection (3) —

“(3A) Subject to the conditions specified in subsection (3B) being complied with, subsections (1), (2) and (3) of this section do not prohibit the sale to or purchase by or for a person who has attained the age of sixteen of beer, porter, cider or perry for consumption as an ancillary to a meal taken by him.

(3B) The conditions referred to in subsection (3A) are —

(a) that the person under sixteen is in the company of one or both of his parents or of a person or persons apparently of at least twenty-five years of age or more who appears to have charge of him for the time being;

(b) that the beer, porter, cider or perry is sold or supplied to the person under sixteen in an area of the premises to which a children’s certificate relates; and

(c) that the certificate is operational or section 66(3) applies.”

Amendment of section 76 of the 1994 Ordinance

10. Section 76 of the 1994 Ordinance is amended —

(a) by the insertion of the following words at the end of subsection (1) —

“The court shall at the time of conviction make an order under this subsection in respect of any person it convicts of an offence under subsection (7)(b)(i) (supply etc of intoxicating liquor to a person subject to a prohibition order).”; and

(b) by the insertion of the following words at the end of subsection (2) —

“An order under subsection (1) may be renewed or further renewed by the court on the application of any person, but the court shall not renew such an order other than on the application of the person concerned without first giving him an opportunity to be heard in opposition to the renewal of the order.”; and

(c) in subsection (3) by replacing the words “for a prohibition order” with the words “for or for the renewal of a prohibition order.”.

New section 83A

11. The following section is inserted after section 83 —

“Special powers of committee in relation to licences and certificates etc

83A.—(1) On convicting a licensee or holder of any certificate granted under this Ordinance of any offence under this Ordinance, the court convicting him may, in addition to any fine or other penalty imposed upon the licensee or holder of any certificate granted

under this Ordinance, remit to the Committee for its consideration the question as to whether the Committee should not exercise one or more of its powers under this section.

(2) The Committee may at any time, whether or not any court has remitted the question for its consideration under subsection (1), give not less than seven days' notice to any licensee or holder of a certificate granted under this Ordinance that it intends on such day and at such time and place as is specified in the notice to consider the exercise of one or more of its powers under this section in respect of the licence or certificate. A notice served under this subsection shall specify the ground or grounds upon which the Committee intends to exercise one or more of its powers.

(3) A person upon whom a notice has been served pursuant to subsection (2) shall, if he so desires, be heard by the Committee on the day or time specified in the notice or any later day or time to which it may adjourn consideration of the matter.

(4) The powers referred to in subsections (1) and (2) are by order —

(a) to revoke the licence or certificate with effect from such date as may be specified by the Committee or suspend it for such period and with effect from such date as may be specified by the Committee;

(b) to require the licence or certificate to be transferred within 21 days or such greater period as may be specified by the Committee to a person to be approved by the Committee;

(c) to vary the licence or certificate in such manner as may be specified by the Committee; and

(d) to prohibit any person specified by the Committee from being employed or engaged in or about any licensed premises or registered club in the Falkland Islands in relation to the sale or supply of intoxicating liquor either indefinitely or during such period of time as may be specified by the Committee (but the Committee shall not exercise this power without first having given the person concerned a reasonable opportunity to be heard in relation to the matter).

(5) The Committee shall not vary any licence or certificate pursuant to subsection (4)(c) so as to impose any condition or limitation which it could not lawfully have imposed on the grant or renewal of the licence or certificate.

(6) If the Committee exercises its powers under subsection (4)(d) in relation to any person —

(a) any person knowing of the prohibition who employs the person concerned in contravention of that order commits an offence and is liable on conviction of that offence to a fine not exceeding the maximum of level 4 on the standard scale;

(b) that person commits an offence if he, whether in the course of employment or otherwise, is concerned in the sale or supply of intoxicating liquor in or about any licensed premises or registered club and he is liable upon conviction of that offence to imprisonment for a term not exceeding three months or to a fine not exceeding the maximum of level 4 on the standard scale.

(7) Any person aggrieved by a decision of the Committee under this section may appeal to the Magistrate's Court against the decision and the decision of the Magistrate's Court on such an appeal shall be final."

Minor and consequential amendments of the Licensing Ordinance 1994

12. With effect from the commencement of this Ordinance, the Police Committee and the chief police officer shall between them discharge the functions previously discharged by the licensing justices under the 1994 Ordinance and Schedule 1 to this Ordinance shall have effect to make minor and consequential amendments for those and other purposes to the 1994 Ordinance.

Repeals of spent provisions of the Licensing Ordinance 1994

13. Schedule 2 to this Ordinance shall have effect.

Disapplication of English provisions

14. Section 7 of the Children and Young Persons Act 1933 and the Children and Young Persons (Tobacco) Act 1991 shall no longer apply as part of the law of the Falkland Islands.

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

Introductory

1. In the subsequent paragraphs of this Schedule a reference to a section or any subdivision of any description of a section is a reference to a section or such subdivision of a section of that description of the 1994 Ordinance.

2.—(a) The words “justices’ licence”, wherever they appear in the Ordinance, are replaced by the word “licence”.

(b) The words “justices’ on-licence” and “justices off-licence” wherever they so appear, are respectively replaced by the words “licence for on-sales” and “licence for off-sales”.

(c) Except in section 2 the words “the licensing justices” and “licensing justices” wherever they appear in the Ordinance are replaced by the words “the Committee”.

3. Section 2 is amended by —

(a) inserting the following definition immediately after the definition of “canteen” —

“ “children’s certificate” means a certificate granted under section 66A;”;

(b) by inserting the following definitions after the definition of “club premises” —

“ “the Committee” means the Police Committee established by section 10 of the Police Ordinance 2000(a);”

(c) by inserting the following definition after the definition of “intoxicating liquor” —

“ “licence” has the meaning given by section 3(1);”;

(d) by inserting the following after the definition of “secretary” —

“ “special hours certificate” means a certificate granted under section 44;”;

(e) by inserting the following definition after the definition of “wholesale licence” —

“ “winebar licence” is an on-licence which authorises the sale of wine only.” and

(e) by deleting the definition of “justices’ licence”.

Winebar licences

4. The cross-heading immediately before section 6 is replaced by the cross-heading “*Grant of licences.*”

Repeal of obsolete provisions etc

5. In section 7 —

(a) in subsection (1) the word “on” is inserted before the word “granting”;

(b) subsection (4) is repealed and replaced by the following new subsection (3) —

“(3) Except as provided by paragraph 6 of Schedule 2, the Committee shall not consider an application for a new licence or the provisional grant of a new licence until they are satisfied that the notices required by paragraph 3 of Schedule 3 have been given in conformity with the requirements of that paragraph.”

6. In section 9 —

(a) subsection (1) is amended by replacing the words “at a session of the Summary Court” by the words “at a meeting of the Committee”;

(b) subsection (2) is amended —

(i) by replacing the words “at the session of the Summary Court” with the words “at the meeting of the Committee”; and

(ii) by replacing the words “the clerk to the Summary Court” with the words “the secretary to the Committee”;

(iii) subsections (3) and (4) by replacing the words “the clerk to the Summary Court” wherever they appear therein with the words “the secretary to the Committee”; and

(c) subsection (5) is repealed.

Permitted hours

7. Section 42(1) is amended —

(a) by replacing paragraph (c) with —

“(c) on Sundays and Good Friday twelve noon to half past ten in the evening;”

(b) by constituting the existing paragraph (d) as paragraph (e) and by inserting the following new paragraph (d) —

“(d) on Christmas Day twelve noon to half past ten in the evening;”

8. Section 44(1) is amended by replacing the words “half past twelve” in both places they appear with the words “one”.

9. Section 69 is amended by replacing the words “sections 66 and 68” with the words “sections 66, 66A, 66B and 68”.

New Schedule 7

10. The following new Schedule 7 is inserted —

“SCHEDULE 7

CHILDREN’S CERTIFICATES: SUPPLEMENTARY PROVISIONS

Applications

1.—(1) The Committee shall not entertain an application for a children’s certificate unless the applicant has, at least 21 days before the date on which the application is considered by the Committee, given to the Secretary to the Committee and to the chief police officer notice of his intention to make the application.

(2) Notice under sub-paragraph (1) of this paragraph shall —

(a) be in writing and be signed by the applicant or his authorised agent, and

(b) state the situation of the premises where the area to which the application relates is to be found.

(3) If the premises mentioned in sub-paragraph (2)(b) of this paragraph include a bar which is not included in the area to which the application relates, the Committee may decline to entertain the application until the applicant has lodged a plan of the premises indicating the area of the premises to which the application relates.

2.—(1) If the chief police officer intends to oppose an application for a children’s certificate, he must give notice in writing of his intention to do so to the applicant and to the Secretary to the Committee not less than 7 days before the meeting of the Committee at which the application is to be considered.

(2) Notice under sub-paragraph (1) of this paragraph shall be in writing and shall specify in general terms the grounds of the opposition.

Hearing of application

3.—(1) The applicant shall be entitled to attend at the meeting of the Committee during consideration of his application and to present his application in person or by any other person he may engage to present his application on his behalf. The Committee shall however deliberate on its decision in private.

(2) If the Committee decides to refuse an application for a children’s certificate, it shall specify its reasons in writing to the applicant.

Conditions

4.—(1) It shall be a condition of the grant of a children’s certificate that meals and beverages other than intoxicating liquor are available for sale for consumption in the area to which the certificate relates at all times when the certificate is operational.

(2) The Committee may impose such other conditions on the grant of a children’s certificate as it thinks fit.

(3) Without prejudice to the generality of sub-paragraph (2) of this paragraph, conditions under that sub-paragraph may restrict the hours during which, or days on which, the certificate is operational.

When operational

- 5.—(1) Subject to any conditions attached by the Committee and to sub-paragraph (2) of this paragraph, a children's certificate shall be operational at any time up to nine in the evening.
- (2) The Committee may, in relation to a children's certificate, approve a later time than nine in the evening as the time when the children's certificate ceases to be operational, and may do so either generally or for particular days or periods.
- (3) The Committee may only act under sub-paragraph (2) of this paragraph on the application of the appropriate person, but an approval under that provision needs to correspond with the applicant's proposals.
- (4) In sub-paragraph (2) of this paragraph, the reference to the appropriate person is —
- (a) in the case of an application with respect to an existing children's certificate, to the holder of the licence for the licensed premises to which the certificate relates; and
 - (b) in the case of an application made in conjunction with an application for a children's certificate, to the applicant for the certificate.

Duration

6. Subject to the Committee's powers under section 83A, a children's certificate shall remain in force until revoked.

7.—(1) Without prejudice to the Committee's powers under section 83A, the Committee may of its own motion or on application by the chief police officer, revoke a children's certificate if the Committee is satisfied —

- (a) that the area to which the certificate relates does not constitute an environment in which it is suitable for persons under fourteen to be present, or
- (b) that there has been a serious or persistent failure to comply with one or more of the conditions attached to the certificate.

(2) The Committee may only revoke a certificate in exercise of its powers under, and in accordance with the procedure provided for by, section 83A, but the matters mentioned in (a) and (b) of the preceding sub-paragraph of this Schedule shall constitute additional grounds on which the Committee may exercise those powers.

8. If the holder of the licence for the licensed premises to which a children's certificate relates gives —

- (a) to the Secretary to the Committee; and
- (b) to the chief police officer,

at least 14 days notice in writing of a day on which he wishes the certificate to cease to be in force, it shall be treated as revoked on that day.

9. A children's certificate shall be treated as revoked on the day on which the area to which it relates ceases to be comprised in premises for which a licence is in force.

Appeals

10.—(1) An applicant for a children's certificate who is aggrieved by a decision of the Committee —

- (a) to refuse to grant a certificate; or
- (b) as to the conditions attached to the grant of a certificate;

may appeal to the Magistrate's Court against the decision.

(2) Any applicant for an extension of the time when a children's certificate is operational who is aggrieved by a decision of the Committee with respect to his application may appeal to the Magistrate's Court against the decision.

(3) Any holder of a licence who is aggrieved by a decision of the Committee under this Schedule revoking a children's certificate relating to the licensed premises may appeal to the Magistrate's Court against the decision.

(4) The judgment of the Magistrate's Court on any appeal under this paragraph shall be final."

SCHEDULE 2

REPEAL OF SPENT PROVISIONS

Sections 4 , 5, 7(3), 9(5) and 16 of, and Schedule 1 to, the 1994 Ordinance are repealed.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

17th July 2001

No. 11

The following are published in this Supplement -

9 Brandon Road Direction 2001, (S.R. & O. No. 16 of 2001);

Jersey Road Direction 2001, (S.R. & O. No. 17 of 2001).

SUBSIDIARY LEGISLATION

**PLANNING AND BUILDING
General Development Order 1991**

9 Brandon Road Direction 2001

S. R. & O. No. 16 of 2001

Given: 9th July 2001

Published: 17th July 2001

Coming into force: on publication

IN EXERCISE of my powers under Article 6 of the General Development Order 1991(a), I give the following Direction —

Citation and commencement

1. This Direction may be cited as the 9 Brandon Road Direction 2001 and shall come into force on publication.

Requirement to obtain planning permission

2.—(1) The planning permission granted by Article 5 of and Part 1 of Schedule 2 to the General Development Order 1991 does not apply to all or any development (except such as may fall within Class N in the said Part 1) within the curtilage of 9 Brandon Road, Stanley.

(2) For the purposes of this Direction the curtilage of 9 Brandon Road is the piece of land on the South side of Brandon Road, Stanley shown outlined in blue and red on the plan attached to the planning application reference 24/01/DP.

Given this ninth day of July 2001

D A Lamont
Governor

EXPLANATORY NOTE

(not forming part of the above Direction)

The effect of a Direction under Article 6 of the General Development Order 1991 is to require the specific grant of planning permission for a number of categories of development which would otherwise have been granted planning permission under Article 5 of the Order.

The reason for this Direction is that 9 Brandon Road is a smaller piece of land than a house would otherwise have been permitted to be built upon and further development of the plot might result in over-intensive site coverage.

(a) SR&O No 6 of 1991

SUBSIDIARY LEGISLATION

**PLANNING AND BUILDING
General Development Order 1991**

Jersey Road Direction 2001

S. R. & O. No. 17 of 2001

Given:..... 9th July 2001

Published:..... 17th July 2001

Coming into force: on publication

IN EXERCISE of my powers under Article 6 of the General Development Order 1991(a), I give the following Direction —

Citation and commencement

1. This Direction may be cited as the Jersey Road Direction 2001 and shall come into force on publication.

Requirement to obtain planning permission

2.—(1) The planning permission granted by Article 5 of and Part 1 of Schedule 2 to the General Development Order 1991 does not apply to all or any development (except such as may fall within Class N in the said Part 1) within the curtilages of 11, 13, 15, 17 and 19 Jersey Road, Stanley.

(2) For the purposes of this Direction the curtilages of 11, 13, 15, 17 and 19 Jersey Road are the pieces of land on the South side of Jersey Road, Stanley shown outlined in pink on the plan attached to the planning application reference 61/99/PB.

Given this ninth day of July 2001

D A Lamont
Governor

EXPLANATORY NOTE

(not forming part of the above Direction)

The effect of a Direction under Article 6 of the General Development Order 1991 is to require the specific grant of planning permission for a number of categories of development which would otherwise have been granted planning permission under Article 5 of the Order.

The reason for this Direction is that 11, 13, 15, 17 and 19 Jersey Road are smaller pieces of land than a house would otherwise have been permitted to be built upon and further development of the plots might result in over-intensive site coverage.

(a) SR&O No 6 of 1991



**THE
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No. 12

The following are published in this Supplement -

21 Jersey Road Direction 2001, (S.R. & O. No. 18 of 2001);

Falkland Islands Pension Scheme (Amendment) Ordinance 2001 (Correction) Order 2001, (S.R. & O. No. 19 of 2001);

Referendum (Single Constituency and Voting System) Ordinance 2001;

Supplementary Appropriation (2001-2002) Ordinance 2001.

SUBSIDIARY LEGISLATION

**PLANNING AND BUILDING
General Development Order 1991**

21 Jersey Road Direction 2001

S. R. & O. No. 18 of 2001

Given: 20 July 2001

Published: 17 August 2001

Coming into force: on publication

IN EXERCISE of my powers under Article 6 of the General Development Order 1991(a), I give the following Direction —

Citation and commencement

1. This Direction may be cited as the 21 Jersey Road Direction 2001 and shall come into force on publication.

Requirement to obtain planning permission

2.—(1) The planning permission granted by Article 5 of and Part 1 of Schedule 2 to the General Development Order 1991 does not apply to all or any development (except such as may fall within Class N in the said Part 1) within the curtilage of 21 Jersey Road, Stanley.

(2) For the purposes of this Direction the curtilage of 21 Jersey Road is the piece of land on the South side of Jersey Road, Stanley shown outlined in pink and numbered 21 on the plan attached to the planning application reference 61/99/PB.

Given this twentieth day of July 2001

D A Lamont
Governor

EXPLANATORY NOTE

(not forming part of the above Direction)

The effect of a Direction under Article 6 of the General Development Order 1991 is to require the specific grant of planning permission for a number of categories of development which would otherwise have been granted planning permission under Article 5 of the Order.

The reason for this Direction is that 21 Jersey Road is a smaller piece of land than a house would otherwise have been permitted to be built upon and further development of the plot might result in over-intensive site coverage.

SUBSIDIARY LEGISLATION

PENSIONS

Falkland Islands Pension Scheme (Amendment) Ordinance 2001 (Correction) Order 2001

S. R. & O. No. 19 of 2001

Made:23 July 2001

Published:17 August 2001

Coming into force: on publication

IN EXERCISE of my powers under section 93 of the Interpretation and General Clauses Ordinance(a), and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Falkland Islands Pension Scheme (Amendment) Ordinance 2001 (Correction) Order 2001 and shall be deemed to have come into force on 13 June 2001.

Correction of Falkland Islands Pension Scheme (Amendment) Ordinance 2001

2. Section 2(a) of the Falkland Islands Pension Scheme (Amendment) Ordinance 2001(b) is corrected by deleting “24(3)” appearing therein and replacing it with “24(2)”.

Made this twenty-third day of July 2001

D G Lang
Attorney General

(a) Title 67.2

(b) No7 of 2001

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

**REFERENDUM (SINGLE CONSTITUENCY AND VOTING SYSTEM) ORDINANCE
2001**

(No: 12 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Referendum
3. Entitlement to vote and conduct of referendum
4. Counting officers

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Referendum (Single Constituency and Voting System) Ordinance 2001

(No: 12 of 2001)

AN ORDINANCE

(assented to: 8 August 2001)
(commencement: upon publication)
(published: 17 August 2001)

To make provision for the holding of a referendum on the possible replacement of the existing Camp and Stanley constituencies by a single constituency and the adoption of a new voting system for the election of members to the Legislative Council.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Referendum (Single Constituency and Voting System) Ordinance 2001.

Referendum

2.—(1) On such date as the Governor may by Order prescribe, being not earlier than six weeks after the date of the Order, a referendum shall be held on the possible replacement of the existing Camp and Stanley constituencies and the adoption of a new voting system for the election of members to the Legislative Council.

(2) The question or questions to be asked in the referendum and the front of the ballot papers to be used for that purpose shall be in the form to be prescribed by an Order under section 3(3).

(3) The date prescribed by an Order under subsection (1) may be the same date as that on which the General Election (due to be held in 2001) is held and, if it is, a poll in the Referendum shall be taken at the same polling places as those appointed for the General Election and the ballot

papers shall be placed in the same ballot box at any polling place as ballot papers in the General Election are placed.

Entitlement to vote and conduct of referendum

3.—(1) Subject to subsection (2), those entitled to vote in the referendum shall be the persons who would be entitled to vote in a General Election of members of the Legislative Council were it to be held on the same date as the referendum.

(2) Subsection (1) has effect subject to any provision of an Order under subsection (3) which provides for alterations to be made to a register of electors so as to include (but only for the purposes of the referendum) the names of those persons who by reference to the qualifying date in 2001 for the preparation of a new register of electors for either of the existing constituencies under the Electoral Ordinance (March 15th 2001) have satisfied the electoral registration officer that they would be entitled to have their names appear on that new register.

(3) The Governor may by Order make provision relating to the conduct of the referendum including —

(a) provision of the kind mentioned in subsection (2);

(b) the form of ballot paper to be used in the conduct of the referendum; and

(c) the form of written information to be supplied to each elector prior to the referendum and at polling places.

(4) No Order under subsection (3) shall be made unless a draft of that Order has been laid before, and approved by resolution of, the Legislative Council.

Counting officers

4.—(1) The Chief Executive shall be the Chief Counting Officer for the purposes of the referendum.

(2) The Chief Counting Officer shall —

(a) conduct the counting of votes cast; and

(b) certify the number of ballot papers counted and the number of votes cast for each answer.

(3) The Chief Counting Officer may appoint other persons to assist him in the conduct of the count.

Passed by the Legislature of the Falkland Islands this 27th day of July 2001.

M. STRANGE,
Acting Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

M. STRANGE,
Acting Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

SUPPLEMENTARY APPROPRIATION (2001-2002) ORDINANCE 2001

(No: 13 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Appropriation of further sum
3. Replenishment of Contingencies Fund

Schedule 1

Schedule 2

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

SUPPLEMENTARY APPROPRIATION (2001-2002) ORDINANCE 2001

(No: 13 of 2001)

AN ORDINANCE

(assented to: 8 August 2001)
(commencement: upon publication)
(published: 17 August 2001)

To appropriate and authorise the withdrawal from the Consolidated Fund of the additional sum of £4,968,920 for the service of the financial year ending 30 June 2002.

ENACTED by the Legislature of the Falkland Islands as follows —

Short Title

1. This Ordinance may be cited as the Supplementary Appropriation (2001-2002) Ordinance 2001.

Appropriation of further sum

2. The Financial Secretary may for the purposes specified in the Schedules cause to be withdrawn from the Consolidated Fund and applied to the service of the year commencing on 1 July 2001 and ending on 30 June 2002 (“the financial year”) the further sum of £4,968,920 in addition to sums already appropriated by Ordinance.

Replenishment of Contingencies Fund

3. The Financial Secretary shall out of the sum appropriated by section 2 replenish the Contingencies Fund to the extent that sums specified in Schedule 1, prior to the commencement of this Ordinance, have been withdrawn from the Contingencies Fund by the authority of

Contingencies Warrant Number 1 of 2001-2002 (the authority of which lapses on the commencement of this Ordinance).

SCHEDULE 1

| | | £ |
|--|---------|----------------|
| PART II CAPITAL EXPENDITURE | | |
| 950 | Capital | 100,000 |
| TOTAL SUPPLEMENTARY EXPENDITURE | | <u>100,000</u> |

SCHEDULE 2

| | | £ |
|--|-------------------------|------------------|
| PART I OPERATING EXPENDITURE | | |
| 0250 | Education & Training | 56,000 |
| 0320 | Fisheries | 43,500 |
| 0350 | Public Works Department | 15,000 |
| 0450 | Justice | 3,000 |
| 0551 | Police & Prisons | 5,000 |
| 0600 | Central Administration | 24,000 |
| 0609 | Taxation | 33,000 |
| TOTAL OPERATING EXPENDITURE | | <u>179,500</u> |
| PART II CAPITAL EXPENDITURE | | |
| 950 | Capital | 4,689,420 |
| TOTAL SUPPLEMENTARY EXPENDITURE | | <u>4,868,920</u> |

Passed by the Legislature of the Falkland Islands this 27th day of July 2001.

M. STRANGE,
Acting Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

M. STRANGE,
Acting Clerk of Councils.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

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No. 13

The following are published in this Supplement -

Control of Drinking by Juveniles (Amendment) Bill 2001;

Employment of Children (Amendment) Bill 2001;

Explanatory Memorandum - Merchant Shipping Bill 2001;

Merchant Shipping Bill 2001;

Finance and Audit (Amendment) Bill 2001;

Councillors (Continuing Membership of Statutory Boards and Committees) Bill 2001;

Referendum (Single Constituency) (Arrangements) Order 2001.

Control of Drinking by Juveniles (Amendment) Bill 2001

(No: of 2001)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title and commencement
2. Amendment of the Control of Drinking by Juveniles Ordinance 1993

CONTROL OF DRINKING BY JUVENILES (AMENDMENT) BILL 2001

(No: of 2001)

A BILL

for an

AN ORDINANCE

(assented to: 2001)

(commencement: upon publication)

(published: 2001)

To amend the Control of Drinking by Juveniles Ordinance 1993.

BE IT ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Control of Drinking by Juveniles (Amendment) Ordinance 2001 and shall come into force upon publication.

Amendment of the Control of Drinking by Juveniles Ordinance 1993

2.—(1) The Control of Drinking by Juveniles Ordinance 1993(a) is amended —

(a) by repealing section 4 and replacing it with the following section —

(a) (No 2 of 1993)

- “4.—(1) Subject to this section it is unlawful for any person —
- (a) to sell intoxicating liquor to a juvenile in any place;
 - (b) to supply intoxicating liquor to a juvenile in a public place;
 - (c) except by or with the consent of a juvenile’s parent or guardian or other person *bona fide* in charge of a juvenile to supply intoxicating liquor to that juvenile in a private place (that is to say, in any place or premises not within the definition of “public place” in section 2).
- (2) No offence is committed under section 4 where intoxicating liquor is sold or supplied to a juvenile in accordance with the provisions of the Licensing Ordinance 1994.
- (3) For the purposes of this section, intoxicating liquor shall be deemed not to have been supplied to a juvenile in any circumstances in which under any provision of section 3 some adult, and not the juvenile, would be deemed, as a result of that supply to be in possession of the intoxicating liquor.”

(b) in section 5(5) by replacing “£250” with the words “level 3 on the standard scale.”.

(c) in section 5(7) by replacing “£1,000” with the words “level 3 on the standard scale where that person is a juvenile and to a fine not exceeding level 4 on the standard scale where that person is an adult.”.

OBJECTS AND REASONS

This Bill seeks to amend the Control of Drinking by Juveniles Ordinance 1993 by repealing and replacing section 4. Section 4 previously rendered it unlawful to supply intoxicating liquor to a juvenile in a public place. The replacing section 4 would make it unlawful for any person to sell intoxicating liquor to a juvenile in any place, to supply intoxicating to a juvenile in a public place and to supply intoxicating liquor to a juvenile in a private place except by a juvenile’s parent, guardian or other person *bona fide* in charge of that juvenile or person acting with the consent of the juvenile’s parent etc.

The old section 4(2) is retained as section 4(3) to allow intoxicating liquor in the possession of a juvenile to be deemed not to have been supplied to that juvenile in circumstances provided for in section 3 of the Ordinance.

The Bill also includes an increase in the level of fines for offences under the Ordinance.

Employment of Children (Amendment) Bill 2001

(No: of 2001)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title and commencement
2. Amendment of the Employment of Children Ordinance 1966

EMPLOYMENT OF CHILDREN (AMENDMENT) BILL 2001

(No: of 2001)

(assented to: 2001)
(commencement: upon publication)
(published: 2001)

A BILL

for

AN ORDINANCE

To amend the Employment of Children Ordinance 1966

BE IT ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Employment of Children (Amendment) Ordinance 2001 and shall come into force upon publication.

Amendment of the Employment of Children Ordinance 1966

2. The Employment of Children Ordinance 1966(a) is amended as follows —
 - (a) in section 2(1)(c) by inserting the words “on which he is required to attend school” after the words “on any day”; and
 - (b) the following subsections are inserted after section 2(1)(f) —

(a) Title 32.1 (No 1 of 1966)

- “(g) before 7 o’clock in the morning or after 9 o’clock in the evening on any day on which he is not required to attend school; or
- (h) for more than two hours on any day prior to any day on which he is required to attend school; or
- (i) for more than twelve hours on any day, not a day subject to sections 2(1)(e) and 2(1)(h) above, on which he is not required to attend school.”

(c) in section 3 by removing all words between and including “£5” and “£20” and replacing them with the words “level 4 on the standard scale”.

OBJECTS AND REASONS

This Bill seeks to alter the hours between which children are permitted to work on a day which is not a school day, altering the hours from between 7am and 7pm to between 7am and 9pm whilst retaining a maximum 12 hours of working between those hours. Nonetheless, if that day, not being a day upon which a child is required to attend school, is a day prior to the day upon which the child will be required to go to school, the hours of work are restricted to 2 hours maximum. The Bill also includes an increase in the level of fines contained within the Ordinance.

EXPLANATORY MEMORANDUM

Merchant Shipping Bill 2001

Introductory

The present law of the Falkland Islands as to the registration of ships is to be found in Parts I and II of the Merchant Shipping Act 1894 supplemented by the Merchant Shipping (Registry) Ordinance 1987. The 1894 Act forms the foundation of the public law as to shipping matters in the Falkland Islands although it has been wholly replaced in the United Kingdom by the Merchant Shipping Act 1995. Before its repeal in the United Kingdom, the 1894 Act had been amended, and added to, many times. Many of the amendments and additions apply in the Falkland Islands either by virtue of provisions of United Kingdom Orders-in-Council or the provisions of Falkland Islands legislation.

The Merchant Shipping Act 1995 consolidates the mass of merchant shipping legislation preceding it so far as the law of the United Kingdom itself is concerned. It does not, however, directly apply to Overseas Territories, including the Falkland Islands. Nevertheless, section 315(2) of the 1995 Act enables any of its provisions and any Statutory Instruments made under them to be extended to the Falkland Islands with such exceptions, adaptations and modifications (if any) as are specified in the Order. Several Orders have been made under that provision extending some of the provisions of the Merchant Shipping Act 1995 to the Falkland Islands: for instance sections 185 and 186 and Schedule 7 (which deal with limitation of liability for maritime claims) and sections 224 and 225(1) and Schedule 11 (which deal with the application to the Falkland Islands of the Salvage Convention). While the powers under section 315(2) could be used to apply Parts I and II of the Merchant Shipping Act 1995 to the Falkland Islands and in relation to Falkland Islands ships in place of the out-dated provisions of Part I of the Merchant Shipping Act 1894, it is understood that it is not intended by the United Kingdom to make such an Order. Local legislation is therefore necessary if it is desired to do this.

Early in 2000, the Government conducted a consultation exercise with interested parties as to the replacement of the provisions of Part 1 of the 1894 Act with the provisions of Parts I and II of the 1995 Act and the Registration of Ships Regulations made or having effect under the 1995 Act. The present Bill and registration regulations intended to be made thereunder, if the Bill is enacted, would implement those proposals.

The clauses of the Bill

The body of the Bill consists of only six clauses. Clause 1 provides that the Bill if enacted would come into effect on such date as the Governor appoints by Notice published in the Gazette, which could not be earlier than the approval of a United Kingdom Order-in-Council under the provisions of section 735 of the Merchant Shipping Act 1894. That provision of the 1894 Act enables the Legislature of an Overseas Territory to make provision departing from the 1894 Act so long as it is approved by a United Kingdom Order-in-Council.

Clause 2 defines the expressions "the 1894 Act" and "the 1995 Act".

The effect of clause 3(1) of the Bill would be to cause Part I of the 1894 Act to cease to have effect in the Falkland Islands. Clause 3(2) would apply Parts I and II and sections 259 to 266 and section 313(1) (interpretation) of the 1995 Act in the modified form appearing in the Schedule to the Bill. "Part I" of the 1995 Act is to include, by reason of clause 3(4) of the Bill, the provisions of Schedule 1 to the 1995 Act. Clause 3(3) of the Bill would have the effect of applying certain subsidiary legislation having effect in the United Kingdom. This legislation would appear already to apply by virtue of the Merchant Shipping (Adoption of Legislation) Ordinance 1992, so far as presently existing subsidiary legislation is concerned.

Clause 4 of the Bill would empower the Governor to appoint inspectors of ships and surveyors of ships. Clause 5 would repeal the Merchant Shipping (Registry) Ordinance and the Merchant Shipping (Transfer of Functions) Ordinance since their provisions would be replaced by the registration regulations intended to be made under section 10 of the 1995 Act in the form in which it would apply to the Falkland Islands by virtue of the Schedule to the Bill.

Clause 5 would repeal the Merchant Shipping Registry Ordinance (Title 64.2) and the Merchant Shipping (Transfer of Functions) Ordinance both of which would be superseded.

Clause 6 would cause sections 723 to 728 of the 1894 Act to cease to have effect in the Falkland Islands. These are provisions which would be replaced by the provisions of sections 259 to 266 of the 1995 Act and Clause 4 of the Bill.

The Schedule to the Bill

The Schedule to the Bill sets out Parts I and II of the 1995 Act in the modified form in which it is intended it should apply in the Falkland Islands. A reference in subsequent paragraphs to a section of the 1995 Act is a reference to that section in the form it appears in the Schedule to the Bill. Part I of the Schedule sets out the form in which Part I of the 1995 Act would have effect in the Falkland Islands.

The definition of "British ships" in section 1(1) is wider than that of "Falkland Islands ships" under section 1(3) as it could include ships registered in the United Kingdom, Crown dependencies or other Overseas Territories, as well as small unregistered ships. It will be seen that section 2 and section 13 include references to "British ships". Those provisions therefore would apply to all British ships, while provisions which refer to Falkland Islands ships would only apply to British ships registered in the Falkland Islands. The reference to "Falkland Islands ships" is essentially a reference to ships registered in the Falkland Islands and not to the nationality of ships which are, and must remain, British ships for nationality purposes. All provisions of the Act in the form it is set out in the Schedule to the Bill and which relate to "British ships" are identical to those appearing in the 1995 Act and are core Red Ensign provisions.

A small ship other than a fishing vessel and which is not registered can still be considered a British ship if the three criteria mentioned in section 1(1)(e) of the 1995 Act are satisfied in relation to the ship. Section 1 represents a departure from the existing position under the 1894 Act where for all practical purposes the terms "British ship" and "registered British ship" are

synonymous even though the 1894 Act does not define “British ship”: section 1 of the 1894 Act simply defines who may own a British ship and section 2 of the 1894 Act says that every British ship has to be registered. Nationality (and the right to fly the British flag) are separate, but linked, questions as sections 1 and 2 clearly provide. Nationality is a status giving rise to rights and obligations. Registration is essentially a procedure which provides evidence, in the form of a record, of matters which relate to rights in the vessel.

For the purposes of Parts I and II of the 1995 Act in its application to the Falkland Islands under the Bill a ship will be a Falkland Islands ship if it is registered in the Falkland Islands. The registration regulations, as proposed in the consultation process will impose requirements as to ownership in the Falkland Islands in the whole or in part of the vessel.

Under section 2(3)(b), only Falkland Islands ships will be entitled to fly the Red Ensign defaced with the Arms of the Falkland Islands. This defaced Ensign, if flown, denotes that the ship is a British ship registered in the Falkland Islands.

Section 3 creates a number of offences related to the British character of a ship and derives from sections 60 and 70 of the 1894 Act. In section 4 provision is made for offences for carrying improper colours and section 4 restates section 73(2) of the 1894 Act.

Section 5 restates section 74 of the 1894 Act and sets out duties to display the Ensign at stated times. Section 6 (duty to declare national character of ship) restates section 68 of the 1894 Act and imposes duties to declare the nationality of a ship. Section 7 makes provision in relation to proceedings on forfeiture of a ship which is liable to forfeiture for breach of a provision of Part I.

Part II of the Schedule to the Bill sets out the form in which the provisions of Part II of the 1995 Act would have effect in the Falkland Islands.

Section 8 provides that the Register of British ships at Stanley shall continue in existence and be maintained by the Collector of Customs subject to subsection (3) which enables the Governor to designate any person to discharge on behalf of the Registrar all of his functions as Registrar of Ships or such of them as the Governor may designate. The section enables a separate part of the Register to be established for registration of fishing vessels and for the division of the Register into parts so as to distinguish between classes or descriptions of ships. A key change is subsection (6) which would transfer all the detailed provisions relating to merchant ship registration from the primary statute to regulations. This will enable a much greater flexibility and the ability to introduce technical changes to a Register which has been hitherto ossified in the 1894 Act. The Register has to be operated to take into account not only the registration regulations and any directions given by the Governor but also of the “private law provisions for registered ships” which essentially are provisions dealing with matters such as title and mortgages.

Section 9 sets out the basic criteria for entitlement to be registered but in fact says very little about the substance of those criteria. The reason for the generality of the section compared with the provisions of the 1894 Act is that the detailed criteria are to be prescribed by registration

regulations made under section 10. Subsections (1) and (2) focus on two requirements before a ship can be registered, both designed to ensure that a ship has a Falkland Islands connection. They set up two hurdles. First a ship must be owned to the prescribed extent, by persons qualified to own British ships registered in the Falkland Islands and second only ships having a Falkland Islands connection are to be registered in the Register. The Register is not intended to be an "open register".

It will be noted that section 9(3) enables the Governor to direct the Registrar to refuse to register a ship or to terminate the registration of a ship and goes on to provide that the Governor may give such a direction if he is satisfied that having regard to any requirements of the Act or any law of the Falkland Islands it would be inappropriate for the ship to be, or, as the case may be, to remain registered. It is intended that these powers should be filled out by provisions of the registration regulations. Section 9(5) deals with the practical difficulty that it may not always be technically possible to make de-registration abroad a pre-condition of entry onto the Falkland Islands Register, as there may be delays with overseas marine administrations. Subsection (5) accordingly requires the owner to take all reasonable steps to secure the termination of the ship's registration in the overseas registry. This of course would be inappropriate in relation to ships which are registered in the Falkland Islands and which are on bare-boat charter and section 17(5) of the Act therefore exempts owners of such ships from the requirement under section 9(5).

Section 10 provides for the making of registration regulations and these regulations will replace the registration requirements of the 1894 Act. Section 10(2) outlines the general scope of the registration regulations without in any way limiting the generality of the power to make such regulations. Section 10(3) contains ancillary provisions which preserve the general flexibility of the power which would be granted by section 10(1). It permits different requirements to be made for different parts of the Register and authorises making provision for the granting of exemptions or dispensations from specified requirements of the regulations. Powers of inspection would be granted by paragraph (c) of subsection (3) in order to check whether a shipowner has the necessary Falkland Islands connection.

Section 11 replaces section 82 of the 1894 Act. The Tonnage Regulations are made under section 19 and the relevant Regulations are the Merchant Shipping (Tonnage) Regulations 1997, as amended, and the Merchant Shipping (Fishing Vessels - Tonnage) Regulations 1988. Tonnage is used internationally as a parameter for a variety of commercial and regulatory purposes, including the calculation of harbour, canal and light dues, and the application of International Conventions and national legislation. It is also used to assign differing safety and crewing standards to different sizes of vessels.

Section 12 re-enacts section 84 of the 1894 Act, as amended. It enables recognition to be given to tonnage certificates issued by foreign states, for example under the Tonnage Convention 1969.

Section 13 re-states section 15(1) of the 1894 Act, but in somewhat different language without, it is believed, any change of substance. The section prevents a private claimant from trying to use the registration certificate as security for a civil claim, for example by obtaining the certificate and refusing to release it until a cargo claim is satisfied by the shipowner.

Under section 14(1) offences are created if any person knowingly or recklessly makes a false statement to the Registrar or provides false information. An example might be where an agent handling the registration declares that a ship has already been de-registered elsewhere when he knows that an application to de-register is still pending. Section 14(2) creates an offence if the shipowner fails to notify the Registrar of a change that affects the Falkland Islands character of the ship, for example where after a reasonable period of time the shipowner deliberately fails to tell the Registrar that the ship has been sold to a foreign citizen or company. A further offence is created by section 14(3) which is designed to prevent the deliberate concealment, suppression, alteration or destruction of a document that might affect the Falkland Islands connection of a ship. An example would be where an executive destroys a document which indicates that a fishing vessel is being controlled from abroad.

Section 15 is a new provision so far as the law of the Falkland Islands is concerned. It imposes heavy penalties in respect of fishing vessels fishing for profit which are not registered in the Falkland Islands or overseas. Not only may the skipper, owner and charterer be guilty but the fishing vessel is liable to forfeiture. Subsection (2), however, provides the possibility of exemption for certain types of unregistered fishing vessels (in the United Kingdom salmon cobles and vessels under 10 metres in overall length are exempt if they are not propelled by engine or, if propelled by engine, are used to fish for eels). Subsection (3) imposes sanctions on those who cheat by trying to make it appear that the fishing vessel is registered in the Falkland Islands (for example by painting on a false name and Port of Registry). In addition to the personal penalties set out in subsection (5), where a person is convicted of an offence under the section then, subject to subsection (4) the vessel concerned is liable to forfeiture. Section 15(4) allows a fourteen day period of grace after the termination of registration for any marks associated with Falkland Islands registration (e.g. "Stanley" on the stern of the vessel) to be removed.

Section 16 of the Act is a very important provision because it provides for the private law provisions set out in Schedule 1 to apply to registered ships. The section effectively replaces the antiquated provisions of sections 24 to 30 of the 1894 Act in relation to the transfer of, and transmission of property in, ships, the equally antiquated provisions related to ship mortgages set out in sections 31 to 38 of the 1894 Act and the similarly outdated provisions of sections 56 to 60 of the 1894 Act, all of which old provisions still form part of the law of the Falkland Islands in relation to ships registered here, even though they have been repealed in the United Kingdom. The private law provisions of Schedule 1 to the 1995 Act to which effect is given by section 16 are not, however, designed to be applied to ships which are included on a part of the register from which, under section 10(4)(a) the Registration Regulations exclude them. If the United Kingdom precedent is followed, the Registration Regulations would exclude ships on the Small Ships Register.

The general aim of section 17 is to allow a ship registered abroad but, for example, chartered on bare-boat charter to a Falkland Islands company, to be registered in the Falkland Islands. The legal effect of such registration would be that Falkland Islands public law regulatory rules would apply to the ship, whereas certain private law rules of the state of original registry would continue to be applied. For example, Falkland Islands law would govern matters such as the safe

maintenance and operation of the vessel and the foreign law would govern issues such as the title to the ship and the existence and priority of mortgages made in respect of it.

A bare-boat charter (sometimes called a demise charter) is a contract of hire, similar to a lease, which differs from a time charter in that the bare-boat charterer is given the right of possession and control of the ship, appointing its master and crew. An example of a bare-boat charter agreement is the Barecon A standard Bare-boat Charter. Under clause 8 of that charter agreement the vessel is stated to be "in the full possession and at the absolute disposal for all purposes of the Charterers and under their complete control in every respect". As a result, as a matter of Falkland Islands law, it would be the bare-boat charterer who is to be treated as the owner of the ship and vicariously responsible for the faults of the master and crew in navigating and operating the vessel. The section would enable Falkland Islands companies to take advantage of the flexibility provided by bare-boat chartering to obtain the right to fly the "Falkland Islands flag" (the Red Ensign defaced with the Arms of the Falkland Islands).

Subsection (1) defines the ships which may be included on the register under section 17 by reference to three criteria —

- (a) they must already be registered in another country (usually, ships cannot be registered in the Falkland Islands if they are already registered elsewhere, but section 17 creates a special exemption to this general principle);
- (b) the ship has to be "chartered on bare-boat terms" to a person qualified to own Falkland Islands ships (bare-boat charter terms are defined in subsection (11) in a way which would include the standard bare-boat charters in use world-wide); and
- (c) in addition to being chartered to a qualified person, the ship will have had to be chartered in circumstances where it has a prescribed Falkland Islands connection (see section 9(9) and 9(2)(b)).

Under subsection (4) a bareboat registration will terminate automatically at the end of the "charter period" and subsection (11) defines the period simply as one during which the ship is actually chartered on bare-boat terms. This definition is sufficiently wide to cover the case where the parties agree to terminate the charter before the full agreed period. If the precedent of the United Kingdom Registration Regulations is followed the registration on the Falkland Islands Register will expire on whichever is the earlier of the end of the charter period or five years (but registration can be renewed).

Section 18 of the 1995 Act is omitted from application by the Ordinance since it is a provision which by virtue of the terms of the section which can only be utilised by the United Kingdom government (i.e. to prescribe what tonnages and types of ships can be registered in overseas territories).

Section 19 confers powers to make Tonnage Regulations and has been explained earlier in this Explanatory Memorandum. Section 20 applies section 7 to forfeiture under Part II as it applies in relation to ships or shares in ships liable to forfeiture under Part I. Section 21 contains provisions in relation to the disclosure of information relating to registration. Section 22 is omitted because

it only applies to Scotland. Section 23 contains a number of definitions for the purposes of Part II of the Act.

Part III of the Schedule to the Bill would apply sections 259 to 266 of the 1995 Act which relate to inspectors, their powers and related matters.

Part IV of the Schedule to the Bill would apply section 313 of the 1995 Act in a truncated and modified form so as to provide a number of necessary definitions for the purpose of the application of Parts I and II and Schedule 1 to the 1995 Act to the Falkland Islands.

Part 5 of the Schedule to the Bill sets out the provisions of Schedule 1 (private law provisions) to the 1995 Act in the form they are to have effect in the Falkland Islands.

Merchant Shipping Bill 2001

(No: of 2001)

ARRANGEMENT OF PROVISIONS

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2. Interpretation
3. Replacement of Part I of the 1894 Act etc
4. Appointment of inspectors and surveyors
5. Repeal of Ordinances
6. Sections 723 to 728 of the 1894 Act to cease to have effect

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FORM IN WHICH PROVISIONS OF THE 1995 ACT SHALL HAVE EFFECT IN THE
FALKLAND ISLANDS

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MERCHANT SHIPPING BILL 2001

(No: of 2001)

(assented to: 2001)

(commencement: 2001)

(published: 2001)

A BILL

for

AN ORDINANCE

To apply Parts I and II of the Merchant Shipping Act 1995 as law of the Falkland Islands in place of Part I of the Merchant Shipping Act 1894, to apply as law of the Falkland Islands sections 259 to 266 and section 313(1) of the Merchant Shipping Act 1995, to repeal the Merchant Shipping (Registry) Ordinance (Title 64.2) and the Merchant Shipping (Transfer of Functions) Ordinance (Title 64.3) and to make provision connected with the foregoing purposes.

BE IT ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Merchant Shipping Ordinance 2001 and shall come into force on such date (being a date not earlier than the approval of this Ordinance by an Order in Council under the provisions of section 735 of the Merchant Shipping Act 1894) as the Governor may appoint by notice published in the *Gazette*.

Interpretation

2. In this Ordinance “the 1894 Act” means the Merchant Shipping Act 1894 and “the 1995 Act” means the Merchant Shipping Act 1995.

Replacement of Part I of the 1894 Act etc

3.—(1) On the coming into force of this Ordinance, Part I of the 1894 Act ceases to have effect in the Falkland Islands.

(2) Parts I and II and sections 259 to 266 and section 313(1) of the 1995 Act in the forms appearing in the Schedule to this Ordinance then have effect as law of the Falkland Islands.

(3) Where any provision of the 1995 Act in the form appearing in the Schedule to this Ordinance confers power upon Her Majesty in Council or the Secretary of State to issue any warrant or make any Order in Council or any regulations, that provision shall be construed as adopting as law having effect in the Falkland Islands, if it did not previously have such effect, any warrant, Order in Council or regulations from time to time issued or made (whether before or after the coming into force of this Ordinance) under the corresponding provision of the 1995 Act in the form it has effect in the United Kingdom.

(4) The reference in subsection (2) to Part I of the 1995 Act includes a reference to Schedule 1 to that Act.

Appointment of inspectors and surveyors

- 4.—(1) The Governor may, if he thinks fit, appoint any person as an inspector to report to him—
- (a) upon the nature and causes of any accident or damage which any ship has or is alleged to have sustained or caused;
 - (b) whether any requirements, restrictions or prohibitions imposed by or under any enactment relating to merchant shipping or fishing vessels having effect in the Falkland Islands have been complied with or (as the case may be) contravened;
 - (c) whether the hull and machinery of a ship are sufficient and in good condition;
 - (d) what measures have been taken to prevent the escape of oil or mixtures containing oil.
- (2) The Governor may appoint persons to be surveyors of ships for the purposes of any enactment relating to merchant shipping or fishing vessels having effect in the Falkland Islands and may remove any person so appointed.
- (3) A surveyor of ships may be appointed either as a ship surveyor or as an engineer surveyor or as both.
- (4) Surveyors of ships may be appointed either generally or for any particular case or purpose.
- (5) The Governor may appoint persons to be inspectors for the purposes of section 259 to 266 of the 1995 Act.
- (6) Every inspector appointed under subsection (1) of this section shall be treated as appointed under subsection (5) of this section.
- (7) In this Ordinance “surveyor of ships” means a surveyor appointed under subsection (2) of this section and the reference to requirements, restrictions or prohibitions under any enactment relating to merchant shipping or to fishing vessels includes any such requirements, restrictions or prohibitions constituting the terms of any approval, licence, consent or exemption given in any document issued under any such enactment.

Repeal of Ordinances

5. The Merchant Shipping (Registry) Ordinance (Title 64.2) and the Merchant Shipping Transfer of Functions Ordinance (Title 64.3) are repealed.

Sections 723 to 728 of the 1894 Act to cease to have effect

6. Sections 723 to 728 of the 1894 Act no longer have effect in the Falkland Islands.

SCHEDULE

FORM IN WHICH PROVISIONS OF THE 1995 ACT SHALL HAVE EFFECT IN THE FALKLAND ISLANDS

PART I

BRITISH SHIPS

British ships and Falkland Islands Ships

- 1.—(1) A ship is a British Ship if—
- (a) the ship is registered in the Falkland Islands under Part II; or
 - (b) the ship is registered in the United Kingdom under Part II of this Act in the form it has effect in the United Kingdom;
 - (c) the ship is, as a Government Ship, registered in the United Kingdom in pursuance of an Order in Council under section 308 of this Act in the form it has effect in the United Kingdom; or
 - (d) the ship is registered under the law of a relevant British possession; or

(e) the ship is a small ship other than a fishing vessel and —

(i) is not registered under Part II, but,

(ii) is wholly owned by qualified owners, and

(iii) is not registered under the law of a country outside the Falkland Islands and the United Kingdom;

(2) For the purposes of subsection (1) (e) above —

“qualified owners” means persons of such a description qualified to own British ships as is prescribed by regulations made by the Secretary of State for the purposes of subsection (1)(d) of this Act in the form it has effect in the United Kingdom;

“small ship” means a ship less than 24 metres in length (“length” having the same meaning as in the tonnage regulations).

(3) A ship is a “Falkland Islands ship” for the purposes of this Part and those of Part II if the ship is registered in the Falkland Islands under Part II.

British flag

2.—(1) The flag which every British ship is entitled to fly is the red ensign (without any defacement or modification) and, subject to subsections (2) and (3) below, no other colours.

(2) Subsection (1) above does not apply to Government ships.

(3) The following are also proper national colours, that is to say —

(a) any colours allowed to be worn in pursuance of a warrant from Her Majesty or the Secretary of State;

(b) in the case of a Falkland Islands ship, the red ensign defaced with the arms of the Falkland Islands in accordance with article 2 of the Merchant Shipping (Falkland Islands Colours) Order 1998;

(c) in the case of ships registered in a relevant British possession, any colours consisting of the red ensign defaced or modified whose adoption for ships registered in that possession is authorised or confirmed by Her Majesty by Order in Council.

(4)...

Offences relating to British character of ship

3.—(1) If the master or owner of a ship which is not a British ship does anything or permits anything to be done, for the purpose of causing the ship to appear to be a British ship then, except as provided by subsections (2) and (3) below, the ship shall be liable to forfeiture and the master, owner and any charterer shall each be guilty of an offence.

(2) No liability arises under subsection (1) above where the assumption of British nationality has been made for the purpose of escaping capture by an enemy or by a foreign ship of war in the exercise of some belligerent right.

(3) Where the registration of any ship has terminated by virtue of any provision of termination regulations, any marks prescribed by registration regulations displayed on the ship within a period of 14 days beginning with the date of termination of that registration shall be disregarded for the purpose of subsection (1) above.

(4) If the master or owner of a British ship does anything, or permits anything to be done, for the purpose of concealing the nationality of the ship, the ship shall be liable to forfeiture and the master, owner and any charterer of the ship shall each be guilty of an offence.

(5) Without prejudice to the generality of subsections (1) and (4) above, those subsections apply in particular to acts or deliberate omissions as respects —

- (a) the flying of a national flag;
 - (b) the carrying or production of certificates of registration or other documents relating to the nationality of the ship; and
 - (c) the display of marks required by the law of any country.
- (6) Any person guilty of an offence under this section shall be liable on conviction to imprisonment for a term not exceeding two years or a fine not exceeding the maximum of level 12 on the standard scale, or both.
- (7) This section applies to things done outside, as well as to things done within, the Falkland Islands.

Penalty for carrying improper colours

4.—(1) If any of the following colours, namely —

- (a) any distinctive national colours except —
 - (i) the red ensign or, in the case of a Falkland Islands ship, a red ensign defaced in accordance with the Falkland Islands (Colours) Order 1998;
 - (ii) the Union flag (commonly known as the Union Jack) with a white border, or
 - (iii) in the case of a ship registered in a relevant British possession, any colours authorised or confirmed under section 2(3)(b) in the form it has effect in the United Kingdom; or
- (b) any colours usually worn by Her Majesty's ships or resembling those of Her Majesty; or
- (c) the pendant usually carried by Her Majesty's ships or any pendant resembling that pendant,

are hoisted on board any British ship without warrant from Her Majesty or from the Secretary of State, the master of the ship, or the owner of the ship (if on board) and every other person hoisting them shall be guilty of an offence.

(2) A person guilty of an offence under subsection (1) above shall be liable to a fine not exceeding the maximum of level 12 on the standard scale.

(3) If any colours are hoisted on board a ship in contravention of subsection (1), any of the following, namely —

- (a) any commissioned naval or military officer,
- (b) any officer of customs and excise, and
- (c) any British consular officer,

may board the ship and seize and take away the colours.

(4) Any colours seized under subsection (3) above shall be forfeited to Her Majesty.

(5) In this section, "colours" includes any pendant.

Duty to show British flag

5.—(1) Subject to subsection (2) below, a British ship, other than a fishing vessel shall hoist the red ensign or other proper national colours —

- (a) on a signal being made to the ship by one of Her Majesty's ships (including any ship under the command of a commissioned naval officer); and
- (b) on entering and leaving any foreign port; and
- (c) in the case of ships of 50 or more tons gross tonnage, on entering or leaving any British port.

(2) Subsection (1)(c) above does not apply to a small ship (as defined in section 1(2)) registered under Part II.

Duty to declare national character of ship

6.—(1) A customs officer shall not grant a clearance or transire for any ship until the master of such ship has declared to that officer the name of the nation to which he claims that the ship belongs, and that officer shall thereupon enter that name on the clearance or transire.

(2) If a ship attempts to proceed to sea without such clearance or transire, the ship may be detained until the declaration is made.

Proceedings on forfeiture of a ship

7.—(1) Where any ship has either wholly or as to any share in it become liable to forfeiture under this Part —

(a) any commissioned naval or military officer, or

(b) any person appointed by the Secretary of State for the purposes of this section; may seize and detain the ship and bring the ship for adjudication before the court.

(2) Where a ship is subject to adjudication under this section the court may —

(a) adjudge the ship and her equipment to be forfeited to Her Majesty; and

(b) make such order in the case as seems just.

(3) No officer or person bringing proceedings under this section shall be liable in damages in respect of the seizure or detention of the ship, notwithstanding that the ship has not been proceeded against or, if proceeded against, adjudicated not liable to forfeiture, if the court is satisfied that there were reasonable grounds for the seizure or detention.

(4) If the court is not so satisfied the court may award costs and damages to the party aggrieved and make such other order as the court thinks just.

(5) In this section “the court” means the Supreme Court of the Falkland Islands.

PART II

FORM IN WHICH PART II OF THE 1995 ACT SHALL HAVE EFFECT IN THE FALKLAND ISLANDS REGISTRATION

General

Stanley Register of Ships

8.—(1) There shall continue to be a register of British ships at Stanley for all registrations of ships in the Falkland Islands.

(2) Subject to subsection (2) the register shall be maintained by the Collector of Customs as registrar.

(3) The Governor may designate any person to discharge, on behalf of the registrar, all of his functions as registrar of ships, or such of them as the Governor may direct.

(4) The Governor may give to the registrar directions of a general nature as to the discharge of any of his functions.

(5) The register shall be so constituted as to distinguish, in a separate part, registration of fishing vessels and may otherwise be divided into parts so as to distinguish between classes or descriptions of ships.

(6) The register shall be maintained in accordance with registration regulations and the private law provisions for registered ships and any directions given by the Governor under subsection (4) above.

(7) The register shall be available for public inspection.

Registration of ships: basic provisions

- 9.—(1) A ship is entitled to be registered in the register of British ships at Stanley if—
- (a) it is owned, to the prescribed extent, by persons qualified to own British ships registered on that register; and
 - (b) such other conditions are satisfied as are prescribed under subsection (2)(b) below;
- (and any application for registration is duly made).
- (2) It shall be for registration regulations—
- (a) to determine the persons who are qualified to be owners of British ships, or British ships of any class or description, registered in the register of British ships at Stanley (that is to say Falkland Islands ships), and to prescribe the extent of the ownership required for compliance with subsection (1) (a) above;
 - (b) to prescribe other requirements designed to secure that, taken into account with the requisite ownership, only ships having a Falkland Islands connection are registered in that register (but vessels owned by the British Antarctic Survey shall be deemed to have a Falkland Islands connection).
- (3) Notwithstanding any provision of the registration regulations, the registrar shall if the Governor so directs refuse to register or terminate the registration of a ship. The Governor may give such a direction if he is satisfied that having regard to any requirements of this Act or of any law of the Falkland Islands it would be inappropriate for the ship to be, or, as the case may be, to remain registered.
- (4)
- (5) Where a ship becomes registered at a time when it is already registered in a country outside the Falkland Islands, the owner shall take all reasonable steps to secure the termination of the ship's registration under the law of that country.
- (6) Subsection (5) above does not apply to a ship which becomes registered on a transfer of registration to the register from the United Kingdom or a relevant British possession.
- (7) Any person who contravenes subsection 5 above shall be liable on conviction to a fine not exceeding the maximum of level 3 on the standard scale.
- (8) In this section, "the relevant requirements" in relation to this Act, the Ordinance and any other law of the Falkland Islands means—
- (a) in relation to any ship—
 - (i) the requirements as to the condition of ships or their equipment so far as relevant to their safety or any risk of pollution; and
 - (ii) the requirements as to the safety, health and welfare of persons employed or engaged in them, and
 - (b) in relation to a fishing vessel, additionally, the requirements in relation to the possession of or compliance with the conditions of a licence in relation to any fishing operations carried on by the fishing vessel in respect of which a licence is required to be held and compliance in respect of the vessel with any conservation measures imposed by or under any law of the Falkland Islands or required by any such law to be complied with.
- (9) In this Part references to a ship having a Falkland Islands connection are references to compliance with the conditions of entitlement imposed by subsection (1)(a) and (b) above and "declaration of Falkland Islands connection" is to be construed accordingly.

Registration regulations

10.—(1) The Governor shall by regulations (to be known as registration regulations) make provision for and in connection with the registration of ships in the Falkland Islands as British ships.

(2) Without prejudice to the generality of subsection (1) above, registration regulations may, in particular, make provision with respect to any of the following matters —

- (a) the persons by whom and the manner in which applications in connection with registration are to be made;
- (b) the information and evidence (including declarations of Falkland Islands connection) to be provided in connection with such applications and such supplementary information or evidence as may be required by any specified authority;
- (c) the shares in the property in, and the number of owners (including joint owners) of, a ship permitted for the purposes of registration and the persons required or permitted to be registered in respect of a ship or to be so registered in specified circumstances;
- (d) the issue of certificates (including provisional certificates) of registration, their production and surrender;
- (e) restricting and regulating the names of ships registered or to be registered;
- (f) the marking of ships registered or to be registered, including marks for identifying the port to which the ship is to be treated as belonging as being Stanley;
- (g) the period for which registration is to remain effective without renewal;
- (h) the production to the registrar of declarations of Falkland Islands connection or other information relating thereto, as respects registered ships, at specified intervals or at his request;
- (i) the survey and inspection of ships registered or to be registered and the recording of their tonnage as ascertained (or re-ascertained) under the tonnage regulations;
- (j) the refusal, suspension and termination of registration in specified circumstances;
- (k) matters arising out of the expiration, suspension or termination of registration (including the removal of marks and the cancellation of certificates);
- (l) the charging of fees in connection with registration or registered ships;
- (m) the transfer of the registration of ships to and from the register from and to registers or corresponding records in countries other than the Falkland Islands;
- (n) inspection of the register; and
- (o) any other matter which is authorised or required by this Part to be prescribed in registration regulations.

(3) Registration regulations may —

- (a) make different provision for different classes or descriptions of ships and for different circumstances;
- (b) without prejudice to paragraph (a) above, make provision for the granting of exemptions or dispensations by the Governor from specified requirements of the regulations, subject to such conditions (if any) as he thinks fit to impose; and
- (c) make such transitional, incidental or supplementary provision as appears to the Governor to be necessary or expedient, including provision authorising investigations and conferring powers of inspection for verifying the Falkland Islands connection of a ship.

(4) Registration regulations —

- (a) may make provision for the registration of any class or description of ships to be such as to exclude the application of the private law provisions for registered ships and, if they do,

may regulate the transfer, transmission or mortgaging of ships of the class or description so excluded;

(b) may make provision for any matter which is authorised or required by those provisions to be prescribed by registration regulations;

(c) shall make provision precluding notice of any trust being entered in the register or being receivable by the Registrar except as respects specified classes or descriptions of ships or in specified circumstances.

(5) Registration regulations may create offences subject to the limitation that no offence so created shall be punishable by imprisonment for a term exceeding six months or by a fine exceeding the maximum of level 7 on the standard scale, or both.

(6) Registration regulations may provide for —

(a) the approval of forms by the Governor (but so that the Governor may by such regulations approve the use of one or more forms approved pursuant to any corresponding provision in force in the United Kingdom);

(b) the discharge of specified functions by specified authorities or persons.

(7) Registration regulations may provide for any of their provisions to extend to places outside the Falkland Islands.

(8) Any document purporting to be a copy of any information contained in an entry in the register and certified as a true copy by the Registrar shall be evidence of the matters stated in the document.

(9) Registration regulations may provide that any reference in any other Act or Ordinance or in any instrument made under any Act or Ordinance to the port of registry or to the port to which the ship belongs shall be construed as a reference to the port of registry identified by the marks required by the registration regulations.

Tonnage ascertained for registration to be tonnage of ship

11. When the tonnage of any ship has been ascertained and registered in accordance with the tonnage regulations that tonnage shall be treated as the tonnage of the ship except so far as registration regulations provide, in specified circumstances, for the ship to be re-measured and the register amended accordingly.

Tonnage of ships of foreign countries adopting tonnage regulations

12.—(1) Her Majesty may by Order in Council make such provision in relation to the ships of a foreign country as is authorised by this section where it appears to Her that the tonnage regulations have been adopted by the foreign country and are in force there.

(2) An Order under this section may order that the ships of the foreign country shall, without being re-measured in the United Kingdom, be treated as being of the tonnage denoted by their certificates of registration or other national papers, to the same extent, and for the same purposes as the tonnage denoted in the certificate of registration of a United Kingdom ship as being the tonnage of that ship.

(3) Where an Order under this section is in force in relation to the ships of any country any space shown in the ship's certificate of registration or other national papers as deducted from the tonnage shall, if a similar deduction in relation to a United Kingdom ship depends on compliance with any conditions or on the compliance being evidenced in any manner, be treated as complying with those conditions and as being so evidenced, unless a surveyor of ships certifies

to the Secretary of State that the construction and equipment of the ship as respects that space do not come up to the standard which would be required if the ship were a United Kingdom ship.

(4) Any such order may —

(a) operate for a limited time; and

(b) be subject to such conditions and qualifications (if any) as Her Majesty may consider expedient.

(5) If it appears to Her Majesty that the tonnage of any foreign ship, as measured by the rules of the country to which the ship belongs, materially differs from what it would be under the tonnage regulations, Her Majesty may by Order in Council order that, notwithstanding any Order in Council in force under this section, any of the ships of that country may, for all or any of the purposes of this Act, be remeasured in accordance with the tonnage regulations.

(6) An Order made under subsection (1) or (5) of this section in the form this Act has effect in the United Kingdom shall have effect in relation to the Falkland Islands and Falkland Islands ships as if the words “Falkland Islands” replaced the words “United Kingdom” wherever they appear in subsection (2) and (3) of this section or that Order.

Status of certificate of registration

13. The certificate of registration of a British ship shall only be used for the lawful navigation of the ship, and shall not be the subject of detention to secure any private right or claim.

Offences in relation to a ship’s Falkland Islands connection

14.—(1) Any person who, in relation to any matter relevant to the Falkland Islands connection of a ship —

(a) makes to the registrar a statement which he knows to be false or recklessly makes a statement which is false; or

(b) furnishes to the registrar information which is false,

is guilty of an offence.

(2) If at any time there occurs, in relation to a registered ship, any change affecting the Falkland Islands connection of the ship the owner of the ship shall, as soon as practicable after the change occurs, notify the registrar of that change; and if he fails to do so he shall be guilty of an offence.

(3) Any person who intentionally alters, suppresses, conceals or destroys a document which contains information relating to the Falkland Islands connection of the ship and which he has been required to produce to the registrar in pursuance of registration regulations shall be guilty of an offence.

(4) A person guilty of an offence under this section shall be liable on conviction to imprisonment for a term not exceeding two years or a fine not exceeding the maximum of level 10 on the standard scale, or both.

(5) This section applies to things done outside, as well as to things done within, the Falkland Islands.

Supplementary provisions as respects fishing vessels

15.—(1) Subject to subsection (2) below, if a fishing vessel which —

(a) is either —

(i) entitled to be registered, or

(ii) wholly owned by persons qualified to be owners of Falkland Islands ships, but

(b) is registered neither under this Act in the part of the register relating to fishing vessels nor under the law of any country outside the Falkland Islands, fishes for profit the vessel shall be liable to forfeiture and the skipper, the owner and the charterer of the vessel shall each be guilty of an offence.

(2) Subsection (1) above does not apply to fishing vessels of such classes or descriptions in such circumstances as may be specified in regulations made by the Governor.

(3) If the skipper or owner of a fishing vessel which is not registered in the Falkland Islands does anything, or permits anything to be done, for the purpose of permitting the vessel to appear to be a vessel registered in the Falkland Islands, then, subject to subsection (4) below, the vessel shall be liable for forfeiture and the skipper, the owner and the charterer of the vessel shall each be guilty of an offence.

(4) Where the registration of a fishing vessel has terminated by virtue of any provision of registration regulations, any marks prescribed by registration regulations displayed on the fishing vessel within the period of 14 days beginning with the date of the termination of that registration shall be disregarded for the purposes of subsection (3) above.

(5) Any person guilty of an offence under this section shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding the maximum of level 10 on the standard scale, or both.

(6) Proceedings for an offence under this section shall not be instituted except by or with the consent of the Attorney General.

(7)

(8) This section applies to things done outside, as well as to things done within, the Falkland Islands.

(9) Section 10 of the Fisheries (Conservation and Management) Ordinance of the Falkland Islands (general powers of fisheries protection officers) shall apply in relation to any provision of this section or of registration regulations in their application to fishing vessels or fishing vessels of any class or description as they apply for the purposes of enforcing that Ordinance and sections 11 to 14 of that Ordinance (release of boat if no proceedings instituted, security for release of fishing boat, indemnity and obstruction of fisheries protection officers, respectively) shall apply accordingly.

Private law provisions for registered ships and liability as owner

16.—(1) Schedule 1 (which makes provision relating to the title to, and the registration of mortgages over, ships) shall have effect.

(2) Schedule 1 does not apply in relation to ships which are excluded from its application by registration regulations under section 10(4)(a).

(3) Where any person is beneficially interested, otherwise than as a mortgagee, in any ship or in any share in a ship registered in the name of some other person as owner, the person so interested shall, as well as the registered owner, be liable to any penalties imposed by or under this Act, any other Act or any Ordinance on the owners of registered ships.

(4) Where the registration of any ship terminates by virtue of any provision of registration regulations, the termination of that registration shall not affect any entry made in the register so far as relating to any undischarged registered mortgage of that ship or of any share in it.

(5)

(6) In this Part “the private law provisions for registered ships” means the provisions of Schedule 1 and registration regulations made for the purposes of that Schedule or the provisions of registration regulations made under section 10(4)(a).

Ships on bareboat charter

Ships bareboat chartered in by Falkland Islands charterers

17.—(1) This section applies to any ship which —

(a) is registered under the law of a country other than the Falkland Islands (“the country of original registration”),

(b) is chartered on bareboat charter to a charterer who is a person qualified to own Falkland Islands ships, and

(c) is so chartered in circumstances where the conditions of entitlement to registration prescribed under section 9(2)(b), read with the requisite modifications, are satisfied in respect of the charterer and the ship.

(2) “The requisite modifications” of those conditions are the substitution for any requirement to be satisfied by or as respects the owner of a ship of a corresponding requirement to be satisfied by or as respects the charterer of the ship.

(3) A ship to which this section applies is entitled to be registered if an application for registration is duly made, but section 9(3) applies also in relation to registration by virtue of this section.

(4) The registration of a ship registered by virtue of this section shall remain in force (unless terminated earlier by virtue of registration regulations and subject to any suspension thereunder) until the end of the charter period and shall then terminate by virtue of this subsection.

(5) Section 9(5) does not apply in relation to a ship registered by virtue of this section but registration regulations shall include provision for securing that the authority responsible for the registration of ships in the country of original registration is notified of the registration of the ship and of the termination of its registration whether by virtue of subsection (4) above or registration regulations.

(6) Accordingly, throughout the period for which the ship is registered by virtue of this section—

(a) the ship shall, as a British ship, be entitled to fly the British flag;

(b) this Act shall, subject to subsections (7) and (8) below, apply to the ship as a British ship or as a registered ship as it applies to other British ships and to registered ships; and

(c) any other enactment applicable to British ships or ships registered under this Act, shall, subject to subsection (8) below, apply to the ship as a British ship or as a registered ship.

(7) The private law provisions for registered ships shall not apply to a ship registered by virtue of this section and any matters or questions corresponding to those for which the private law provisions for registered ships make provision shall be determined by reference to the law of the country of original registration.

(8) The Governor may, subject to subsection (9) below, by Order provide that any enactment falling within subsection (6)(b) or (c) above —

(a) shall not have effect in accordance with that subsection in relation to a ship registered by virtue of this section, or

(b) shall so have effect subject to such modifications (if any) as may be specified in the Order.

(9) No provision shall be made by an Order under subsection (8) above which would have the effect of relaxing the relevant requirements of this Act (as defined in section 9(8)) in their application to a ship to which this section applies.

(10) An Order under subsection (8) above may make such transitional, incidental or supplementary provision as appears to the Governor to be necessary or expedient (including provision divesting or providing for the divestment of ownership in the ship).

(11) In this section —

“bareboat charter terms” in relation to a ship, means the hiring of the ship for a stipulated period on terms which give the charterer possession and control of the ship, including the right to appoint the master and crew; and

“the charter period” means the period during which the ship is chartered on bareboat charter terms.

Supplemental

Regulation of registration in British possessions by reference to categories of registries

18.

Tonnage regulations

19.—(1) The tonnage of any ship to be registered under this Part shall be ascertained in accordance with regulations made by the Secretary of State (“tonnage regulations”).

(2) Tonnage regulations —

(a) may make different provisions for different descriptions of ships or for the same description of ships in different circumstances;

(b) may make any regulation dependent on compliance with such conditions, to be evidenced in such manner, as may be specified in the regulations;

(c) may prohibit or restrict the carriage of goods or stores in spaces not included in the registered tonnage and may provide for making the master and the owner each liable to a fine not exceeding the maximum of level 3 on the standard scale where such a prohibition or restriction is contravened.

(3) Tonnage regulations may make provision —

(a) for assigning to a ship, either instead of or as an alternative to the tonnage ascertained in accordance with the other provisions of the regulations, a lower tonnage applicable where the ship is not loaded to the full depth to which it can be safely loaded;

(b) for indicating on the ship, by such mark as may be specified in the regulations, that such lower tonnage has been assigned to it; and

(c) where the lower tonnage has been assigned to it as an alternative, for indicating on the ship the depth to which the ship may be loaded for the lower tonnage to be applicable.

(4) Tonnage regulations may provide for the measurement and survey of ships to be undertaken, in such circumstances as may be prescribed in the regulations, by persons appointed by such organisations as may be authorised for the purpose by the Secretary of State.

(5) Tonnage regulations may provide for the issue, by the Secretary of State or by persons appointed by such organisations as may be authorised for the purpose by the Secretary of State, of certificates of the registered tonnage of any ship or of the tonnage which is to be taken for any purpose specified in the regulations as the tonnage of a ship not registered in the United Kingdom, and for the cancellation and delivery up of such certificates in such circumstances as may be prescribed by the regulations.

(6) Regulations requiring the delivery up of any certificate may make a failure to comply with the requirements an offence punishable with a fine not exceeding level 3 on the standard scale.

Proceedings on the forfeiture of a ship

20. Section 7 applies in relation to ships or shares in ships which become liable to forfeiture under this Part as it applies in relation to ships or shares in ships which become liable to forfeiture under Part I.

Disclosure of information relating to registration

21.—(1) No obligation as to secrecy or other restriction on the disclosure of information (whether imposed by statute or otherwise) shall preclude any department or public officer from disclosing —

(a) to the Governor;

(b) to the registrar, or

(c) to any public officer authorised by the Governor to request or receive the same, information for the purpose of the performance of any functions of the Governor or of the registrar under this Part.

(2)

(3) Information obtained by any person in pursuance of subsection (1) above shall not be disclosed by him to any other person except where the disclosure is made —

(a) to a person to whom the information could have been disclosed in accordance with subsection (1) above; or

(b) for the purpose of any legal proceedings arising out of this Part.

Forgery of documents: Scotland

22.

Interpretation

23.—(1) In this Part —

“Falkland Islands connection” and “declaration of Falkland Islands connection” have the meaning given in section 9(9);

“the private law provisions for registered ships” has the meaning given in section 16;

“the register” means the register of British ships maintained at Stanley under section 8;

“registered” (except with reference to the law of another country) is to be construed accordingly; and

“the registrar” means the Collector of Customs in his capacity as registrar or, as respects functions of his being discharged by another authority or person, that authority or person.

(2) Where, for the purposes of any enactment the question arises whether a ship is owned by persons qualified to own British ships, the question shall be determined by reference to registration regulations made under section 9(2)(a).

PART III

FORM IN WHICH SECTIONS 259 TO 266 OF THE 1995 ACT SHALL HAVE EFFECT IN THE FALKLAND ISLANDS

Powers of inspectors in relation to premises and ships

259.—(1) The powers conferred by this section are conferred in relation to —

- (a) any premises in the Falkland Islands; or
- (b) any Falkland Islands ship wherever it may be and are available to any inspector appointed under section 4 of the Merchant Shipping Ordinance 2001, for the purpose of performing his functions.

(2) Such an inspector —

(a) may at any reasonable time (or, in a situation which in his opinion is or may be dangerous, at any time) —

- (i) enter any premises, or
- (ii) board any ship,

if he has reason to believe that it is necessary for him to do so;

(b) may, on entering any premises by virtue of paragraph (a) above or on boarding a ship by virtue of that paragraph, take with him any other person authorised for the purpose by the Governor and any equipment or materials he requires;

(c) may make such examination and investigation as he considers necessary;

(d) may give a direction requiring that the premises or ship or any part of the premises or ship or anything in the premises or ship or such a part shall be left undisturbed (whether generally or in particular respects) for so long as is reasonably necessary for the purposes of any examination or investigation under paragraph (c) above;

(e) may take such measurements and photographs and make such recordings as he considers necessary for the purpose of any examination or investigation under paragraph (c) above;

(f) may take samples of any articles or substances found in the premises or ship and of the atmosphere in or in the vicinity of the premises or ship;

(g) may, in the case of any article or substance which he finds in the premises or ship and which appears to him to have caused or to be likely to cause danger to health or safety, cause it to be dismantled or subjected to any process or test (but not so as to damage or destroy it unless that is in the circumstances necessary);

(h) may, in the case of any such article or substance as is mentioned in paragraph (g) above, take possession of it and detain it for so long as is necessary for all or any of the following purposes, namely —

- (i) to examine it and to do to it anything which he has power to do under that paragraph,
- (ii) to ensure that it is not tampered with before his examination of it is completed,
- (iii) to ensure that it is available for use as evidence in any proceedings for an offence under this Act or any instrument made under it;

(i) may require any person who he has reasonable cause to believe is able to give any information relevant to any examination or investigation under paragraph (c) above —

- (i) to attend at a place and time specified by the inspector;
- (ii) to answer (in the absence of persons other than any persons whom the inspector may allow to be present and a person nominated to be present by the person on whom the requirement is imposed) such questions as the inspector thinks fit to ask, and
- (iii) to sign a declaration of the truth of his answers;

(j) may require the production of, and inspect and take copies of or of any entry in —

(i) any books or documents which by virtue of any provision of any law of or having effect in the Falkland Islands and relating to merchant shipping or fishing vessels are required to be kept, and

(ii) any other books or documents which he considers it necessary for him to see for the purposes of any examination or investigation under paragraph (c) above;

(k) may require any person to afford him such facilities and assistance with respect to any matters or things within that person's control or in relation to which that person has responsibilities as the inspector considers are necessary to enable him to exercise any of the powers conferred on him by this subsection.

(3) The powers conferred by subsection (2) above to require the production of any document and copy it include, in relation to oil record books required to be kept under any such law as is mentioned in subsection (2)(j)(i), power to require the master to certify the copy as a true copy.

(4) The powers conferred by subsection (2) above to inspect premises shall also be exercisable, for the purpose of any law of or having effect in the Falkland Islands relating to oil pollution by or in connection with ships or shipping, in relation to apparatus used for transferring oil.

(5)

(6) The powers of entry and inspection of premises conferred by subsection (2)(a), (c) and (j) above shall also be exercisable, in relation to a ship in a harbour in the Falkland Islands, by the harbourmaster or other persons appointed by the Governor for the purpose, for the purpose of ascertaining the circumstances relating to an alleged discharge of oil or a mixture containing oil from the ship into the harbour.

(7) It is hereby declared that nothing in the preceding provisions of this section authorises a person unnecessarily to prevent a ship from proceeding on a voyage.

(8) The Governor may by Regulations make provision as to the procedure to be followed in connection with the taking of samples under subsection (2)(f) above and subsection (11) below and provision as to the way in which samples that have been so taken are to be dealt with.

(9) Where an inspector proposes to exercise the power conferred by subsection (2)(g) above in the case of an article or substance found in any premises or ship, he shall, if so required by a person who at the time is present in and has responsibilities in relation to the premises or ship, cause anything which is done by virtue of that power to be done in the presence of that person unless the inspector considers that its being done in that person's presence would be prejudicial to the safety of that person.

(10) Before exercising the power conferred by subsection (2)(g) above, an inspector shall consult such persons as appear to him appropriate for the purpose of ascertaining what dangers, if any there may be in doing anything which he proposes to do under that power.

(11) Where under the power conferred by subsection (2)(h) above an inspector takes possession of any article or substance found in any premises or ship, he shall leave there, either with a responsible person or, if that is impracticable, fixed in a conspicuous position, a notice giving particulars of that article or substance sufficient to identify it and stating that he has taken possession of it under that power; and before taking possession of any such substance under that power an inspector shall, if it is practicable for him to do so, take a sample of the substance and give to a responsible person at the premises or on board the ship a portion of the sample marked in a manner sufficient to identify it.

(12) No answer given by a person in pursuance of a requirement imposed under subsection (2)(i) above shall be admissible in evidence against that person or the husband or wife of that person in any proceedings except proceedings in pursuance of subsection (1)(c) of section 260 in respect of a statement in or a declaration relating to the answer; and a person nominated as mentioned in the said subsection (2)(i) shall be entitled, on the occasion on which the questions there mentioned are asked, to make representations to the inspector on behalf of the person who nominated him.

Provisions supplementary to section 259

260.—(1) A person who —

- (a) intentionally obstructs an inspector in the exercise of any power available to him under section 259; or
- (b) without reasonable excuse, does not comply with a requirement imposed in pursuance of section 259 or prevents another person from complying with such a requirement; or
- (c) without prejudice to the generality of paragraph (b) above, makes a statement or signs a declaration which he knows is false, or recklessly makes a statement or signs a declaration which is false, in purported compliance with a requirement made in pursuance of subsection (2)(i) of section 259,

shall be liable on conviction to imprisonment for a term not exceeding two years or a fine not exceeding the maximum of level 6 on the standard scale, or both.

(2) Nothing in section 259 shall be taken to compel the production by any person of a document of which he would on grounds of legal professional privilege be entitled to withhold production on an order for discovery in an action in the Supreme Court.

(3) A person who complies with a requirement imposed on him in pursuance of paragraph (i)(i) or (k) of subsection (2) of section 259 shall be entitled to recover from the person who imposed the requirement such sums in respect of the expenses incurred in complying with the requirement as are prescribed by regulations made by the Governor or, in default of such regulations having been made, prescribed by regulations made by the Secretary of State for the purposes of this subsection in the form it has effect in the United Kingdom.

(4) Regulations under subsection (3) above may make different provision for different circumstances.

(5) Any payments under subsection (3) above shall be made out of money provided by the Legislative Council.

Improvement notices

261.—(1) If an inspector appointed under section 4 of the Ordinance is of the opinion that a person —

- (a) is contravening one or more of the relevant statutory provisions, or
- (b) has contravened one or more of those provisions in circumstances that make it likely that the contravention will continue or be repeated,

he may serve on that person a notice under this section (referred to in the following sections 263, 264, and 266 as an improvement notice).

(2) An improvement notice shall —

- (a) state that the inspector is of the said opinion, specify the provision or provisions as to which he is of that opinion, and give particulars of the reasons why he is of that opinion, and
- (b) require the person on whom the notice is served to remedy the contravention in question or (as the case may be) the matters occasioning it within such period as may be specified in the notice.

(3) The period specified in pursuance of section (2)(b) above shall not expire before the end of the period within which a notice can be given under section 264 requiring questions relating to the improvement notice to be referred to arbitration.

(4) In this section and in sections 263, 264 and 266, “the relevant statutory provisions” means —

- (a) sections 43, 44, 46 to 55, 85, 86, 88 (and Schedule 2), 89 (and Schedule 3), 90, 99, 109, 115, 116, 121 to 126, 128, 129, 130, 131 to 151 and 272 of this Act in the form it has effect in the United Kingdom; and
- (b) in so far as any of the said provisions of this Act in the form it has effect in the United Kingdom does not apply in the Falkland Islands, any provision of the law of the Falkland Islands corresponding to that provision and for time being having effect; and
- (c) the provisions of any instrument of a legislative character for the time being having effect in the Falkland Islands under any of the provisions mentioned in paragraphs (a) and (b) above.

Prohibition notices

262.—(1) If, as regards any relevant activities which are being or are likely to be carried on on board any ship by or under the control of any person, an inspector appointed under section 4 of the Merchant Shipping Ordinance 2001 is of the opinion that, as so carried on or as likely to be so carried on, the activities involve or (as the case may be) will involve the risk of —

- (a) serious personal injury to any person (whether on board the ship or not), or
- (b) serious pollution of any navigable waters, the inspector may serve on the first-mentioned person a notice under this section (referred to in the following sections of this Part as a “prohibition notice”).

(2) In subsection (1) above “relevant activities” means activities to or in relation to which any of the relevant statutory provisions apply or will, if the activities are carried on as mentioned in that subsection, apply.

(3) A prohibition notice shall —

- (a) state that the inspector is of the said opinion;
- (b) specify the matters which in his opinion give or (as the case may be) will give rise to the said risk;
- (c) where in his opinion any of those matters involve or (as the case may be) will involve a contravention of any of the relevant statutory provisions state that he is of that opinion, specify the provision or provisions as to which he is of that opinion, and give particulars of the reasons why he is of that opinion; and

(d) direct —

- (i) that the activities to which the notice relates shall not be carried on by or under the control of the person on whom the notice is served, or
- (ii) that the ship shall not go to sea,

(or both of those things) unless the matter specified in the notice in pursuance of paragraph (b) above, and any associated contraventions of any provision so specified in pursuance of paragraph (c) above, have been remedied.

(4) A direction contained in a prohibition notice in pursuance of subsection (3)(d) above shall take effect —

- (a) at the end of a period specified in the notice, or
- (b) if the direction is given in pursuance of subsection (3)(d)(ii) above or the notice so declares, immediately.

Provisions supplementary to sections 261 and 262

263.—(1) An improvement notice or a prohibition notice may (but need not) include directions as to the measures to be taken to remedy any contravention or matter to which the notice relates;

and any such directions may be framed so as to afford the person on whom the notice is served a choice between different ways of remedying the contravention or matter.

(2) An improvement notice or a prohibition notice shall not direct any measures to be taken to remedy the contravention of any of the relevant statutory provisions that are more onerous than those necessary to secure compliance with that provision.

(3) Where an improvement notice or a prohibition notice that is not to take immediate effect has been served —

(a) the notice may be withdrawn by an inspector at any time before the end of the period specified in it in pursuance of section 261(2)(b) or (as the case may be) section 262(4); and

(b) the period so specified may be extended or further extended by an inspector at any time when a reference to arbitration in respect of that notice is not pending under section 264.

References of notices to arbitration

264.—(1) Any question —

(a) as to whether any of the reasons or matters specified in an improvement notice or a prohibition notice in respect of section 261(2)(a) or 262(3)(b) or (c) in connection with any opinion formed by the inspector constituted a valid basis for that opinion, or

(b) as to whether any directions included in the notice in pursuance of section 263(1) were reasonable,

shall, if the person on whom the notice was served so requires by notice given to the inspector within 21 days from the service of the notice, be referred to a single arbitrator appointed by agreement between the parties for that question to be decided by him.

(2) Where a notice is given by a person in accordance with subsection (1) above, then —

(a) in the case of an improvement notice, the giving of the notice shall have the effect of suspending the operation of the improvement notice until the decision of the arbitrator is published to the parties or the reference is abandoned by that person;

(b) in the case of a prohibition notice, the giving of the notice shall have the effect of suspending the operation of the prohibition notice if, but only if, on the application of that person the arbitrator so directs (and then only from the giving of the direction).

(3) Where on a reference under this section the arbitrator decides as respects any reason, matter or direction to which the reference relates, that in all the circumstances —

(a) the reason or matter did not constitute a valid basis for the inspector's opinion, or

(b) the direction was unreasonable,

he shall either cancel the notice or affirm it with such modifications as he may in the circumstances think fit; and in any other case the arbitrator shall affirm the notice in its original form.

(4) Where any reference under this section involves the consideration by the arbitrator of the effect of any particular activities or state of affairs on the health or safety of any persons, he shall not on that reference make any decisions such as is mentioned in subsection (3)(a) or (b) above except after —

(a) in the case of an improvement notice, affording an opportunity of making oral representations to him with respect to those effects to a member of any such panel or representatives of maritime trade unions as have been appointed by the Secretary of State for the purposes of this subsection in the form it has effect in the United Kingdom; or

(b) in the case of a prohibition notice, affording an opportunity of making such representations to him to either —

- (i) a representative of a trade union representing persons whose interests it appears to him that the notice was designed to safeguard, or
 - (ii) a member of any such panel as is referred to in paragraph (a) as he thinks appropriate; and
 - (c) (in either case) considering any representations made to him in pursuance of paragraph (a) or (b) above.
- (5) A person shall not be qualified for appointment as an arbitrator under this section unless he is —
- (a) a person holding a certificate of competency as a master mariner or as a marine engineer officer class 1, or a person holding a certificate equivalent to any such certificate;
 - (b) a naval architect; or
 - (c) a person with special experience of shipping matters, of the fishing industry, or of activities carried on in ports.
- (6) For the purposes of subsection (5)(c) a person falls within this subsection if —
- (a) he is a member of the Bar of England and Wales or a solicitor of the Supreme Court of England and Wales, in either case, of at least 10 years standing;
 - (b) he is an advocate or solicitor in Scotland, in either case, of at least 10 years standing; or
 - (c) he is a member of the Bar of Northern Ireland or a solicitor of the Supreme Court of Northern Ireland, in either case, of at least 10 years standing.
- (7) In connection with his functions under this section an arbitrator shall have the powers conferred on an inspector by section 259 other than subsections (3), (4) and (6).
- (8)
- (9)

Compensation in connection with invalid prohibition notices

265.—(1) If on a reference under section 264 relating to a prohibition notice —

- (a) the arbitrator decides that any reason or matter did not constitute a valid basis for the inspector's opinion, and
- (b) it appears to him that there were no reasonable grounds for the inspector to form that opinion,

the arbitrator may, subject to subsection (3) below, award the person on whom the notice was served such compensation in respect of any loss suffered by him in consequence of the service of the notice as the arbitrator thinks fit.

(2) If on any such reference the arbitrator decides that any direction included in the notice was unreasonable, the arbitrator may, subject to subsection (3) below, award the person on whom the notice was served such compensation in respect of any loss suffered by him in consequence of the direction as the arbitrator thinks fit.

(3) An arbitrator shall not award any compensation under subsection (1) or (2) above in the case of any prohibition notice unless —

- (a) it appears to him that the direction given in pursuance of section 262(3)(d) contained any such requirement as is mentioned in subparagraph (ii) of that provision; or
- (b) it appears to him that —
 - (i) the inspector was of the opinion that there would be such a risk of injury or pollution as is referred to in the notice if the ship went to sea, and

(ii) the effect of the direction given in pursuance of section 262(3)(d) was to prohibit the departure of the ship unless the matters, or (as the case may be) the matters and contraventions, referred to in the direction were remedied.

(4) Any compensation awarded under this section shall be payable by the Governor out of monies provided by the Legislative Council.

Offences

266.—(1) Any person who contravenes any requirement imposed by an improvement notice shall be liable to a fine not exceeding the maximum of level 10 on the standard scale.

(2) Any person who contravenes any prohibition imposed by a prohibition notice shall be liable to imprisonment for a term not exceeding two years or a fine not exceeding the maximum of level 12 on the standard scale, or both.

(3) It shall be a defence for a person charged with an offence under this section to prove that he exercised all due diligence to avoid a contravention of the requirement or prohibition in question.

(4) In this section any reference to an improvement notice or a prohibition notice includes a reference to any such notice as modified under section 264(3).

PART IV

FORM IN WHICH SECTION 313 OF THE 1995 ACT SHALL HAVE EFFECT IN THE FALKLAND ISLANDS

Definitions

313.—(1) In this Act, unless the context otherwise requires —

“British ship” has the meaning given in section 1(1);

“commissioned military officer” means a commissioned officer in Her Majesty’s land forces on full pay;

“commissioned naval officer” means a commissioned officer of Her Majesty’s Navy on full pay;

“Falkland Islands connection” has the meaning given in section 9(9);

“Falkland Islands ship” has the meaning given in section 1(3) except in the contexts there mentioned;

“fishing vessel” means a vessel for the time being used (or, in the case of an application for registration, intended to be used) for, or in connection with, fishing for sea fish other than a vessel used (or intended to be used) for fishing otherwise than for profit; and for the purposes of this definition “sea fish” includes shellfish, salmon and migratory trout (that is to say, any species of trout which migrates to or from the sea);

“foreign” in relation to a ship, means that it is neither a Falkland Islands ship nor a small ship (as defined in section 1(2)) which is a British ship;

“Government ships” means ships not forming part of Her Majesty’s Navy which belong to Her Majesty, or are held by any person on behalf of the Crown (and for that reason cannot be registered under Part II);

“master” includes every person (except a pilot) having command or charge of a ship, and in relation to a fishing vessel, means the skipper;

“the Ordinance” means the Merchant Shipping Ordinance 2001 of the Falkland Islands;

“port” includes place;

“the register” and “registered” have the meaning given in section 23(1);

“the registrar”, in relation to the registration of ships, has the meaning given in section 8;

“registration regulations” means regulations under section 10;

“relevant British possession “ means —

- (a) the Isle of Man;
- (b) any of the Channel Islands; and
- (c) any colony, other than the Falkland Islands;

“ship” includes every description of vessel used in navigation;

“surveyor of ships” means a surveyor appointed under —

- (a) section 256(2) of this Act in the form it has effect in the United Kingdom, or
- (b) section 4 of the Ordinance.

“the tonnage regulations” means regulations under section 19.

PART V

FORM IN WHICH SCHEDULE 1 TO THE 1995 ACT SHALL APPLY TO THE FALKLAND ISLANDS

(section 16)

PRIVATE LAW PROVISIONS FOR REGISTERED SHIPS

General

1.—(1) Subject to any rights and powers appearing from the register to be vested in any other person, the registered owner of a ship or of a share in a ship shall have power absolutely to dispose of it provided the disposal is made in accordance with this Schedule and registration regulations.

(2) Sub-paragraph (1) does not imply that interests arising under contract or other equitable interests cannot subsist in relation to a ship or a share in a ship; and such interests may be enforced by or against owners and mortgagees of ships in respect of their interest in the ship or share in the same manner as in respect of any other personal property.

(3) The registered owner of a ship or of a share in a ship shall have power to give effectual receipts for any money paid or advanced by way of consideration on any disposal of the ship or share.

Transfers etc of registered ships

2.—(1) Any transfer of a registered ship, or a share in such a ship, shall be effected by a bill of sale satisfying the prescribed requirements, unless the transfer will result in the ship ceasing to have a Falkland Islands connection.

(2) Where any such ship or share has been transferred in accordance with sub-paragraph (1), the transferee shall not be registered as owner of the ship or share unless —

- (a) he has made the prescribed application to the registrar; and
- (b) the registrar is satisfied that the ship retains a Falkland Islands connection and that he would not refuse to register the ship.

(3) If an application under sub-paragraph (2) is granted by the registrar, the registrar shall register the bill of sale in the prescribed manner.

(4) Bills of sale shall be registered in the order in which they are produced to the registrar for the purposes of registration.

3.—(1) Where a registered ship, or a share in a registered ship, is transmitted to any person by any lawful means other than a transfer under paragraph 2 and the ship continues to have a Falkland Islands connection, that person shall not be registered as owner of the ship or share unless —

(a) he has made the prescribed application to the registrar; and

(b) the registrar is satisfied that the ship retains a Falkland Islands connection and that he would not refuse to register the ship.

(2) If an application under sub-paragraph (1) is granted by the registrar, the registrar shall cause the applicant's name to be registered as owner of the ship or share.

4.—(1) Where the property in a registered ship or share in a registered ship is transmitted to any person by any lawful means other than a transfer under paragraph 2 above, but as a result the ship no longer has a Falkland Islands connection, the Supreme Court may, on application by or on behalf of that person, order a sale of the property so transmitted and direct that the proceeds of sale, after deducting the expenses of the sale, shall be paid to that person or otherwise as the court directs.

(2) The court may require any evidence in support of the application as it thinks requisite, and may make the order on any terms and conditions it thinks just, or may refuse to make the order, and generally may act in the case as the justice of the case requires.

(3) Every such application must be made within the period of 28 days beginning with the date of the occurrence of the event on which the transmission has taken place, or within such further time (not exceeding one year) as the court may allow.

(4) If —

(a) such an application is not made within the time allowed by or under sub-paragraph (3); or

(b) the court refuses an order for sale,

the ship or share transmitted shall be liable to forfeiture.

5.—(1) Where any court (whether under paragraph 4 or otherwise) orders the sale of any registered ship or share in a registered ship, the order of the court shall contain a declaration vesting in some named person the right to transfer the ship or share.

(2) The person so named shall be entitled to transfer the ship or share in the same manner and to the same extent as if he were the registered owner of the ship or share.

(3) The registrar shall deal with any application relating to the transfer of the ship or share made by the person so named as if that person were the registered owner.

6.—(1) The Supreme Court may, if it thinks fit (without prejudice to the exercise of any other power), on the application of any interested person, make an order prohibiting for a specified time any dealing with a registered ship or share in a registered ship.

(2) The court may make the order on any terms or conditions it thinks just, or may refuse to make the order, or may discharge the order when made (with or without costs or, in Scotland, expenses) and generally may act in the case as the justice of the case requires.

(3) The order, when a copy is served on the registrar, shall be binding on him whether or not he was made a party to the proceedings.

Mortgages

7.—(1) A registered ship, or share in a registered ship, may be made a security for the repayment of a loan or the discharge of any other obligation.

(2) The instrument creating any such security (referred to in the following provisions of this Schedule as a "mortgage") shall be in the form prescribed by or approved under registration regulations.

(3) Where a mortgage executed in accordance with sub-paragraph (2) above is produced to the registrar, he shall register the mortgage in the prescribed manner.

(4) Mortgages shall be registered in the order in which they are produced to the registrar for the purposes of registration.

Priority of registered mortgages

8.—(1) Where two or more mortgages are registered in respect of the same ship or share, the priority of the mortgages between themselves shall, subject to sub-paragraph (2), be determined by the order in which the mortgages were registered (and not by reference to any other matter).

(2) Registration regulations may provide for the giving to the registrar by intending mortgagees of “priority notices” in a form prescribed by or approved under the regulations which, when recorded in the register, determine the priority of the interest to which the notice relates.

Registered mortgagee’s power of sale

9.—(1) Subject to sub-paragraph (2), every registered mortgagee shall have power, if the mortgage money or any part of it is due, to sell the ship or share in respect of which he is registered, and to give effectual receipts for the purchase money.

(2) Where two or more mortgagees are registered in respect of the same ship or share, a subsequent mortgagee shall not, except under an order of a court of competent jurisdiction, sell the ship or share without the concurrence of every prior mortgagee.

Protection of registered mortgagees

10. Where a ship or share is subject to a registered mortgage then —

(a) except so far as may be necessary for making the ship or share available as a security for the mortgage debt, the mortgagee shall not by reason of the mortgage be treated as owner of the ship or share; and

(b) the mortgagor shall be treated as not having ceased to be owner of the ship or share.

Transfer of registered mortgage

11.—(1) A registered mortgage may be transferred by an instrument made in the form prescribed by or approved under registration regulations.

(2) Where any such instrument is produced to the registrar, the registrar shall register the transferee in the prescribed manner.

Transmission of registered mortgage by operation of law

12. Where the interest of a mortgagee in a registered mortgage is transmitted to any person by any lawful means other than by a transfer under paragraph 11, the registrar shall, on production of the prescribed evidence, cause the name of that person to be entered in the register as mortgagee of the ship or share in question.

Discharge of registered mortgage

13. Where a registered mortgage has been discharged, the registrar shall, on production of the mortgage deed and such evidence of the discharge of the mortgage as may be prescribed, cause an entry to be made in the register to the effect that the mortgage has been discharged.

Definitions

14. In this Schedule —

“mortgage” shall be construed in accordance with paragraph 7(2);

“prescribed” means prescribed in registration regulations; and

“registered mortgage” means a mortgage registered under paragraph 7(3).

Finance and Audit (Amendment) Bill 2001

ARRANGEMENT OF PROVISIONS

Clause

1. Short title
2. Amendment of the Finance and Audit Ordinance

FINANCE AND AUDIT (AMENDMENT) BILL 2001

A BILL

for

AN ORDINANCE

To amend the Finance and Audit Ordinance.

BE IT ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Finance and Audit (Amendment) Ordinance 2001.

Amendment of the Finance and Audit Ordinance

2. Section 45 of the Finance and Audit Ordinance^(a) is amended —
 - (a) in subsection (1), by replacing the words “good behaviour” with the words “Her Majesty’s pleasure”; and
 - (b) in the proviso to subsection (2) by inserting the words “Without prejudice to and subject to subsection (1),” at the beginning of that proviso and by deleting the word “Provided”.

^(a) Title 19.3

Councillors (Continuing Membership of Statutory Boards and Committees) Bill 2001

ARRANGEMENT OF PROVISIONS

Clause

1. Short title
2. Amendment of Falkland Islands Development Corporation Ordinance
3. Amendment of Planning Ordinance 1991
4. Amendment of Police Ordinance 2000
5. Amendment of Falklands Landholdings Corporation Ordinance 2000
6. Amendment of Elected Councillor's Allowances Ordinance

COUNCILLORS (CONTINUING MEMBERSHIP OF STATUTORY BOARDS AND COMMITTEES) BILL 2001

A BILL

for

AN ORDINANCE

To provide for any elected member of the Legislative Council who is a member of certain statutory boards or committees at the dissolution of the Legislative Council on any occasion to continue to be such a member until the Legislative Council first meets following such dissolution, and for connected purposes.

BE IT ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Councillors (Continuing Membership of Statutory Boards and Committees) Ordinance 2001.

Amendment of Falkland Islands Development Corporation Ordinance

2.—(1) Section 7 of the Falkland Islands Development Corporation Ordinance 1983(a) is amended —

(a) Title 28.1 (No 1 of 1983)

- (a) in subsection (3) by inserting the words “other than as provided by subsection (3A)” before the words “ceases to be an elected member of the Legislative Council”;
- (b) by inserting the following subsection after subsection (3) —

“(3A) For the purposes of subsection (1)(i) and of subsection (3) of this section, a person who was a member of the Legislative Council immediately preceding a dissolution of the Legislative Council shall be deemed to continue to be a member of the Legislative Council until the first meeting of the Legislative Council following that dissolution.”

- (2) Section 7A of the Falkland Islands Development Corporation Ordinance is amended by the insertion of the following subsection after subsection (1) —

“(1A) Section 7(3A) shall have effect in relation to subsection (1) of this section as it has in relation to section 7(1)(i) and section 7(3).”

Amendment of Planning Ordinance

- 3.—(1) Section 5 of the Planning Ordinance 1991(b) is amended by inserting the following subsection after subsection (3) —

“(3A) The references in subsections (2) and (3) to “elected members of Legislative Council” and “an elected member of the Legislative Council” include, in relation to the period falling between a dissolution of the Legislative Council and the next following meeting of the Legislative Council, any person who was an elected member of the Legislative Council immediately preceding its dissolution.”

- (2) Section 6 of the Planning Ordinance 1991 is amended by the insertion of the following subsection immediately after subsection (6) —

“(6A) The references —

(a) in subsection (1) to “elected members of the Legislative Council”;

(b) in subsection (6) to “an elected member of the Legislative Council” and “another elected member of the Legislative Council”

include, in relation to the period falling between a dissolution of the Legislative Council and the next following meeting of the Legislative Council, any person who was an elected member of the Legislative Council immediately preceding its dissolution.”

Amendment of Police Ordinance

- 4. Section 10 of the Police Ordinance 2000(c) is amended by inserting the following subsection after subsection (4) —

(b) Title 55.3 (No 7 of 1991)

(c) No 6 of 2000

“(4A) For the purposes of subsections (2) and (4) a person who was an elected member of the Legislative Council immediately before a dissolution of the Legislative Council shall be deemed to continue to be such a member until the first meeting of the Legislative Council following that dissolution.”

Amendment of Falklands Landholdings Corporation Ordinance

5. The following subsection is inserted after section 4(3) of the Falklands Landholdings Corporation Ordinance 2000(d) —

“(3A) For the purposes of subsection (1)(h) and of subsection (3) of this section, a person who was a member of the Legislative Council immediately preceding a dissolution of the Legislative Council shall be deemed to continue to be a member of the Legislative Council until the first meeting of the Legislative Council following the dissolution.”

Amendment of Elected Councillors’ Allowances Ordinance

6. The Elected Councillors’ Allowances Ordinance(e) is amended by inserting the following section after section 2 —

“Interpretation

2A. For the purposes of this Ordinance any reference to an elected member of the Legislative Council includes, in relation to any period between a dissolution of the Legislative Council and the next following meeting of the Legislative Council, any person who was an elected member of the Legislative Council immediately before that dissolution.”

OBJECTS AND REASONS

This Bill provides for persons who were elected members of the Legislative Council to be deemed to continue to be elected members of the Legislative Council for, the purpose of statutory provisions relating to certain boards and committees, during the period between a dissolution of the Legislative Council and the next following meeting of the Legislative Council (after the General Election resulting from the dissolution).

This Bill makes such provision in relation to the Falkland Islands Development Corporation Ordinance, the Planning Ordinance and the Falklands Landholdings Corporation Ordinance 2000.

The Public Health Ordinance and the Education Ordinance already contain such provision in relation to the Health and Medical Services Committee and the Board of Education, respectively.

The Bill would also make a consequential amendment to the Elected Councillor’s Allowances Ordinance.

(d) No 21 of 2000

(e) Title 19.2 (No 2 of 1990)

SUBSIDIARY LEGISLATION

ELECTIONS

Referendum (Single Constituency) (Arrangements) Order 2001

S. R. & O. No: of 2001

Made: 2001
Approved by the Legislative Council: 2001
Published: 2001
Coming into effect: 2001

Whereas a draft of this Order has been laid before the Legislative Council has been approved by resolution of that Council —

NOW IN EXERCISE of my powers under section 3(3) of the Referendum (Single Constituency and Voting System) Ordinance 2001(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation

1. This Order may be cited as the Referendum (Single Constituency) (Arrangements) Order 2001.

Interpretation

2. In this Order and in any provision applied by this Order —

“the Electoral Ordinance” means the Electoral Ordinance (Title 30.1);

“the 2001 Ordinance” means the Referendum (Single Constituency and Voting System) Ordinance 2001;

“Chief Counting Officer” means the Chief Executive;

“the referendum” means the referendum held by virtue of section 2(1) of the 2001 Ordinance; and

“voting area” means the Stanley Constituency or the Camp Constituency as may be appropriate

Holding of referendum

3. A referendum shall be held on 22nd November 2001 on the question mentioned in article 5.

Votes to be counted separately for each Constitution

4. Votes cast in the referendum shall be counted separately in respect of each constituency and as soon as possible after the counting is complete the Chief Counting office shall announce the

(a) No 12 of 2001

number of "Yes" votes and "No" votes cast in each constituency and thereafter the aggregate of such votes cast in both constituencies.

Form of question

5.—(1) The question to be asked in the referendum shall be —

“Do you agree that there shall be a SINGLE CONSTITUENCY for the Falkland Islands, with a new voting system for proportional representation?”

(2) Voters shall be invited to vote "Yes" if in favour of the proposition and "No" if against it, by marking the box on the ballot paper provided with a cross or a tick (as the voter may choose).

Counting of votes etc

6.—(1) A counting officer shall, in accordance with any directions given by the Chief Counting Officer under section 3(3)(a) of the 2001 Ordinance —

(a) appoint and pay such persons as may be necessary for the purpose of the counting of the votes; and

(b) appoint persons to observe the counting of the votes and the verification of the ballot paper accounts ("counting observers").

(2) The Chief Counting Officer shall make arrangements for counting the votes in the presence of the counting observers as soon as practicable after the close of the poll and shall give those observers notice in writing of the time and place at which he will begin to count the votes.

(3) The Chief Counting Officer shall give the counting observers such reasonable facilities for observing the proceedings at the counting of votes, and all such information with respect to them, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection with them.

Ballot papers

7.—(1) The colour of the ballot papers to be used in the referendum shall be —

(a) in respect of voters in the Stanley constituency, blue (and tendered ballot papers shall be yellow);

(b) in respect of votes in the Camp constituency, green (and tendered ballot papers shall be red).

(2) The front (or obverse) of the ballot papers shall be in the form set out in Schedule 1.

(3) The back of the ballot papers shall be in the following form —

“No.

Referendum on [*insert date*]: [*insert name of constituency*]

Note. — *The number on the ballot paper is to correspond with that on the counterfoil and is to be printed in small characters.*”

(4) A ballot paper —

- (a) shall be capable of being folded up;
- (b) shall have a number printed on the back; and
- (c) shall have attached a counterfoil with the same number printed on it.

Form of information to be supplied to electors

8.—(1) A leaflet in the form set out in Schedule 2 shall be sent or delivered to each elector and copies of that leaflet shall be available at all polling places used in connection with the referendum.

(2) A notice in the form set out in Schedule 3 shall be posted outside and inside each polling booth used in the referendum.

Hours of polling

9. The hours of polling at any polling place shall be the same as those in the General Election held on the same day.

Returning officers

10.—(1) Functions conferred by this Order on the returning officer shall be exercised in each constituency, by the person who is for the time being the returning officer in respect of that constituency under section 47(1) or (2) of the Electoral Ordinance.

(2) It is the returning officer's general duty at the referendum to do all such acts and things as may be necessary for effectually conducting the referendum in the manner provided by this Order.

SCHEDULE 1 Form of Ballot Paper

SINGLE CONSTITUENCY REFERENDUM CAMP*/STANLEY* CONSTITUENCY (as the case may be)

22nd November 2001

Do you agree that there should be a SINGLE CONSTITUENCY for the Falkland Islands, with a new voting system for proportional representation?

Yes

No

SCHEDULE 2

Form of Leaflet to be sent to electors



A SINGLE CONSTITUENCY?

On 22 November 2001, there will be a Referendum held, along with the General Election.

The question is intended to be along the following lines:

| | | | |
|---|-----|--------------------------|----|
| Do you agree that there should be a SINGLE CONSTITUENCY for the Falkland Islands, with a new voting system for proportional representation? | | | |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |

This is an information paper on the choices open to all those eligible to vote.

A SINGLE CONSTITUENCY?

1. WHAT DOES THIS MEAN?

There would be one constituency rather than two as now. This could apply from the General Election in 2005. Every elector would then have the opportunity to elect all 8 councillors.

2. WHY CHANGE?

Pros

- Equality of voting - currently Camp is "over-represented" with councillors:

Stanley Councillors

1 : 240 electors

Camp Councillors

1: 101 electors

- Everyone has a chance to vote for the entire Legislature

- Wider choice of candidates

Cons

- Present system guarantees a strong Camp voice on Legislative Council

- In a single constituency, Camp might get no members at all under the current voting system

3. **IF THERE IS A CHANGE, WOULD WE KEEP THE PRESENT VOTING SYSTEM?**

No. The present voting system of "first past the post" would not provide a fair representation for Camp.

Ideally, there should be a fairer system of proportional representation.

4. **WHAT IS PROPORTIONAL REPRESENTATION?**

A system of Proportional Representation tries to ensure that "minorities" are given a fair representation. The most common system is the SINGLE TRANSFERABLE VOTE (STV) which is used in, for instance, Northern Ireland and Australia.

This ensures that:

- all views and interests are taken into account
- most electors can identify among the Councillors, those whom they have helped to elect
- around 90% of all votes count towards the final result (in first past the post, it is less than 50%)

In practice, STV works as follows:-

Single Transferable Vote

- You put candidates in order of preference. You can vote for as many candidates as you want, "1" for highest.
- We count all the first preferences first, A "quota" is established by formula - for the Falkland constituency this might have been around 122 in the last election. Anyone getting more than this in first preferences is elected.
- "Surplus" votes over the quota are redistributed to lower choices, as are the votes of candidates at the bottom of the poll.

So even if you don't get your first candidate elected, your other choices are likely to elect other candidates.

STV is currently thought to be the favoured scheme, if there is to be a single constituency.

5. **ARE THERE OTHER SCHEMES OF VOTING?**

Yes. Most rely on political party lists which we don't have here.

However, there is a system which would give minorities the ability to vote "tactically" - the "Norfolk Island" system, suggested by Mr Arthur Donahoe QC to the Select Committee.

This allows you 8 equal votes, and you can put up to 4 on one candidate. Camp voters, but also other "minority" interests, could place large numbers of votes on a few candidates.

However, this system is unlikely to be favoured, because it can mean that a majority of Councillors (say 5) come to be elected by a minority of votes (say 15%).

6. **CAN I VOTE TO CHANGE TO A SINGLE CONSTITUENCY, BUT NOT CHANGE THE VOTING SYSTEM?**

No. You can only answer the Referendum Question with a 'Yes' or 'No'. You cannot change the question. If you do not want either a single constituency, or a proportional representation voting system, you should vote 'No'.

7. **CAN I GET MORE INFORMATION?**

Yes. Public representations will be made before the Referendum.

More detailed information on voting systems is available from the Chief Executive on:

Telephone: 27110

e-mail: mblanch@sec.gov.fk

8. **WHAT HAPPENS NEXT?**

1. The formal wording of the "question" has to be agreed by Legislative Council in September 2001.
2. The Referendum will take place at the same time as the General Election, 22 November 2001. The Count will be separated into Stanley and Camp, and each constituency result will be declared.
3. The Referendum will not be the final decision. The referendum is advisory, and the new Legislative Council will have to take its results into account in deciding whether to seek a change to the Constitution for a single constituency, and a different voting system.

SCHEDULE 3

Form of notice to be placed in each polling booth

SINGLE CONSTITUENCY REFERENDUM 2001

Guidance to Voters

BEFORE YOU VOTE, please read this Notice carefully.

1. Make sure that the ballot paper is marked with the official mark.
2. Go into one of the compartments and, with the pencil provided, place a cross (X) OR a tick (✓) in the box against "Yes" OR in the box against "No" on the ballot paper.
3. After you have voted, fold the ballot paper so as to show the official mark, leave the voting compartment taking the ballot paper with you, and without showing the front of the ballot paper to anybody, show the official mark on the back of the ballot paper to the presiding officer. Then, in his presence, put the paper into the ballot box. Leave the polling place immediately afterwards.
4. If you accidentally spoil a ballot paper return it to the presiding officer. If the presiding officer is satisfied that you have accidentally spoiled a ballot paper he/she will give you another ballot paper.
5. If you make any mark on the ballot paper by which anybody can tell it is your ballot paper, your ballot paper will be void and will not be counted.
6. Do not take your ballot paper out of the polling place. Do not put anything in the ballot box except a ballot paper.

YOU DO NOT HAVE TO VOTE IN THE REFERENDUM

**THE BALLOT BOX OR BOXES IN THIS POLLING PLACE ARE IN
COMBINED USED FOR THE GENERAL ELECTION AND THE
REFERENDUM**

Made this

day of

2001

D A Lamont
Governor

EXPLANATORY NOTE
(not forming part of the above Order)

This Order prescribes the date, question, form of ballot paper, advice to electors and notice at polling booths in respect of the referendum as to a single constituency for the Falkland Islands.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

10th September 2001

No. 14

The following are published in this Supplement -

Road Traffic (Amendment) Bill 2001;

Commemorative Coins Order 2001, (S.R. & O. No. 20 of 2001);

**Buildings (Stanley) (Cable Cottage and Police Station) Designation Order 2001,
(S.R. & O. No. 21 of 2001);**

Registration of Charities (Exemption) (No. 2) Order 2001, (S.R. & O. No. 22 of 2001).

ROAD TRAFFIC (AMENDMENT) BILL 2001

(No. of 2001)

A BILL

for

AN ORDINANCE

To amend the Road Traffic Ordinance (Title 63.1)

Short title

1. This Ordinance may be cited as the Road Traffic (Amendment) Ordinance 2001.

Amendment of section 6(13) of the Road Traffic Ordinance

2.—(1) Section 6(13) of the Road Traffic Ordinance is amended by inserting the words “on a road” after the words “drives a motor vehicle” appearing in that subsection.

(2) The amendment made by subsection (1) of this section shall be deemed to have had effect on and from 1st July 1959 (the date on which the Road Traffic (Amendment) Ordinance 1959, which inserted section 6(13) (then section 6(11)) into the Road Traffic Ordinance, came into effect).

OBJECTS AND REASONS

The effect of section 6(13) in its present form is, on the face of it, to render it an offence for a person disqualified from holding or obtaining a driving licence to drive on an undesignated road or off-road, even on his own farm, even though no driving licence is required to do so. This Bill would if enacted remedy that situation.

SUBSIDIARY LEGISLATION

CURRENCY

Commemorative Coins Order 2001

S. R. & O. No. 20 of 2001

Made: 13 August 2001
Published: 10 September 2001
Coming into force: in accordance with article 1

IN EXERCISE of my powers under section 22 of the Currency Ordinance 1987(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Commemorative Coins Order 2001 and this Order shall come into force upon publication.

New coins

2.—(1) The minting and issue of the coins described and specified in the Schedules to this Order are hereby authorised.

(2) The Schedules to this Order shall have effect so as to specify the denomination, fineness, weight, diameter, quality, shape, edge and number of the coins authorised by paragraph (1) of this article, the tolerance or remedy which may be permitted in respect of variations from the standard weight, diameter and fineness of the coins and the design of the obverse and reverse of the coins.

Made this thirteenth day of August 2001

D A Lamont
Governor

SCHEDULE 1

Specifications of Falkland Islands coins to commemorate the Centenary of the end of the Victoria Era

| Type | Cupro-Nickel | Silver Proof | Silver Piedfort | Gold |
|------------------------|--|----------------------|----------------------|-----------|
| Denomination | 50 Pence | 50 Pence | 50 Pence | 50 Pence |
| Weight (grams) | 28.28 | 28.28 | 56.56 | 47.54 |
| Diameter (millimetres) | 38.61 | 38.61 | 38.61 | 38.61 |
| Fineness | 75% Copper 25% Nickel | .925 Sterling Silver | .925 Sterling Silver | .916 Gold |
| Quality | Brilliant Uncirculated | Proof | Proof | Proof |
| Shape | Round | Round | Round | Round |
| Edge | Milled | Milled | Milled | Milled |
| Edition Limit | Unlimited | 10,000 | 500 | 100 |
| Mint | Valcambi sa | | | |
| Obverse Design | The uncouped portrait of Her Majesty the Queen by Raphael Maklouf with the circumferential inscription "QUEEN ELIZABETH II · FALKLAND ISLANDS · 50 PENCE" | | | |
| Reverse Design | A crowned portrait of Queen Victoria facing left, with a laurel wreath below, the inscription "VICTORIA REGINA" above, the dates of Her reign "1837 - 1901" to the right and the year of issue "2001" below. | | | |

SCHEDULE 2

Specifications of Falkland Islands coins to commemorate the 75th Birthday of Her Majesty Queen Elizabeth II

| Type | Cupro-Nickel | Silver Proof | Silver Piedfort | Gold |
|------------------------|--|----------------------|----------------------|-----------|
| Denomination | 50 Pence | 50 Pence | 50 Pence | 50 Pence |
| Weight (grams) | 28.28 | 28.28 | 56.56 | 47.54 |
| Diameter (millimetres) | 38.61 | 38.61 | 38.61 | 38.61 |
| Fineness | 75% Copper 25% Nickel | .925 Sterling Silver | .925 Sterling Silver | .916 Gold |
| Quality | Brilliant Uncirculated | Proof | Proof | Proof |
| Shape | Round | Round | Round | Round |
| Edge | Milled | Milled | Milled | Milled |
| Edition Limit | Unlimited | 10,000 | 500 | 75 |
| Mint | Valcambi sa | | | |
| Obverse Design | The uncouped portrait of Her Majesty the Queen by Raphael Maklouf with the circumferential inscription "QUEEN ELIZABETH II · FALKLAND ISLANDS · 50 PENCE" | | | |
| Reverse Design | A portrait of Her Majesty the Queen at the centre facing left surround by the inscription "HER MAJESTY QUEEN ELIZABETH II 75 TH BIRTHDAY · 2001" with a border of wild flowers of the Falkland Islands consisting of Falkland Lavender, Scurvy Grass, Dog Orchid and Pale Maiden. | | | |

SCHEDULE 3

Specifications of Falkland Islands coins to commemorate English Gold Coins (The Coin on Coin Series)

| Type | Cupro-Nickel | Silver Proof | Silver Piedfort |
|----------------------------------|---|-----------------------------------|--------------------------------|
| Denomination | 50 Pence | 50 Pence | 50 Pence |
| Weight (grams) | 28.28 | 28.28 | 56.56 |
| Diameter (millimetres) | 38.61 | 38.61 | 38.61 |
| Fineness | 75% Copper 25% Nickel | .925 Sterling Silver | .925 Sterling Silver |
| Quality | Brilliant Uncirculated | Proof | Proof |
| Shape | Round | Round | Round |
| Edge | Milled | Milled | Milled |
| Edition Limit | Unlimited | 5,000 per coin 20,000 in total | 500 per coin 2,000 in total |
| Mint | | Valcambi sa | |
| Obverse Design | The uncouped portrait of Her Majesty the Queen by Raphael Maklouf with the circumferential inscription "QUEEN ELIZABETH II · 2001 · FALKLAND ISLANDS · 50 PENCE" | | |
| Four Reverse Designs as follows: | <ol style="list-style-type: none"> 1. A portrait of King Edward IV with a representation of the gold coin, the Rose ryl, in the foreground, with the inscription "EDWARD IV" and the dates "1442 - 1483". 2. A portrait of King Henry VII with a representation of the gold coin, the sovereign, in the foreground, with the inscription "HENRY VII" and the dates "1485 - 1509". 3. A portrait of King Charles II with a representation of the gold coin, the guinea, in the foreground, with the inscription "CHARLES II" and the dates "1660 - 1685". 4. A portrait of Queen Victoria with a representation of the gold coin, the sovereign, in the foreground, with the inscription "VICTORIA" and the dates "1837 - 1901". | | |

SCHEDULE 4

Specifications of Falkland Islands coins to commemorate the Golden Jubilee of Her Majesty the Queen (The Golden Jubilee Collection)

| Type | (a) Cupro-Nickel (non colour version) | (b) Cupro-Nickel | (c) Silver Proof | (d) Silver Piedfort | (e) Gold |
|--|--|---------------------------|---|-----------------------------|-----------------------------|
| Denomination | 50 Pence | 50 Pence | 50 Pence | 50 Pence | 50 Pence |
| Weight (grams) | 28.28 | 28.28 | 28.28 | 56.56 | 39.94 |
| Diameter (millimetres) | 38.61 | 38.61 | 38.61 | 38.61 | 38.61 |
| Fineness | 75% Copper 25% Nickel | 75% Copper 25% Nickel | .925 Sterling Silver | .925 Sterling Silver | .916 Gold |
| Quality | Brilliant Uncirculated | Brilliant Uncirculated | Proof | Proof | Proof |
| Shape | Round | Round | Round | Round | Round |
| Edge | Milled | Milled | Milled | Milled | Milled |
| Edition Limit | Unlimited | Unlimited | As show under reverse designs per coin 220,000 in total Valcambi sa | 500 per coin 6,000 total | 50 per coin 600 in total |
| Mint | | | | | |
| Obverse Design | The uncouped portrait of Her Majesty the Queen by Raphael Maklouf with the circumferential inscription "QUEEN ELIZABETH II · 2002 · FALKLAND ISLANDS · 50 PENCE" | | | | |
| Twelve Reverse Designs under three themes as follows for type (a): | <p>First Theme: Accession through to the Coronation</p> <p>(1) A portrait of Princess Elizabeth facing left and in the background the Treetops Hotel in Kenya.</p> <p>(2) In the centre, the crowned seated figure of Her Majesty Queen Elizabeth II dressed in the Coronation robes and holding the orb and sceptre.</p> <p>(3) In the centre Princess Elizabeth making a radio broadcast.</p> <p>(4) In the centre Her Majesty Queen Elizabeth II in uniform on horseback.</p> | | | | |

Second Theme: Golden Jubilee Celebrations

- (5) In the centre Her Majesty Queen Elizabeth II on a walkabout, and in the background groups of people waving flags.
- (6) In the centre profile portraits of Her Majesty Queen Elizabeth II, His Royal Highness Prince Charles and His Royal Highness Prince William, facing left.
- (7) In the centre the seated figure of Her Majesty Queen Elizabeth II at the State Opening of Parliament.
- (8) In the centre the balcony scene at Buckingham Palace during the celebrations for the Silver Jubilee of the reign of Her Majesty Queen Elizabeth II.

Third Theme: Royal Regalia

- (9) In the centre the Coronation Coach.
- (9a) In the centre the Coronation Coach with a Privy Mark in the form of a small oval with the words "100 days" positioned in the space between the front wheels of the coach.
- (10) In the centre the Orb and Sceptre.
- (11) In the centre the Coronation chair with a decorative design in the background.
- (12) In the centre the St. Edward Crown.

Each design has the inscription "THE GOLDEN JUBILEE" at the bottom and a decorative arrangement of bunting at the top of the coins.

Twelve Reverse Designs under three themes as follows for types (b), (c), (d) and (e):

First Theme: Accession through to the Coronation (Silver Proof Edition Limit 25,000 per coin)

- (1) A portrait of Princess Elizabeth facing left and in the background the Treetops Hotel in Kenya.
- (2) In the centre, the crowned seated figure of Her Majesty Queen Elizabeth II dressed in the Coronation robes and holding the orb and sceptre.
- (3) In the centre Princess Elizabeth making a radio broadcast.
- (4) In the centre Her Majesty Queen Elizabeth II in uniform on horseback.

Second Theme: Golden Jubilee Celebrations (Silver Proof Edition Limit 15,000 per coin)

- (5) In the centre Her Majesty Queen Elizabeth II on a walkabout, and in the background groups of people waving flags.
- (6) In the centre profile portraits of Her Majesty Queen Elizabeth II, His Royal Highness Prince Charles and His Royal Highness Prince William, facing left.
- (7) In the centre the seated figure of Her Majesty Queen Elizabeth II at the State Opening of Parliament.
- (8) In the centre the balcony scene at Buckingham Palace during the celebrations for the Silver Jubilee of the reign of Her Majesty Queen Elizabeth II.

Third Theme: Royal Regalia (Silver Proof Edition Limit 15,000 per coin)

(9) In the centre the Coronation Coach.

(10) In the centre the Orb and Sceptre.

(11) In the centre the Coronation chair with a decorative design in the background.

(12) In the centre the St. Edward Crown.

Each design has the inscription "THE GOLDEN JUBILEE" at the bottom and a decorative arrangement of bunting in colour at the top of the coins.

SUBSIDIARY LEGISLATION

PLANNING AND BUILDING

Buildings (Stanley) (Cable Cottage and Police Station) Designation Order 2001

(S. R. & O. No. 21 of 2001)

Made:27 August 2001

Published:10 September 2001

Coming into force: on publication

IN EXERCISE of my powers under section 65(1) of the Planning Ordinance 1991(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation

1. This Order may be cited as the Buildings (Stanley) (Cable Cottage and Police Station) Designation Order 2001.

Designation of building

2. The buildings in Stanley known as Cable Cottage, Thatcher Drive and The Police Station, Ross Road are designated as buildings of special architectural or historic interest.

Made this twenty-seventh day of August 2001

D A Lamont
Governor

EXPLANATORY NOTE

(not forming part of the above Order)

The effect of this Order is to require permission pursuant to section 66(4), 68(2) or 68(4) of the Planning Ordinance 1991 for any works or operations for the demolition of any of the buildings the subject of this Order and any alterations or extensions which might effect their character as buildings of special architectural or historic interest. Contravention of the provisions mentioned constitutes a criminal offence under section 68(6) of the Planning Ordinance 1991.

SUBSIDIARY LEGISLATION

CHARITIES

Registration of Charities (Exemption) (No 2) Order 2001

(S. R. & O. No: 22 of 2001)

Made: 30 August 2001

Published: 10 September 2001

Coming into force: 1 January 2002

IN EXERCISE of my powers under section 4(4) of the Charities Act 1960(a) in its application to the Falkland Islands, and of all other powers enabling me in that behalf, I make the following Order —

Citation and Commencement

1. This Order may be cited as the Registration of Charities (Exemption) (No 2) Order 2001 and shall come into force on 1st January 2002.

Charities Exempt from the Requirement to Register

2. The charities mentioned in the Schedule to the Order are exempt from the requirement to be registered in the Register of Charities established and maintained in the Falkland Islands pursuant to the Charities Act 1960 in its application to the Falkland Islands but only until 31 December 2002 or such later date as may be specified by the Governor by Notice published in the Gazette.

Made this thirtieth day of August 2001

D A Lamont
Governor

SCHEDULE

Falklands Children in Need
Flying Santa Appeal
KEMH Colonic Cancer Screening Fund
KEMH Geriatric Day Centre Fund
KEMH Eye Fund
King Edward Memorial Hospital Fund.

EXPLANATORY NOTE

(not forming part of the above Order)

This Order temporarily exempts from registration, under section 4 of the Charities Act 1960 in its application to the Falkland Islands, charitable bodies established in the Falkland Islands.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

11th October 2001

No. 15

The following are published in this Supplement -

- Control of Drinking by Juveniles (Amendment) Ordinance 2001;**
- Merchant Shipping Ordinance 2001;**
- Finance and Audit (Amendment) Ordinance 2001;**
- Councillors (Continuing Membership of Statutory Boards and Committees) Ordinance 2001;**
- Road Traffic (Amendment) Ordinance 2001;**
- Candidates' Election Expenses (Increase) Regulations 2001, (S.R. & O. No. 23 of 2001);**
- Fishing Licences (Applications and Fees) Order 2001, (S.R. & O. No. 24 of 2001);**
- Referendum (Single Constituency) (Arrangements) Order 2001,
(S.R. & O. No. 25 of 2001);**
- Falklands Conservation (Residence in the Falkland Islands) Order 2001,
(S.R. & O. No. 26 of 2001);**
- Sand Bay Abattoir (Designation) Order 2001, (S.R. & O. No. 27 of 2001);**
- Sand Bay Abattoir (Offal) Dispensation;**
- The Civil Aviation Act 1982 (Overseas Territories) Order 2001.**

ELIZABETH II



Colony of the Falkland Islands

RUSSELL THOMAS JARVIS,
Acting Governor.

Control of Drinking by Juveniles (Amendment) Ordinance 2001

(No: 14 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Amendment of the Control of Drinking by Juveniles Ordinance 1993

ELIZABETH II



Colony of the Falkland Islands

RUSSELL THOMAS JARVIS,
Acting Governor.

CONTROL OF DRINKING BY JUVENILES (AMENDMENT) ORDINANCE 2001

(No: 14 of 2001)

AN ORDINANCE

(assented to: 26 September 2001)
(commencement: upon publication)
(published:11 October 2001)

To amend the Control of Drinking by Juveniles Ordinance 1993.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Control of Drinking by Juveniles (Amendment) Ordinance 2001 and shall come into force upon publication.

Amendment of the Control of Drinking by Juveniles Ordinance 1993

2.—(1) The Control of Drinking by Juveniles Ordinance 1993(a) is amended —

(a) by repealing section 4 and replacing it with the following section —

(a) (No 2 of 1993)

- “4.—(1) Subject to this section it is unlawful for any person —
- (a) to sell intoxicating liquor to a juvenile in any place;
 - (b) to supply intoxicating liquor to a juvenile in a public place;
 - (c) except by or with the consent of a juvenile’s parent or guardian or other person *bona fide* in charge of a juvenile to supply intoxicating liquor to that juvenile in a private place (that is to say, in any place or premises not within the definition of “public place” in section 2).
- (2) No offence is committed under section 4 where intoxicating liquor is sold or supplied to a juvenile in accordance with the provisions of the Licensing Ordinance 1994.
- (3) For the purposes of this section, intoxicating liquor shall be deemed not to have been supplied to a juvenile in any circumstances in which under any provision of section 3 some adult, and not the juvenile, would be deemed, as a result of that supply to be in possession of the intoxicating liquor.”

(b) in section 5(5) by replacing “£250” with the words “level 3 on the standard scale.”.

(c) in section 5(7) by replacing “£1,000” with the words “level 3 on the standard scale where that person is a juvenile and to a fine not exceeding level 4 on the standard scale where that person is an adult.”.

Passed by the Legislature of the Falkland Islands this 21st day of September 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

RUSSELL THOMAS JARVIS,
Acting Governor.

Merchant Shipping Ordinance 2001

(No: 15 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Interpretation
3. Replacement of Part I of the 1894 Act etc
4. Appointment of inspectors and surveyors
5. Repeal of Ordinances
6. Sections 723 to 728 of the 1894 Act to cease to have effect

SCHEDULE

FORM IN WHICH PROVISIONS OF THE 1995 ACT SHALL HAVE EFFECT IN THE
FALKLAND ISLANDS

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BRITISH SHIPS

1. British ships and Falkland Islands Ships
2. British flag
3. Offences relating to British character of ship
4. Penalty for carrying improper colours
5. Duty to show British flag
6. Duty to declare national character of ship
7. Proceedings on forfeiture of a ship

PART II

FALKLAND ISLANDS REGISTRATION

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10. Registration regulations
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12. Tonnage of ships of foreign countries adopting tonnage regulations
13. Status of certificate of registration
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15. Supplementary provisions as respects fishing vessels
16. Private law provisions for registered ships and liability as owner
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18. Regulation of registration in British possessions by reference to categories of registries
19. Tonnage regulations
20. Proceedings on the forfeiture of a ship
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PRIVATE LAW PROVISIONS FOR REGISTERED SHIPS

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2. Transfers etc of registered ships
7. Mortgages
8. Priority of registered mortgages
9. Registered mortgagee's power of sale
10. Protection of registered mortgagees
Transfer of registered mortgage
Transmission of registered mortgage by operation of law
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Definitions

ELIZABETH II



Colony of the Falkland Islands

RUSSELL THOMAS JARVIS,
Acting Governor.

MERCHANT SHIPPING ORDINANCE 2001

(No: 15 of 2001)

(assented to: 26 September 2001)
(commencement: in accordance with section 1)
(published: 11 October 2001)

AN ORDINANCE

To apply Parts I and II of the Merchant Shipping Act 1995 as law of the Falkland Islands in place of Part I of the Merchant Shipping Act 1894, to apply as law of the Falkland Islands sections 259 to 266 and section 313(1) of the Merchant Shipping Act 1995, to repeal the Merchant Shipping (Registry) Ordinance (Title 64.2) and the Merchant Shipping (Transfer of Functions) Ordinance (Title 64.3) and to make provision connected with the foregoing purposes.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Merchant Shipping Ordinance 2001 and shall come into force on such date (being a date not earlier than the approval of this Ordinance by an Order in Council under the provisions of section 735 of the Merchant Shipping Act 1894) as the Governor may appoint by notice published in the *Gazette*.

Interpretation

2. In this Ordinance “the 1894 Act” means the Merchant Shipping Act 1894 and “the 1995 Act” means the Merchant Shipping Act 1995.

Replacement of Part I of the 1894 Act etc

3.—(1) On the coming into force of this Ordinance, Part I of the 1894 Act ceases to have effect in the Falkland Islands.

(2) Parts I and II and sections 259 to 266 and section 313(1) of the 1995 Act in the forms appearing in the Schedule to this Ordinance then have effect as law of the Falkland Islands.

(3) Where any provision of the 1995 Act in the form appearing in the Schedule to this Ordinance confers power upon Her Majesty in Council or the Secretary of State to issue any warrant or make any Order in Council or any regulations, that provision shall be construed as adopting as law having effect in the Falkland Islands, if it did not previously have such effect, any warrant, Order in Council or regulations from time to time issued or made (whether before or after the coming into force of this Ordinance) under the corresponding provision of the 1995 Act in the form it has effect in the United Kingdom.

(4) The reference in subsection (2) to Part I of the 1995 Act includes a reference to Schedule 1 to that Act.

Appointment of inspectors and surveyors

4.—(1) The Governor may, if he thinks fit, appoint any person as an inspector to report to him—

(a) upon the nature and causes of any accident or damage which any ship has or is alleged to have sustained or caused;

(b) whether any requirements, restrictions or prohibitions imposed by or under any enactment relating to merchant shipping or fishing vessels having effect in the Falkland Islands have been complied with or (as the case may be) contravened;

(c) whether the hull and machinery of a ship are sufficient and in good condition;

(d) what measures have been taken to prevent the escape of oil or mixtures containing oil.

(2) The Governor may appoint persons to be surveyors of ships for the purposes of any enactment relating to merchant shipping or fishing vessels having effect in the Falkland Islands and may remove any person so appointed.

(3) A surveyor of ships may be appointed either as a ship surveyor or as an engineer surveyor or as both.

(4) Surveyors of ships may be appointed either generally or for any particular case or purpose.

(5) The Governor may appoint persons to be inspectors for the purposes of section 259 to 266 of the 1995 Act.

(6) Every inspector appointed under subsection (1) of this section shall be treated as appointed under subsection (5) of this section.

(7) In this Ordinance “surveyor of ships” means a surveyor appointed under subsection (2) of this section and the reference to requirements, restrictions or prohibitions under any enactment relating to merchant shipping or to fishing vessels includes any such requirements, restrictions or prohibitions constituting the terms of any approval, licence, consent or exemption given in any document issued under any such enactment.

Repeal of Ordinances

5. The Merchant Shipping (Registry) Ordinance (Title 64.2) and the Merchant Shipping Transfer of Functions Ordinance (Title 64.3) are repealed.

Sections 723 to 728 of the 1894 Act to cease to have effect

6. Sections 723 to 728 of the 1894 Act no longer have effect in the Falkland Islands.

SCHEDULE
FORM IN WHICH PROVISIONS OF THE 1995 ACT SHALL HAVE EFFECT IN THE
FALKLAND ISLANDS

PART I
BRITISH SHIPS

British ships and Falkland Islands Ships

1.—(1) A ship is a British Ship if —

- (a) the ship is registered in the Falkland Islands under Part II; or
- (b) the ship is registered in the United Kingdom under Part II of this Act in the form it has effect in the United Kingdom;
- (c) the ship is, as a Government Ship, registered in the United Kingdom in pursuance of an Order in Council under section 308 of this Act in the form it has effect in the United Kingdom; or
- (d) the ship is registered under the law of a relevant British possession; or
- (e) the ship is a small ship other than a fishing vessel and —
 - (i) is not registered under Part II, but,
 - (ii) is wholly owned by qualified owners, and
 - (iii) is not registered under the law of a country outside the Falkland Islands and the United Kingdom;

(2) For the purposes of subsection (1) (e) above —

“qualified owners” means persons of such a description qualified to own British ships as is prescribed by regulations made by the Secretary of State for the purposes of subsection (1)(d) of this Act in the form it has effect in the United Kingdom;

“small ship” means a ship less than 24 metres in length (“length” having the same meaning as in the tonnage regulations).

(3) A ship is a “Falkland Islands ship” for the purposes of this Part and those of Part II if the ship is registered in the Falkland Islands under Part II.

British flag

2.—(1) The flag which every British ship is entitled to fly is the red ensign (without any defacement or modification) and, subject to subsections (2) and (3) below, no other colours.

(2) Subsection (1) above does not apply to Government ships.

(3) The following are also proper national colours, that is to say —

- (a) any colours allowed to be worn in pursuance of a warrant from Her Majesty or the Secretary of State;
- (b) in the case of a Falkland Islands ship, the red ensign defaced with the arms of the Falkland Islands in accordance with article 2 of the Merchant Shipping (Falkland Islands Colours) Order 1998;
- (c) in the case of ships registered in a relevant British possession, any colours consisting of the red ensign defaced or modified whose adoption for ships registered in that possession is authorised or confirmed by Her Majesty by Order in Council.

(4)...

Offences relating to British character of ship

3.—(1) If the master or owner of a ship which is not a British ship does anything or permits anything to be done, for the purpose of causing the ship to appear to be a British ship then,

except as provided by subsections (2) and (3) below, the ship shall be liable to forfeiture and the master, owner and any charterer shall each be guilty of an offence.

(2) No liability arises under subsection (1) above where the assumption of British nationality has been made for the purpose of escaping capture by an enemy or by a foreign ship of war in the exercise of some belligerent right.

(3) Where the registration of any ship has terminated by virtue of any provision of termination regulations, any marks prescribed by registration regulations displayed on the ship within a period of 14 days beginning with the date of termination of that registration shall be disregarded for the purpose of subsection (1) above.

(4) If the master or owner of a British ship does anything, or permits anything to be done, for the purpose of concealing the nationality of the ship, the ship shall be liable to forfeiture and the master, owner and any charterer of the ship shall each be guilty of an offence.

(5) Without prejudice to the generality of subsections (1) and (4) above, those subsections apply in particular to acts or deliberate omissions as respects —

(a) the flying of a national flag;

(b) the carrying or production of certificates of registration or other documents relating to the nationality of the ship; and

(c) the display of marks required by the law of any country.

(6) Any person guilty of an offence under this section shall be liable on conviction to imprisonment for a term not exceeding two years or a fine not exceeding the maximum of level 12 on the standard scale, or both.

(7) This section applies to things done outside, as well as to things done within, the Falkland Islands.

Penalty for carrying improper colours

4.—(1) If any of the following colours, namely —

(a) any distinctive national colours except —

(i) the red ensign or, in the case of a Falkland Islands ship, a red ensign defaced in accordance with the Falkland Islands (Colours) Order 1998;

(ii) the Union flag (commonly known as the Union Jack) with a white border, or

(iii) in the case of a ship registered in a relevant British possession, any colours authorised or confirmed under section 2(3)(b) in the form it has effect in the United Kingdom; or

(b) any colours usually worn by Her Majesty's ships or resembling those of Her Majesty; or

(c) the pendant usually carried by Her Majesty's ships or any pendant resembling that pendant,

are hoisted on board any British ship without warrant from Her Majesty or from the Secretary of State, the master of the ship, or the owner of the ship (if on board) and every other person hoisting them shall be guilty of an offence.

(2) A person guilty of an offence under subsection (1) above shall be liable to a fine not exceeding the maximum of level 12 on the standard scale.

(3) If any colours are hoisted on board a ship in contravention of subsection (1), any of the following, namely —

(a) any commissioned naval or military officer,

(b) any officer of customs and excise, and

(c) any British consular officer,

may board the ship and seize and take away the colours.

(4) Any colours seized under subsection (3) above shall be forfeited to Her Majesty.

(5) In this section, "colours" includes any pendant.

Duty to show British flag

5.—(1) Subject to subsection (2) below, a British ship, other than a fishing vessel shall hoist the red ensign or other proper national colours —

(a) on a signal being made to the ship by one of Her Majesty's ships (including any ship under the command of a commissioned naval officer); and

(b) on entering and leaving any foreign port; and

(c) in the case of ships of 50 or more tons gross tonnage, on entering or leaving any British port.

(2) Subsection (1)(c) above does not apply to a small ship (as defined in section 1(2)) registered under Part II.

Duty to declare national character of ship

6.—(1) A customs officer shall not grant a clearance or transire for any ship until the master of such ship has declared to that officer the name of the nation to which he claims that the ship belongs, and that officer shall thereupon enter that name on the clearance or transire.

(2) If a ship attempts to proceed to sea without such clearance or transire, the ship may be detained until the declaration is made.

Proceedings on forfeiture of a ship

7.—(1) Where any ship has either wholly or as to any share in it become liable to forfeiture under this Part —

(a) any commissioned naval or military officer, or

(b) any person appointed by the Secretary of State for the purposes of this section;

may seize and detain the ship and bring the ship for adjudication before the court.

(2) Where a ship is subject to adjudication under this section the court may —

(a) adjudge the ship and her equipment to be forfeited to Her Majesty; and

(b) make such order in the case as seems just.

(3) No officer or person bringing proceedings under this section shall be liable in damages in respect of the seizure or detention of the ship, notwithstanding that the ship has not been proceeded against or, if proceeded against, adjudicated not liable to forfeiture, if the court is satisfied that there were reasonable grounds for the seizure or detention.

(4) If the court is not so satisfied the court may award costs and damages to the party aggrieved and make such other order as the court thinks just.

(5) In this section "the court" means the Supreme Court of the Falkland Islands.

PART II
FORM IN WHICH PART II OF THE 1995 ACT SHALL HAVE EFFECT IN THE
FALKLAND ISLANDS
REGISTRATION
General

Stanley Register of Ships

- 8.—(1) There shall continue to be a register of British ships at Stanley for all registrations of ships in the Falkland Islands.
- (2) Subject to subsection (2) the register shall be maintained by the Collector of Customs as registrar.
- (3) The Governor may designate any person to discharge, on behalf of the registrar, all of his functions as registrar of ships, or such of them as the Governor may direct.
- (4) The Governor may give to the registrar directions of a general nature as to the discharge of any of his functions.
- (5) The register shall be so constituted as to distinguish, in a separate part, registration of fishing vessels and may otherwise be divided into parts so as to distinguish between classes or descriptions of ships.
- (6) The register shall be maintained in accordance with registration regulations and the private law provisions for registered ships and any directions given by the Governor under subsection (4) above.
- (7) The register shall be available for public inspection.

Registration of ships: basic provisions

- 9.—(1) A ship is entitled to be registered in the register of British ships at Stanley if —
- (a) it is owned, to the prescribed extent, by persons qualified to own British ships registered on that register; and
 - (b) such other conditions are satisfied as are prescribed under subsection (2)(b) below;
- (and any application for registration is duly made).
- (2) It shall be for registration regulations —
- (a) to determine the persons who are qualified to be owners of British ships, or British ships of any class or description, registered in the register of British ships at Stanley (that is to say Falkland Islands ships), and to prescribe the extent of the ownership required for compliance with subsection (1) (a) above;
 - (b) to prescribe other requirements designed to secure that, taken into account with the requisite ownership, only ships having a Falkland Islands connection are registered in that register (but vessels owned by the British Antarctic Survey shall be deemed to have a Falkland Islands connection).
- (3) Notwithstanding any provision of the registration regulations, the registrar shall if the Governor so directs refuse to register or terminate the registration of a ship. The Governor may give such a direction if he is satisfied that having regard to any requirements of this Act or of any law of the Falkland Islands it would be inappropriate for the ship to be, or, as the case may be, to remain registered.
- (4)
- (5) Where a ship becomes registered at a time when it is already registered in a country outside the Falkland Islands, the owner shall take all reasonable steps to secure the termination of the ship's registration under the law of that country.

(6) Subsection (5) above does not apply to a ship which becomes registered on a transfer of registration to the register from the United Kingdom or a relevant British possession.

(7) Any person who contravenes subsection 5 above shall be liable on conviction to a fine not exceeding the maximum of level 3 on the standard scale.

(8) In this section, "the relevant requirements" in relation to this Act, the Ordinance and any other law of the Falkland Islands means —

(a) in relation to any ship —

(i) the requirements as to the condition of ships or their equipment so far as relevant to their safety or any risk of pollution; and

(ii) the requirements as to the safety, health and welfare of persons employed or engaged in them, and

(b) in relation to a fishing vessel, additionally, the requirements in relation to the possession of or compliance with the conditions of a licence in relation to any fishing operations carried on by the fishing vessel in respect of which a licence is required to be held and compliance in respect of the vessel with any conservation measures imposed by or under any law of the Falkland Islands or required by any such law to be complied with.

(9) In this Part references to a ship having a Falkland Islands connection are references to compliance with the conditions of entitlement imposed by subsection (1)(a) and (b) above and "declaration of Falkland Islands connection" is to be construed accordingly.

Registration regulations

10.—(1) The Governor shall by regulations (to be known as registration regulations) make provision for and in connection with the registration of ships in the Falkland Islands as British ships.

(2) Without prejudice to the generality of subsection (1) above, registration regulations may, in particular, make provision with respect to any of the following matters —

(a) the persons by whom and the manner in which applications in connection with registration are to be made;

(b) the information and evidence (including declarations of Falkland Islands connection) to be provided in connection with such applications and such supplementary information or evidence as may be required by any specified authority;

(c) the shares in the property in, and the number of owners (including joint owners) of, a ship permitted for the purposes of registration and the persons required or permitted to be registered in respect of a ship or to be so registered in specified circumstances;

(d) the issue of certificates (including provisional certificates) of registration, their production and surrender;

(e) restricting and regulating the names of ships registered or to be registered;

(f) the marking of ships registered or to be registered, including marks for identifying the port to which the ship is to be treated as belonging as being Stanley;

(g) the period for which registration is to remain effective without renewal;

(h) the production to the registrar of declarations of Falkland Islands connection or other information relating thereto, as respects registered ships, at specified intervals or at his request;

(i) the survey and inspection of ships registered or to be registered and the recording of their tonnage as ascertained (or re-ascertained) under the tonnage regulations;

(j) the refusal, suspension and termination of registration in specified circumstances;

- (k) matters arising out of the expiration, suspension or termination of registration (including the removal of marks and the cancellation of certificates);
 - (l) the charging of fees in connection with registration or registered ships;
 - (m) the transfer of the registration of ships to and from the register from and to registers or corresponding records in countries other than the Falkland Islands;
 - (n) inspection of the register; and
 - (o) any other matter which is authorised or required by this Part to be prescribed in registration regulations.
- (3) Registration regulations may —
- (a) make different provision for different classes or descriptions of ships and for different circumstances;
 - (b) without prejudice to paragraph (a) above, make provision for the granting of exemptions or dispensations by the Governor from specified requirements of the regulations, subject to such conditions (if any) as he thinks fit to impose; and
 - (c) make such transitional, incidental or supplementary provision as appears to the Governor to be necessary or expedient, including provision authorising investigations and conferring powers of inspection for verifying the Falkland Islands connection of a ship.
- (4) Registration regulations —
- (a) may make provision for the registration of any class or description of ships to be such as to exclude the application of the private law provisions for registered ships and, if they do, may regulate the transfer, transmission or mortgaging of ships of the class or description so excluded;
 - (b) may make provision for any matter which is authorised or required by those provisions to be prescribed by registration regulations;
 - (c) shall make provision precluding notice of any trust being entered in the register or being receivable by the Registrar except as respects specified classes or descriptions of ships or in specified circumstances.
- (5) Registration regulations may create offences subject to the limitation that no offence so created shall be punishable by imprisonment for a term exceeding six months or by a fine exceeding the maximum of level 7 on the standard scale, or both.
- (6) Registration regulations may provide for —
- (a) the approval of forms by the Governor (but so that the Governor may by such regulations approve the use of one or more forms approved pursuant to any corresponding provision in force in the United Kingdom);
 - (b) the discharge of specified functions by specified authorities or persons.
- (7) Registration regulations may provide for any of their provisions to extend to places outside the Falkland Islands.
- (8) Any document purporting to be a copy of any information contained in an entry in the register and certified as a true copy by the Registrar shall be evidence of the matters stated in the document.
- (9) Registration regulations may provide that any reference in any other Act or Ordinance or in any instrument made under any Act or Ordinance to the port of registry or to the port to which the ship belongs shall be construed as a reference to the port of registry identified by the marks required by the registration regulations.

Tonnage ascertained for registration to be tonnage of ship

11. When the tonnage of any ship has been ascertained and registered in accordance with the tonnage regulations that tonnage shall be treated as the tonnage of the ship except so far as registration regulations provide, in specified circumstances, for the ship to be re-measured and the register amended accordingly.

Tonnage of ships of foreign countries adopting tonnage regulations

12.—(1) Her Majesty may by Order in Council make such provision in relation to the ships of a foreign country as is authorised by this section where it appears to Her that the tonnage regulations have been adopted by the foreign country and are in force there.

(2) An Order under this section may order that the ships of the foreign country shall, without being re-measured in the United Kingdom, be treated as being of the tonnage denoted by their certificates of registration or other national papers, to the same extent, and for the same purposes as the tonnage denoted in the certificate of registration of a United Kingdom ship as being the tonnage of that ship.

(3) Where an Order under this section is in force in relation to the ships of any country any space shown in the ship's certificate of registration or other national papers as deducted from the tonnage shall, if a similar deduction in relation to a United Kingdom ship depends on compliance with any conditions or on the compliance being evidenced in any manner, be treated as complying with those conditions and as being so evidenced, unless a surveyor of ships certifies to the Secretary of State that the construction and equipment of the ship as respects that space do not come up to the standard which would be required if the ship were a United Kingdom ship.

(4) Any such order may —

(a) operate for a limited time; and

(b) be subject to such conditions and qualifications (if any) as Her Majesty may consider expedient.

(5) If it appears to Her Majesty that the tonnage of any foreign ship, as measured by the rules of the country to which the ship belongs, materially differs from what it would be under the tonnage regulations, Her Majesty may by Order in Council order that, notwithstanding any Order in Council in force under this section, any of the ships of that country may, for all or any of the purposes of this Act, be remeasured in accordance with the tonnage regulations.

(6) An Order made under subsection (1) or (5) of this section in the form this Act has effect in the United Kingdom shall have effect in relation to the Falkland Islands and Falkland Islands ships as if the words "Falkland Islands" replaced the words "United Kingdom" wherever they appear in subsection (2) and (3) of this section or that Order.

Status of certificate of registration

13. The certificate of registration of a British ship shall only be used for the lawful navigation of the ship, and shall not be the subject of detention to secure any private right or claim.

Offences in relation to a ship's Falkland Islands connection

14.—(1) Any person who, in relation to any matter relevant to the Falkland Islands connection of a ship —

(a) makes to the registrar a statement which he knows to be false or recklessly makes a statement which is false; or

(b) furnishes to the registrar information which is false,

is guilty of an offence.

(2) If at any time there occurs, in relation to a registered ship, any change affecting the Falkland Islands connection of the ship the owner of the ship shall, as soon as practicable after the change occurs, notify the registrar of that change; and if he fails to do so he shall be guilty of an offence.

(3) Any person who intentionally alters, suppresses, conceals or destroys a document which contains information relating to the Falkland Islands connection of the ship and which he has been required to produce to the registrar in pursuance of registration regulations shall be guilty of an offence.

(4) A person guilty of an offence under this section shall be liable on conviction to imprisonment for a term not exceeding two years or a fine not exceeding the maximum of level 10 on the standard scale, or both.

(5) This section applies to things done outside, as well as to things done within, the Falkland Islands.

Supplementary provisions as respects fishing vessels

15.—(1) Subject to subsection (2) below, if a fishing vessel which —

(a) is either —

(i) entitled to be registered, or

(ii) wholly owned by persons qualified to be owners of Falkland Islands ships, but

(b) is registered neither under this Act in the part of the register relating to fishing vessels nor under the law of any country outside the Falkland Islands, fishes for profit the vessel shall be liable to forfeiture and the skipper, the owner and the charterer of the vessel shall each be guilty of an offence.

(2) Subsection (1) above does not apply to fishing vessels of such classes or descriptions in such circumstances as may be specified in regulations made by the Governor.

(3) If the skipper or owner of a fishing vessel which is not registered in the Falkland Islands does anything, or permits anything to be done, for the purpose of permitting the vessel to appear to be a vessel registered in the Falkland Islands, then, subject to subsection (4) below, the vessel shall be liable for forfeiture and the skipper, the owner and the charterer of the vessel shall each be guilty of an offence.

(4) Where the registration of a fishing vessel has terminated by virtue of any provision of registration regulations, any marks prescribed by registration regulations displayed on the fishing vessel within the period of 14 days beginning with the date of the termination of that registration shall be disregarded for the purposes of subsection (3) above.

(5) Any person guilty of an offence under this section shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding the maximum of level 10 on the standard scale, or both.

(6) Proceedings for an offence under this section shall not be instituted except by or with the consent of the Attorney General.

(7)

(8) This section applies to things done outside, as well as to things done within, the Falkland Islands.

(9) Section 10 of the Fisheries (Conservation and Management) Ordinance of the Falkland Islands (general powers of fisheries protection officers) shall apply in relation to any provision of this section or of registration regulations in their application to fishing vessels or fishing vessels of any class or description as they apply for the purposes of enforcing that Ordinance and

sections 11 to 14 of that Ordinance (release of boat if no proceedings instituted, security for release of fishing boat, indemnity and obstruction of fisheries protection officers, respectively) shall apply accordingly.

Private law provisions for registered ships and liability as owner

16.—(1) Schedule 1 (which makes provision relating to the title to, and the registration of mortgages over, ships) shall have effect.

(2) Schedule 1 does not apply in relation to ships which are excluded from its application by registration regulations under section 10(4)(a).

(3) Where any person is beneficially interested, otherwise than as a mortgagee, in any ship or in any share in a ship registered in the name of some other person as owner, the person so interested shall, as well as the registered owner, be liable to any penalties imposed by or under this Act, any other Act or any Ordinance on the owners of registered ships.

(4) Where the registration of any ship terminates by virtue of any provision of registration regulations, the termination of that registration shall not affect any entry made in the register so far as relating to any undischarged registered mortgage of that ship or of any share in it.

(5)

(6) In this Part “the private law provisions for registered ships” means the provisions of Schedule 1 and registration regulations made for the purposes of that Schedule or the provisions of registration regulations made under section 10(4)(a).

Ships on bareboat charter

Ships bareboat chartered in by Falkland Islands charterers

17.—(1) This section applies to any ship which —

(a) is registered under the law of a country other than the Falkland Islands (“the country of original registration”),

(b) is chartered on bareboat charter to a charterer who is a person qualified to own Falkland Islands ships, and

(c) is so chartered in circumstances where the conditions of entitlement to registration prescribed under section 9(2)(b), read with the requisite modifications, are satisfied in respect of the charterer and the ship.

(2) “The requisite modifications” of those conditions are the substitution for any requirement to be satisfied by or as respects the owner of a ship of a corresponding requirement to be satisfied by or as respects the charterer of the ship.

(3) A ship to which this section applies is entitled to be registered if an application for registration is duly made, but section 9(3) applies also in relation to registration by virtue of this section.

(4) The registration of a ship registered by virtue of this section shall remain in force (unless terminated earlier by virtue of registration regulations and subject to any suspension thereunder) until the end of the charter period and shall then terminate by virtue of this subsection.

(5) Section 9(5) does not apply in relation to a ship registered by virtue of this section but registration regulations shall include provision for securing that the authority responsible for the registration of ships in the country of original registration is notified of the registration of the ship and of the termination of its registration whether by virtue of subsection (4) above or registration regulations.

(6) Accordingly, throughout the period for which the ship is registered by virtue of this section—

(a) the ship shall, as a British ship, be entitled to fly the British flag;

(b) this Act shall, subject to subsections (7) and (8) below, apply to the ship as a British ship or as a registered ship as it applies to other British ships and to registered ships; and

(c) any other enactment applicable to British ships or ships registered under this Act, shall, subject to subsection (8) below, apply to the ship as a British ship or as a registered ship.

(7) The private law provisions for registered ships shall not apply to a ship registered by virtue of this section and any matters or questions corresponding to those for which the private law provisions for registered ships make provision shall be determined by reference to the law of the country of original registration.

(8) The Governor may, subject to subsection (9) below, by Order provide that any enactment falling within subsection (6)(b) or (c) above —

(a) shall not have effect in accordance with that subsection in relation to a ship registered by virtue of this section, or

(b) shall so have effect subject to such modifications (if any) as may be specified in the Order.

(9) No provision shall be made by an Order under subsection (8) above which would have the effect of relaxing the relevant requirements of this Act (as defined in section 9(8)) in their application to a ship to which this section applies.

(10) An Order under subsection (8) above may make such transitional, incidental or supplementary provision as appears to the Governor to be necessary or expedient (including provision divesting or providing for the divestment of ownership in the ship).

(11) In this section —

“bareboat charter terms” in relation to a ship, means the hiring of the ship for a stipulated period on terms which give the charterer possession and control of the ship, including the right to appoint the master and crew; and

“the charter period” means the period during which the ship is chartered on bareboat charter terms.

Supplemental

Regulation of registration in British possessions by reference to categories of registries

18.

Tonnage regulations

19.—(1) The tonnage of any ship to be registered under this Part shall be ascertained in accordance with regulations made by the Secretary of State (“tonnage regulations”).

(2) Tonnage regulations —

(a) may make different provisions for different descriptions of ships or for the same description of ships in different circumstances;

(b) may make any regulation dependent on compliance with such conditions, to be evidenced in such manner, as may be specified in the regulations;

(c) may prohibit or restrict the carriage of goods or stores in spaces not included in the registered tonnage and may provide for making the master and the owner each liable to a fine not exceeding the maximum of level 3 on the standard scale where such a prohibition or restriction is contravened.

- (3) Tonnage regulations may make provision —
- (a) for assigning to a ship, either instead of or as an alternative to the tonnage ascertained in accordance with the other provisions of the regulations, a lower tonnage applicable where the ship is not loaded to the full depth to which it can be safely loaded;
 - (b) for indicating on the ship, by such mark as may be specified in the regulations, that such lower tonnage has been assigned to it; and
 - (c) where the lower tonnage has been assigned to it as an alternative, for indicating on the ship the depth to which the ship may be loaded for the lower tonnage to be applicable.
- (4) Tonnage regulations may provide for the measurement and survey of ships to be undertaken, in such circumstances as may be prescribed in the regulations, by persons appointed by such organisations as may be authorised for the purpose by the Secretary of State.
- (5) Tonnage regulations may provide for the issue, by the Secretary of State or by persons appointed by such organisations as may be authorised for the purpose by the Secretary of State, of certificates of the registered tonnage of any ship or of the tonnage which is to be taken for any purpose specified in the regulations as the tonnage of a ship not registered in the United Kingdom, and for the cancellation and delivery up of such certificates in such circumstances as may be prescribed by the regulations.
- (6) Regulations requiring the delivery up of any certificate may make a failure to comply with the requirements an offence punishable with a fine not exceeding level 3 on the standard scale.

Proceedings on the forfeiture of a ship

20. Section 7 applies in relation to ships or shares in ships which become liable to forfeiture under this Part as it applies in relation to ships or shares in ships which become liable to forfeiture under Part I.

Disclosure of information relating to registration

21.—(1) No obligation as to secrecy or other restriction on the disclosure of information (whether imposed by statute or otherwise) shall preclude any department or public officer from disclosing —

- (a) to the Governor;
- (b) to the registrar, or
- (c) to any public officer authorised by the Governor to request or receive the same,

information for the purpose of the performance of any functions of the Governor or of the registrar under this Part.

(2)

(3) Information obtained by any person in pursuance of subsection (1) above shall not be disclosed by him to any other person except where the disclosure is made —

- (a) to a person to whom the information could have been disclosed in accordance with subsection (1) above; or
- (b) for the purpose of any legal proceedings arising out of this Part.

Forgery of documents: Scotland

22.

Interpretation

23.—(1) In this Part —

“Falkland Islands connection” and “declaration of Falkland Islands connection” have the meaning given in section 9(9);

“the private law provisions for registered ships” has the meaning given in section 16;

“the register” means the register of British ships maintained at Stanley under section 8;

“registered” (except with reference to the law of another country) is to be construed accordingly; and

“the registrar” means the Collector of Customs in his capacity as registrar or, as respects functions of his being discharged by another authority or person, that authority or person.

(2) Where, for the purposes of any enactment the question arises whether a ship is owned by persons qualified to own British ships, the question shall be determined by reference to registration regulations made under section 9(2)(a).

PART III

FORM IN WHICH SECTIONS 259 TO 266 OF THE 1995 ACT SHALL HAVE EFFECT IN THE FALKLAND ISLANDS

Powers of inspectors in relation to premises and ships

259.—(1) The powers conferred by this section are conferred in relation to —

(a) any premises in the Falkland Islands; or

(b) any Falkland Islands ship wherever it may be and are available to any inspector appointed under section 4 of the Merchant Shipping Ordinance 2001, for the purpose of performing his functions.

(2) Such an inspector —

(a) may at any reasonable time (or, in a situation which in his opinion is or may be dangerous, at any time) —

(i) enter any premises, or

(ii) board any ship,

if he has reason to believe that it is necessary for him to do so;

(b) may, on entering any premises by virtue of paragraph (a) above or on boarding a ship by virtue of that paragraph, take with him any other person authorised for the purpose by the Governor and any equipment or materials he requires;

(c) may make such examination and investigation as he considers necessary;

(d) may give a direction requiring that the premises or ship or any part of the premises or ship or anything in the premises or ship or such a part shall be left undisturbed (whether generally or in particular respects) for so long as is reasonably necessary for the purposes of any examination or investigation under paragraph (c) above;

(e) may take such measurements and photographs and make such recordings as he considers necessary for the purpose of any examination or investigation under paragraph (c) above;

(f) may take samples of any articles or substances found in the premises or ship and of the atmosphere in or in the vicinity of the premises or ship;

(g) may, in the case of any article or substance which he finds in the premises or ship and which appears to him to have caused or to be likely to cause danger to health or safety, cause it to be dismantled or subjected to any process or test (but not so as to damage or destroy it unless that is in the circumstances necessary);

(h) may, in the case of any such article or substance as is mentioned in paragraph (g) above, take possession of it and detain it for so long as is necessary for all or any of the following purposes, namely —

- (i) to examine it and to do to it anything which he has power to do under that paragraph,
 - (ii) to ensure that it is not tampered with before his examination of it is completed,
 - (iii) to ensure that it is available for use as evidence in any proceedings for an offence under this Act or any instrument made under it;
- (i) may require any person who he has reasonable cause to believe is able to give any information relevant to any examination or investigation under paragraph (c) above —
- (i) to attend at a place and time specified by the inspector;
 - (ii) to answer (in the absence of persons other than any persons whom the inspector may allow to be present and a person nominated to be present by the person on whom the requirement is imposed) such questions as the inspector thinks fit to ask, and
 - (iii) to sign a declaration of the truth of his answers;
- (j) may require the production of, and inspect and take copies of or of any entry in —
- (i) any books or documents which by virtue of any provision of any law of or having effect in the Falkland Islands and relating to merchant shipping or fishing vessels are required to be kept, and
 - (ii) any other books or documents which he considers it necessary for him to see for the purposes of any examination or investigation under paragraph (c) above;
- (k) may require any person to afford him such facilities and assistance with respect to any matters or things within that person's control or in relation to which that person has responsibilities as the inspector considers are necessary to enable him to exercise any of the powers conferred on him by this subsection.
- (3) The powers conferred by subsection (2) above to require the production of any document and copy it include, in relation to oil record books required to be kept under any such law as is mentioned in subsection (2)(j)(i), power to require the master to certify the copy as a true copy.
- (4) The powers conferred by subsection (2) above to inspect premises shall also be exercisable, for the purpose of any law of or having effect in the Falkland Islands relating to oil pollution by or in connection with ships or shipping, in relation to apparatus used for transferring oil.
- (5)
- (6) The powers of entry and inspection of premises conferred by subsection (2)(a), (c) and (j) above shall also be exercisable, in relation to a ship in a harbour in the Falkland Islands, by the harbourmaster or other persons appointed by the Governor for the purpose, for the purpose of ascertaining the circumstances relating to an alleged discharge of oil or a mixture containing oil from the ship into the harbour.
- (7) It is hereby declared that nothing in the preceding provisions of this section authorises a person unnecessarily to prevent a ship from proceeding on a voyage.
- (8) The Governor may by Regulations make provision as to the procedure to be followed in connection with the taking of samples under subsection (2)(f) above and subsection (11) below and provision as to the way in which samples that have been so taken are to be dealt with.
- (9) Where an inspector proposes to exercise the power conferred by subsection (2)(g) above in the case of an article or substance found in any premises or ship, he shall, if so required by a person who at the time is present in and has responsibilities in relation to the premises or ship, cause anything which is done by virtue of that power to be done in the presence of that person unless the inspector considers that its being done in that person's presence would be prejudicial to the safety of that person.

(10) Before exercising the power conferred by subsection (2)(g) above, an inspector shall consult such persons as appear to him appropriate for the purpose of ascertaining what dangers, if any there may be in doing anything which he proposes to do under that power.

(11) Where under the power conferred by subsection (2)(h) above an inspector takes possession of any article or substance found in any premises or ship, he shall leave there, either with a responsible person or, if that is impracticable, fixed in a conspicuous position, a notice giving particulars of that article or substance sufficient to identify it and stating that he has taken possession of it under that power; and before taking possession of any such substance under that power an inspector shall, if it is practicable for him to do so, take a sample of the substance and give to a responsible person at the premises or on board the ship a portion of the sample marked in a manner sufficient to identify it.

(12) No answer given by a person in pursuance of a requirement imposed under subsection (2)(i) above shall be admissible in evidence against that person or the husband or wife of that person in any proceedings except proceedings in pursuance of subsection (1)(c) of section 260 in respect of a statement in or a declaration relating to the answer; and a person nominated as mentioned in the said subsection (2)(i) shall be entitled, on the occasion on which the questions there mentioned are asked, to make representations to the inspector on behalf of the person who nominated him.

Provisions supplementary to section 259

260.—(1) A person who —

(a) intentionally obstructs an inspector in the exercise of any power available to him under section 259; or

(b) without reasonable excuse, does not comply with a requirement imposed in pursuance of section 259 or prevents another person from complying with such a requirement; or

(c) without prejudice to the generality of paragraph (b) above, makes a statement or signs a declaration which he knows is false, or recklessly makes a statement or signs a declaration which is false, in purported compliance with a requirement made in pursuance of subsection (2)(i) of section 259,

shall be liable on conviction to imprisonment for a term not exceeding two years or a fine not exceeding the maximum of level 6 on the standard scale, or both.

(2) Nothing in section 259 shall be taken to compel the production by any person of a document of which he would on grounds of legal professional privilege be entitled to withhold production on an order for discovery in an action in the Supreme Court.

(3) A person who complies with a requirement imposed on him in pursuance of paragraph (i)(i) or (k) of subsection (2) of section 259 shall be entitled to recover from the person who imposed the requirement such sums in respect of the expenses incurred in complying with the requirement as are prescribed by regulations made by the Governor or, in default of such regulations having been made, prescribed by regulations made by the Secretary of State for the purposes of this subsection in the form it has effect in the United Kingdom.

(4) Regulations under subsection (3) above may make different provision for different circumstances.

(5) Any payments under subsection (3) above shall be made out of money provided by the Legislative Council.

Improvement notices

261.—(1) If an inspector appointed under section 4 of the Ordinance is of the opinion that a person —

- (a) is contravening one or more of the relevant statutory provisions, or
- (b) has contravened one or more of those provisions in circumstances that make it likely that the contravention will continue or be repeated,

he may serve on that person a notice under this section (referred to in the following sections 263, 264, and 266 as an improvement notice).

(2) An improvement notice shall —

- (a) state that the inspector is of the said opinion, specify the provision or provisions as to which he is of that opinion, and give particulars of the reasons why he is of that opinion, and
- (b) require the person on whom the notice is served to remedy the contravention in question or (as the case may be) the matters occasioning it within such period as may be specified in the notice.

(3) The period specified in pursuance of section (2)(b) above shall not expire before the end of the period within which a notice can be given under section 264 requiring questions relating to the improvement notice to be referred to arbitration.

(4) In this section and in sections 263, 264 and 266, “the relevant statutory provisions” means —

- (a) sections 43, 44, 46 to 55, 85, 86, 88 (and Schedule 2), 89 (and Schedule 3), 90, 99, 109, 115, 116, 121 to 126, 128, 129, 130, 131 to 151 and 272 of this Act in the form it has effect in the United Kingdom; and
- (b) in so far as any of the said provisions of this Act in the form it has effect in the United Kingdom does not apply in the Falkland Islands, any provision of the law of the Falkland Islands corresponding to that provision and for time being having effect; and
- (c) the provisions of any instrument of a legislative character for the time being having effect in the Falkland Islands under any of the provisions mentioned in paragraphs (a) and (b) above.

Prohibition notices

262.—(1) If, as regards any relevant activities which are being or are likely to be carried on on board any ship by or under the control of any person, an inspector appointed under section 4 of the Merchant Shipping Ordinance 2001 is of the opinion that, as so carried on or as likely to be so carried on, the activities involve or (as the case may be) will involve the risk of —

- (a) serious personal injury to any person (whether on board the ship or not), or
- (b) serious pollution of any navigable waters, the inspector may serve on the first-mentioned person a notice under this section (referred to in the following sections of this Part as a “prohibition notice”).

(2) In subsection (1) above “relevant activities” means activities to or in relation to which any of the relevant statutory provisions apply or will, if the activities are carried on as mentioned in that subsection, apply.

(3) A prohibition notice shall —

- (a) state that the inspector is of the said opinion;
- (b) specify the matters which in his opinion give or (as the case may be) will give rise to the said risk;
- (c) where in his opinion any of those matters involve or (as the case may be) will involve a contravention of any of the relevant statutory provisions state that he is of that opinion,

specify the provision or provisions as to which he is of that opinion, and give particulars of the reasons why he is of that opinion; and

(d) direct —

(i) that the activities to which the notice relates shall not be carried on by or under the control of the person on whom the notice is served, or

(ii) that the ship shall not go to sea,

(or both of those things) unless the matter specified in the notice in pursuance of paragraph (b) above, and any associated contraventions of any provision so specified in pursuance of paragraph (c) above, have been remedied.

(4) A direction contained in a prohibition notice in pursuance of subsection (3)(d) above shall take effect —

(a) at the end of a period specified in the notice, or

(b) if the direction is given in pursuance of subsection (3)(d)(ii) above or the notice so declares, immediately.

Provisions supplementary to sections 261 and 262

263.—(1) An improvement notice or a prohibition notice may (but need not) include directions as to the measures to be taken to remedy any contravention or matter to which the notice relates; and any such directions may be framed so as to afford the person on whom the notice is served a choice between different ways of remedying the contravention or matter.

(2) An improvement notice or a prohibition notice shall not direct any measures to be taken to remedy the contravention of any of the relevant statutory provisions that are more onerous than those necessary to secure compliance with that provision.

(3) Where an improvement notice or a prohibition notice that is not to take immediate effect has been served —

(a) the notice may be withdrawn by an inspector at any time before the end of the period specified in it in pursuance of section 261(2)(b) or (as the case may be) section 262(4); and

(b) the period so specified may be extended or further extended by an inspector at any time when a reference to arbitration in respect of that notice is not pending under section 264.

References of notices to arbitration

264.—(1) Any question —

(a) as to whether any of the reasons or matters specified in an improvement notice or a prohibition notice in respect of section 261(2)(a) or 262(3)(b) or (c) in connection with any opinion formed by the inspector constituted a valid basis for that opinion, or

(b) as to whether any directions included in the notice in pursuance of section 263(1) were reasonable,

shall, if the person on whom the notice was served so requires by notice given to the inspector within 21 days from the service of the notice, be referred to a single arbitrator appointed by agreement between the parties for that question to be decided by him.

(2) Where a notice is given by a person in accordance with subsection (1) above, then —

(a) in the case of an improvement notice, the giving of the notice shall have the effect of suspending the operation of the improvement notice until the decision of the arbitrator is published to the parties or the reference is abandoned by that person;

- (b) in the case of a prohibition notice, the giving of the notice shall have the effect of suspending the operation of the prohibition notice if, but only if, on the application of that person the arbitrator so directs (and then only from the giving of the direction).
- (3) Where on a reference under this section the arbitrator decides as respects any reason, matter or direction to which the reference relates, that in all the circumstances —
- (a) the reason or matter did not constitute a valid basis for the inspector's opinion, or
 - (b) the direction was unreasonable,
- he shall either cancel the notice or affirm it with such modifications as he may in the circumstances think fit; and in any other case the arbitrator shall affirm the notice in its original form.
- (4) Where any reference under this section involves the consideration by the arbitrator of the effect of any particular activities or state of affairs on the health or safety of any persons, he shall not on that reference make any decisions such as is mentioned in subsection (3)(a) or (b) above except after —
- (a) in the case of an improvement notice, affording an opportunity of making oral representations to him with respect to those effects to a member of any such panel or representatives of maritime trade unions as have been appointed by the Secretary of State for the purposes of this subsection in the form it has effect in the United Kingdom; or
 - (b) in the case of a prohibition notice, affording an opportunity of making such representations to him to either —
 - (i) a representative of a trade union representing persons whose interests it appears to him that the notice was designed to safeguard, or
 - (ii) a member of any such panel as is referred to in paragraph (a) as he thinks appropriate; and
 - (c) (in either case) considering any representations made to him in pursuance of paragraph (a) or (b) above.
- (5) A person shall not be qualified for appointment as an arbitrator under this section unless he is —
- (a) a person holding a certificate of competency as a master mariner or as a marine engineer officer class 1, or a person holding a certificate equivalent to any such certificate;
 - (b) a naval architect; or
 - (c) a person with special experience of shipping matters, of the fishing industry, or of activities carried on in ports.
- (6) For the purposes of subsection (5)(c) a person falls within this subsection if —
- (a) he is a member of the Bar of England and Wales or a solicitor of the Supreme Court of England and Wales, in either case, of at least 10 years standing;
 - (b) he is an advocate or solicitor in Scotland, in either case, of at least 10 years standing; or
 - (c) he is a member of the Bar of Northern Ireland or a solicitor of the Supreme Court of Northern Ireland, in either case, of at least 10 years standing.
- (7) In connection with his functions under this section an arbitrator shall have the powers conferred on an inspector by section 259 other than subsections (3), (4) and (6).
- (8)
- (9)

Compensation in connection with invalid prohibition notices

265.—(1) If on a reference under section 264 relating to a prohibition notice —

- (a) the arbitrator decides that any reason or matter did not constitute a valid basis for the inspector's opinion, and
- (b) it appears to him that there were no reasonable grounds for the inspector to form that opinion,

the arbitrator may, subject to subsection (3) below, award the person on whom the notice was served such compensation in respect of any loss suffered by him in consequence of the service of the notice as the arbitrator thinks fit.

(2) If on any such reference the arbitrator decides that any direction included in the notice was unreasonable, the arbitrator may, subject to subsection (3) below, award the person on whom the notice was served such compensation in respect of any loss suffered by him in consequence of the direction as the arbitrator thinks fit.

(3) An arbitrator shall not award any compensation under subsection (1) or (2) above in the case of any prohibition notice unless —

(a) it appears to him that the direction given in pursuance of section 262(3)(d) contained any such requirement as is mentioned in subparagraph (ii) of that provision; or

(b) it appears to him that —

(i) the inspector was of the opinion that there would be such a risk of injury or pollution as is referred to in the notice if the ship went to sea, and

(ii) the effect of the direction given in pursuance of section 262(3)(d) was to prohibit the departure of the ship unless the matters, or (as the case may be) the matters and contraventions, referred to in the direction were remedied.

(4) Any compensation awarded under this section shall be payable by the Governor out of monies provided by the Legislative Council.

Offences

266.—(1) Any person who contravenes any requirement imposed by an improvement notice shall be liable to a fine not exceeding the maximum of level 10 on the standard scale.

(2) Any person who contravenes any prohibition imposed by a prohibition notice shall be liable to imprisonment for a term not exceeding two years or a fine not exceeding the maximum of level 12 on the standard scale, or both.

(3) It shall be a defence for a person charged with an offence under this section to prove that he exercised all due diligence to avoid a contravention of the requirement or prohibition in question.

(4) In this section any reference to an improvement notice or a prohibition notice includes a reference to any such notice as modified under section 264(3).

PART IV

FORM IN WHICH SECTION 313 OF THE 1995 ACT SHALL HAVE EFFECT IN THE FALKLAND ISLANDS

Definitions

313.—(1) In this Act, unless the context otherwise requires —

“British ship” has the meaning given in section 1(1);

“commissioned military officer” means a commissioned officer in Her Majesty's land forces on full pay;

“commissioned naval officer” means a commissioned officer of Her Majesty's Navy on full pay;

“Falkland Islands connection” has the meaning given in section 9(9);

“Falkland Islands ship” has the meaning given in section 1(3) except in the contexts there mentioned;

“fishing vessel” means a vessel for the time being used (or, in the case of an application for registration, intended to be used) for, or in connection with, fishing for sea fish other than a vessel used (or intended to be used) for fishing otherwise than for profit; and for the purposes of this definition “sea fish” includes shellfish, salmon and migratory trout (that is to say, any species of trout which migrates to or from the sea);

“foreign” in relation to a ship, means that it is neither a Falkland Islands ship nor a small ship (as defined in section 1(2)) which is a British ship;

“Government ships” means ships not forming part of Her Majesty’s Navy which belong to Her Majesty, or are held by any person on behalf of the Crown (and for that reason cannot be registered under Part II);

“master” includes every person (except a pilot) having command or charge of a ship, and in relation to a fishing vessel, means the skipper;

“the Ordinance” means the Merchant Shipping Ordinance 2001 of the Falkland Islands;

“port” includes place;

“the register” and “registered” have the meaning given in section 23(1);

“the registrar”, in relation to the registration of ships, has the meaning given in section 8;

“registration regulations” means regulations under section 10;

“relevant British possession” means —

- (a) the Isle of Man;
- (b) any of the Channel Islands; and
- (c) any colony, other than the Falkland Islands;

“ship” includes every description of vessel used in navigation;

“surveyor of ships” means a surveyor appointed under —

- (a) section 256(2) of this Act in the form it has effect in the United Kingdom, or
- (b) section 4 of the Ordinance.

“the tonnage regulations” means regulations under section 19.

PART V

FORM IN WHICH SCHEDULE 1 TO THE 1995 ACT SHALL APPLY TO THE FALKLAND ISLANDS

(section 16)

PRIVATE LAW PROVISIONS FOR REGISTERED SHIPS

General

1.—(1) Subject to any rights and powers appearing from the register to be vested in any other person, the registered owner of a ship or of a share in a ship shall have power absolutely to dispose of it provided the disposal is made in accordance with this Schedule and registration regulations.

(2) Sub-paragraph (1) does not imply that interests arising under contract or other equitable interests cannot subsist in relation to a ship or a share in a ship; and such interests may be enforced by or against owners and mortgagees of ships in respect of their interest in the ship or share in the same manner as in respect of any other personal property.

(3) The registered owner of a ship or of a share in a ship shall have power to give effectual receipts for any money paid or advanced by way of consideration on any disposal of the ship or share.

Transfers etc of registered ships

2.—(1) Any transfer of a registered ship, or a share in such a ship, shall be effected by a bill of sale satisfying the prescribed requirements, unless the transfer will result in the ship ceasing to have a Falkland Islands connection.

(2) Where any such ship or share has been transferred in accordance with sub-paragraph (1), the transferee shall not be registered as owner of the ship or share unless —

(a) he has made the prescribed application to the registrar; and

(b) the registrar is satisfied that the ship retains a Falkland Islands connection and that he would not refuse to register the ship.

(3) If an application under sub-paragraph (2) is granted by the registrar, the registrar shall register the bill of sale in the prescribed manner.

(4) Bills of sale shall be registered in the order in which they are produced to the registrar for the purposes of registration.

3.—(1) Where a registered ship, or a share in a registered ship, is transmitted to any person by any lawful means other than a transfer under paragraph 2 and the ship continues to have a Falkland Islands connection, that person shall not be registered as owner of the ship or share unless —

(a) he has made the prescribed application to the registrar; and

(b) the registrar is satisfied that the ship retains a Falkland Islands connection and that he would not refuse to register the ship.

(2) If an application under sub-paragraph (1) is granted by the registrar, the registrar shall cause the applicant's name to be registered as owner of the ship or share.

4.—(1) Where the property in a registered ship or share in a registered ship is transmitted to any person by any lawful means other than a transfer under paragraph 2 above, but as a result the ship no longer has a Falkland Islands connection, the Supreme Court may, on application by or on behalf of that person, order a sale of the property so transmitted and direct that the proceeds of sale, after deducting the expenses of the sale, shall be paid to that person or otherwise as the court directs.

(2) The court may require any evidence in support of the application as it thinks requisite, and may make the order on any terms and conditions it thinks just, or may refuse to make the order, and generally may act in the case as the justice of the case requires.

(3) Every such application must be made within the period of 28 days beginning with the date of the occurrence of the event on which the transmission has taken place, or within such further time (not exceeding one year) as the court may allow.

(4) If —

(a) such an application is not made within the time allowed by or under sub-paragraph (3); or

(b) the court refuses an order for sale,

the ship or share transmitted shall be liable to forfeiture.

5.—(1) Where any court (whether under paragraph 4 or otherwise) orders the sale of any registered ship or share in a registered ship, the order of the court shall contain a declaration vesting in some named person the right to transfer the ship or share.

(2) The person so named shall be entitled to transfer the ship or share in the same manner and to the same extent as if he were the registered owner of the ship or share.

(3) The registrar shall deal with any application relating to the transfer of the ship or share made by the person so named as if that person were the registered owner.

6.—(1) The Supreme Court may, if it thinks fit (without prejudice to the exercise of any other power), on the application of any interested person, make an order prohibiting for a specified time any dealing with a registered ship or share in a registered ship.

(2) The court may make the order on any terms or conditions it thinks just, or may refuse to make the order, or may discharge the order when made (with or without costs or, in Scotland, expenses) and generally may act in the case as the justice of the case requires.

(3) The order, when a copy is served on the registrar, shall be binding on him whether or not he was made a party to the proceedings.

Mortgages

7.—(1) A registered ship, or share in a registered ship, may be made a security for the repayment of a loan or the discharge of any other obligation.

(2) The instrument creating any such security (referred to in the following provisions of this Schedule as a “mortgage”) shall be in the form prescribed by or approved under registration regulations.

(3) Where a mortgage executed in accordance with sub-paragraph (2) above is produced to the registrar, he shall register the mortgage in the prescribed manner.

(4) Mortgages shall be registered in the order in which they are produced to the registrar for the purposes of registration.

Priority of registered mortgages

8.—(1) Where two or more mortgages are registered in respect of the same ship or share, the priority of the mortgages between themselves shall, subject to sub-paragraph (2), be determined by the order in which the mortgages were registered (and not by reference to any other matter).

(2) Registration regulations may provide for the giving to the registrar by intending mortgagees of “priority notices” in a form prescribed by or approved under the regulations which, when recorded in the register, determine the priority of the interest to which the notice relates.

Registered mortgagee’s power of sale

9.—(1) Subject to sub-paragraph (2), every registered mortgagee shall have power, if the mortgage money or any part of it is due, to sell the ship or share in respect of which he is registered, and to give effectual receipts for the purchase money.

(2) Where two or more mortgagees are registered in respect of the same ship or share, a subsequent mortgagee shall not, except under an order of a court of competent jurisdiction, sell the ship or share without the concurrence of every prior mortgagee.

Protection of registered mortgagees

10. Where a ship or share is subject to a registered mortgage then —

(a) except so far as may be necessary for making the ship or share available as a security for the mortgage debt, the mortgagee shall not by reason of the mortgage be treated as owner of the ship or share; and

(b) the mortgagor shall be treated as not having ceased to be owner of the ship or share.

Transfer of registered mortgage

11.—(1) A registered mortgage may be transferred by an instrument made in the form prescribed by or approved under registration regulations.

(2) Where any such instrument is produced to the registrar, the registrar shall register the transferee in the prescribed manner.

Transmission of registered mortgage by operation of law

12. Where the interest of a mortgagee in a registered mortgage is transmitted to any person by any lawful means other than by a transfer under paragraph 11, the registrar shall, on production of the prescribed evidence, cause the name of that person to be entered in the register as mortgagee of the ship or share in question.

Discharge of registered mortgage

13. Where a registered mortgage has been discharged, the registrar shall, on production of the mortgage deed and such evidence of the discharge of the mortgage as may be prescribed, cause an entry to be made in the register to the effect that the mortgage has been discharged.

Definitions

14. In this Schedule —

“mortgage” shall be construed in accordance with paragraph 7(2);

“prescribed” means prescribed in registration regulations; and

“registered mortgage” means a mortgage registered under paragraph 7(3).

Passed by the Legislature of the Falkland Islands this 21st day of September 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

RUSSELL THOMAS JARVIS,
Acting Governor.

Finance and Audit (Amendment) Ordinance 2001

(No: 16 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of the Finance and Audit Ordinance

ELIZABETH II



Colony of the Falkland Islands

RUSSELL THOMAS JARVIS,
Acting Governor.

FINANCE AND AUDIT (AMENDMENT) ORDINANCE 2001

(No: 16 of 2001)

AN ORDINANCE

(assented to:.... 26 September 2001)
(commencement: upon publication)
(published:11 October 2001)

To amend the Finance and Audit Ordinance.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Finance and Audit (Amendment) Ordinance 2001.

Amendment of the Finance and Audit Ordinance

2. Section 45 of the Finance and Audit Ordinance(a) is amended —

- (a) in subsection (1), by replacing the words “good behaviour” with the words “Her Majesty’s pleasure”; and
- (b) in the proviso to subsection (2) by inserting the words “Without prejudice to and subject to subsection (1),” at the beginning of that proviso and by deleting the word “Provided”.

(a) Title 19.3

Passed by the Legislature of the Falkland Islands this 21st day of September 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

RUSSELL THOMAS JARVIS,
Acting Governor.

**Councillors (Continuing Membership of Statutory Boards and Committees) Ordinance
2001**

(No: 17 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of Falkland Islands Development Corporation Ordinance
3. Amendment of Planning Ordinance 1991
4. Amendment of Police Ordinance 2000
5. Amendment of Falklands Landholdings Corporation Ordinance 2000
6. Amendment of Elected Councillor's Allowances Ordinance

ELIZABETH II



Colony of the Falkland Islands

RUSSELL THOMAS JARVIS,
Acting Governor.

**COUNCILLORS (CONTINUING MEMBERSHIP OF STATUTORY BOARDS AND
COMMITTEES) ORDINANCE 2001**

(No: 17 of 2001)

AN ORDINANCE

(assented to:26 September 2001)

(commencement: upon publication)

(published:11 October 2001)

To provide for any elected member of the Legislative Council who is a member of certain statutory boards or committees at the dissolution of the Legislative Council on any occasion to continue to be such a member until the Legislative Council first meets following such dissolution, and for connected purposes.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Councillors (Continuing Membership of Statutory Boards and Committees) Ordinance 2001.

Amendment of Falkland Islands Development Corporation Ordinance

2.—(1) Section 7 of the Falkland Islands Development Corporation Ordinance 1983(a) is amended —

(a) Title 28.1 (No 1 of 1983)

- (a) in subsection (3) by inserting the words “other than as provided by subsection (3A)” before the words “ceases to be an elected member of the Legislative Council”;
- (b) by inserting the following subsection after subsection (3) —

“(3A) For the purposes of subsection (1)(i) and of subsection (3) of this section, a person who was a member of the Legislative Council immediately preceding a dissolution of the Legislative Council shall be deemed to continue to be a member of the Legislative Council until the first meeting of the Legislative Council following that dissolution.”

- (2) Section 7A of the Falkland Islands Development Corporation Ordinance is amended by the insertion of the following subsection after subsection (1) —

“(1A) Section 7(3A) shall have effect in relation to subsection (1) of this section as it has in relation to section 7(1)(i) and section 7(3).”

Amendment of Planning Ordinance

- 3.—(1) Section 5 of the Planning Ordinance 1991(b) is amended by inserting the following subsection after subsection (3) —

“(3A) The references in subsections (2) and (3) to “elected members of Legislative Council” and “an elected member of the Legislative Council” include, in relation to the period falling between a dissolution of the Legislative Council and the next following meeting of the Legislative Council, any person who was an elected member of the Legislative Council immediately preceding its dissolution.”

- (2) Section 6 of the Planning Ordinance 1991 is amended by the insertion of the following subsection immediately after subsection (6) —

“(6A) The references —

(a) in subsection (1) to “elected members of the Legislative Council”;

(b) in subsection (6) to “an elected member of the Legislative Council” and “another elected member of the Legislative Council”

include, in relation to the period falling between a dissolution of the Legislative Council and the next following meeting of the Legislative Council, any person who was an elected member of the Legislative Council immediately preceding its dissolution.”

Amendment of Police Ordinance

- 4. Section 10 of the Police Ordinance 2000(c) is amended by inserting the following subsection after subsection (4) —

(b) Title 55.3 (No 7 of 1991)

(c) No 6 of 2000

“(4A) For the purposes of subsections (2) and (4) a person who was an elected member of the Legislative Council immediately before a dissolution of the Legislative Council shall be deemed to continue to be such a member until the first meeting of the Legislative Council following that dissolution.”

Amendment of Falklands Landholdings Corporation Ordinance

5. The following subsection is inserted after section 4(3) of the Falklands Landholdings Corporation Ordinance 2000(d) —

“(3A) For the purposes of subsection (1)(h) and of subsection (3) of this section, a person who was a member of the Legislative Council immediately preceding a dissolution of the Legislative Council shall be deemed to continue to be a member of the Legislative Council until the first meeting of the Legislative Council following the dissolution.”

Amendment of Elected Councillors’ Allowances Ordinance

6. The Elected Councillors’ Allowances Ordinance(e) is amended by inserting the following section after section 2 —

“Interpretation

2A. For the purposes of this Ordinance any reference to an elected member of the Legislative Council includes, in relation to any period between a dissolution of the Legislative Council and the next following meeting of the Legislative Council, any person who was an elected member of the Legislative Council immediately before that dissolution.”

Passed by the Legislature of the Falkland Islands this 21st day of September 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

(d) No 21 of 2000

(e) Title 19.2 (No 2 of 1990)

ELIZABETH II



Colony of the Falkland Islands

RUSSELL THOMAS JARVIS,
Acting Governor.

Road Traffic (Amendment) Ordinance 2001

(No: 18 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of section 6(13) of the Road Traffic Ordinance

ELIZABETH II



Colony of the Falkland Islands

RUSSELL THOMAS JARVIS,
Acting Governor.

ROAD TRAFFIC (AMENDMENT) ORDINANCE 2001

(No: 18 of 2001)

AN ORDINANCE

(assented to: 26 September 2001)
(commencement: upon publication)
(published: 11 October 2001)

To amend the Road Traffic Ordinance (Title 63.1).

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Road Traffic (Amendment) Ordinance 2001.

Amendment of section 6(13) of the Road Traffic Ordinance

2.—(1) Section 6(13) of the Road Traffic Ordinance is amended by inserting the words “on a road” after the words “drives a motor vehicle” appearing in that subsection.

(2) The amendment made by subsection (1) of this section shall be deemed to have had effect on and from 1st July 1959 (the date on which the Road Traffic (Amendment) Ordinance 1959, which inserted section 6(13) (then section 6(11)) into the Road Traffic Ordinance, came into effect).

Passed by the Legislature of the Falkland Islands this 21st day of September 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

SUBSIDIARY LEGISLATION

ELECTIONS

Candidates' Election Expenses (Increase) Regulations 2001

S. R. & O. No: 23 of 2001

Made: 11 September 2001

Published: 11 October 2001

Coming into force: on publication

IN EXERCISE of my powers under section 137 and 210 of the Electoral Ordinance(a), I make the following Regulations —

Citation

1. These Regulations may be cited as the Election Expenses (Increase) Regulations 2001.

Increase of maximum amount of election expenses

2. For the purposes of section 137(1) and section 138 of the Electoral Ordinance the maximum aggregate amount of expenses that may be paid or incurred by a candidate or his election agent is increased —

(a) to £600 in the case of the Camp constituency; and

(b) to £500 in the case of the Stanley constituency.

Made this eleventh day of September 2001

R T Jarvis
Acting Governor

EXPLANATORY NOTE

(not forming part of the above Regulations)

These Regulations increase the maximum expenses (not including personal expenses) which may be incurred by a candidate in the case of the Camp constitution from £300 plus £1 for every five electors to £600 and in the Stanley Constituency from £100 plus £1 for every eight electors to £500. The maximum expenses have not been increased since 1989 and the effect of the Regulations is approximately to double what would be allowable at the present time under the Ordinance.

(a) Title 30.1

SUBSIDIARY LEGISLATION

FISHERIES

Fishing Licences (Applications and Fees) Order 2001

S. R. & O. No: 24 of 2001

Made: 20 September 2001

Published: 11 October 2001

Coming into force: upon publication

IN EXERCISE of my powers under section 20 of the Fisheries (Conservation and Management) Ordinance 1986(a) and of all other powers enabling me in that behalf, I make the following Order —

Commencement and citation

1. This Order may be cited as the Fishing Licences (Applications and Fees) Order 2001 and shall come into operation on the date it is first published in the Gazette and cease to have effect on 30th June 2002.

Application

2. Nothing in this Order applies to licences for exploratory or scientific purposes or to fishing within the territorial sea or internal waters.

Interpretation

3. In this Order —

“combination vessel” means a fishing boat which is equipped so as to be able to catch or take fish both by jigging machines and by trawl or trawls;

“exploratory or scientific purposes” means purposes related to the assessment of the commercial or practical viability of fishing for fish generally or for a particular species of fish or to the assessment or quantification of stocks of any species of fish or fish of any age, stage of maturity or size of a species of fish or the locations in which they or any species of fish or fish of any age, stage of maturity or size may be found;

“FICZ” means the interim conservation and management zone as defined in section 2 of the Fisheries (Conservation and Management) Ordinance 1986;

“fishing licence” means a licence to catch or take fish within the fishing waters;

“FOCZ” means the outer conservation zone as defined in Proclamation 2 of 1990 as varied by Proclamation 1 of 1994;

“jigger” means a fishing boat which is equipped so as to be able to catch or take fish by means of jigging machines;

“northern area” means those areas of the FICZ which lie to the north of latitude 51°15' south and to the east of longitude 60° west and north of latitude 52° south and to the west of longitude 60° west;

“southern area” means those areas of the FICZ which lie to the south of latitude 51°15’ south and to the east of longitude 60° west and south of latitude 52° south and to the west of longitude 60° west;
“the fishing season” means —

- (a) in relation to an “A” licence the period commencing on 1st January 2002 and ending on 30th June 2002;
- (b) in relation to a “B” licence the period commencing on 15th February 2002 and ending on 15th June 2002;
- (c) in relation to a “C” licence the period commencing on 1st February 2002 and ending on 31st May 2002;
- (d) in relation to an “F” licence the period commencing on 1st January 2002 and ending on 30th June 2002;
- (e) in relation to a “G” licence the period commencing on 1st March 2002 and ending on 31st May 2002;
- (f) in relation to a “S” licence the period commencing on 1st January 2002 and ending on 30th June 2002;
- (g) in relation to a “W” licence the period commencing on 1st January 2002 and ending on 30th June 2002.
- (h) in relation to an “L” licence the period commencing on 1st January 2002 and ending on 30th June 2002.

“the principal Regulations” means the Fishing Regulations Order 1987;

“trawler” means a fishing boat which is equipped so as to be able catch or take fish by means of a trawl or trawls.

The principal Regulations

4. For so long as this Order is in force such of the provisions of the principal Regulations as are inconsistent with this Order shall not be in force, but except as aforesaid the provisions of the principal Regulations remain in force and shall be complied with in addition to those of this Order.

Types of Licence

5.—(1) For the purpose of this Order there shall be the following categories of licence —

- (a) an “A” licence;
- (b) a “B” licence;
- (c) a “C” licence;
- (d) an “F” licence;
- (e) a “G” licence;
- (f) an “L” licence;
- (g) an “S” licence;
- (h) a “W” licence.

(2) An “A” licence authorises the catching or taking of any Finfish, that is to say a vertebrate fish having a dorsal fin, a ventral or pectoral fin and not in any case including Skate (*Rajidae*) or Toothfish (*Dissostichus eleginoides*) or squid of any kind.

(3) A “B” licence authorises the catching or taking within the northern area and the FOCZ of *Illex argentinus* and *Martialia hyadesi* only.

(4) A “C” licence authorises the catching or taking within the southern area of squid of the species *Loligo gahi*.

(5) An “F” licence authorises the catching or taking of all species of the family Skate (*Rajidae*) and shall not permit the taking of other species of finfish or squid of any kind.

(6) A "G" licence authorises the catching or taking of *Illex argentinus* and *Martialia hyadesi* and any finfish except Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) or Skate (*Rajidae*) that is to say a vertebrate fish having a dorsal fin, a ventral or pectoral fin and not in any case including Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) or Skate (*Rajidae*).

(7) An "L" licence issued under these regulations shall permit the catching of Toothfish (*Dissostichus eleginoides*)

(8) An "S" licence authorises the catching or taking of Blue Whiting (*Micromesistus australis*) and Hoki (*Macruronus magellanicus*).

(9) A "W" licence authorises the catching or taking of any finfish except Hake (*Merluccius spp.*), and Toothfish (*Dissostichus eleginoides*) Skate (*Rajidae*) that is to say a vertebrate fish having a dorsal fin, a ventral or pectoral fin and not in any case including Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) or Skate (*Rajidae*) or squid of any kind.

Applications for Licences

6.—(1) Applications for licences in respect of the whole or any part of any fishing season shall be made to the Director of Fisheries at the Falkland Islands Fisheries Department, PO Box 598, Stanley, Falkland Islands.

(2) Any application to which paragraph (1) of this article relates shall be made so as to be received there by Friday 28th September 2001.

(3) The Director of Fisheries in his discretion may consider an application lodged after the date mentioned in paragraph (2) of this article but is not bound to do so.

The Schedule and its Tables

7.—(1) Table 1 of the Schedule to this Order applies in respect of the fees payable for type "A" licences.

(2) Table 2 of the Schedule to this Order applies in respect of the fees payable for type "B" licences granted to any jigger.

(3) Table 3 of the Schedule to this Order applies in respect of the fees payable for type "B" licences granted to any trawler or combination vessel.

(4) Table 4 of the Schedule to this Order applies in respect of the fees payable for type "C" licences.

(5) Table 5 of the Schedule to this Order applies in respect of the fees payable for type "F" licences.

(6) Table 6 of the Schedule to this Order applies in respect of the fees payable for type "G" licences.

(7) Table 7 of the Schedule to this Order applies in respect of the fees payable for type "S" licences.

(8) Table 8 of the Schedule to this Order applies in respect of the fees payable for type "W" licences.

(9) Table 9 of the schedule to this order applies in respect of fees payable for type "L" licences.

(10) All fees payable under this article shall be paid in pounds Sterling and in accordance with the principal Regulations.

(11) The explanatory notes at the commencement of each Table in the Schedule to this Order are for guidance only and shall not have legislative effect.

(12) This article and the Schedule has effect subject to article 8(3).

Licence in rotation

8.—(1) The Director of Fisheries may, if he thinks fit, grant a licence in respect of one or more vessels in rotation for one another.

(2) Where a licence is granted under paragraph (1) the Director of Fisheries may impose such conditions in the licence as he considers necessary or expedient and, in particular, to ensure —

- (a) that only one vessel is permitted to fish within the fishing waters at any one time;
 - (b) that proper and adequate notice is given to him of the intention to substitute one vessel for another and that any vessel previously permitted to fish in the fishing waters has ceased to do so before another vessel is permitted to commence fishing;
 - (c) that all and any other conditions specially necessary to promote the proper conservation and management of fish within the fishing waters appear therein.
- (3) The Director of Fisheries may require —
- (a) that, where appropriate so as to take into consideration the overall fishing capacity of vessels as they are rotating for one another, a special licence fee calculated by reference to a formula approved by the Governor and prescribed by a further Order shall be paid in respect of a rotating licence: and
 - (b) that, an administration fee of such amounts as he may fix in the circumstances of the case shall be paid before one vessel is substituted for another under a rotating licence.
- (4) A rotating licence is not transferable except as expressly permitted thereby.

Special provisions in relation to type “B” licences

- 9.—(1) The Director of Fisheries may, if he thinks fit, grant a type “B” licence for such period within the fishing season as he thinks fit.
- (2) Where a licence is granted under paragraph (1) a special fee, calculated by reference to a formula prescribed by a further Order, must be paid.

Transshipment fees

10. The fee for transshipment or transshipment and export licences for the period 1st January 2002 to 30th June 2002 is £1,500.00 per transshipment operation. [Where a fishing licence or combination of fishing licences are granted to a fishing vessel for a period of three or more months, a transshipment licence for the period 01 January to the 30 June 2002 will be issued]

Made this twentieth day of September 2001

R T Jarvis
Acting Governor

THE SCHEDULE

Provision as to fishing licences in respect of the fishing season

TABLE 1
Finfish only - Type “A” Licences

(Explanatory notes:

1. These notes are not of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take all finfish except Toothfish (*Dissostichus eleginoides*) and Skate (*Rajidae*).

3. The season for this type of licence commences on 1st January 2002 and ends on 30th June 2002 and will be subject to a closed area and provisions of the Fishing (Nets and Supplementary Equipment) Regulations Order 1990.

4. Fees set out in this Table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

A. In the following formula, "GRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fee payable is the result of:

$$\pounds(5.882 * \text{GRT}) + 15333$$

TABLE 2

Jiggers - Squid North - Type "B" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.

2. Fees calculated by the Formula set out in this Table apply to jiggers licensed to take squid in the FICZ northern area and FOCZ and not to trawlers or combination vessels.

3. The season for this type of licence commences on 15th February 2002 and ends on 15th June 2002.

4. Fees calculated by the Formula set out in this Table are for the full season.

Effective text (of legislative effect)

A. In the following Formula, "GRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed; 'D' means the number of double jigging machines located upon the jigger to which the licence relates and 'S' means the number of single jigging machines located upon the jigger to which the licence relates.

B. A licence is not transferable.

Formula

Where the following is applicable —

I. Where the vessel held and utilised a comparable licence in respect of the first season 2001 or for two out of the last three first seasons

Fee payable is the result of:

$$\pounds(0.425 * (\text{GRT} * (\text{S} + 1.5\text{D}))) + 113447$$

II In any case where Formula I does not apply —

Fee payable is the result of:

$$\pounds(0.510 * (\text{GRT} * \text{S} + 1.5\text{D})) + 136137$$

TABLE 3
Trawlers - Squid North -Type "B" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers and combination vessels licensed to take squid in the northern area and FOCZ and not to jiggers.
3. The season for this type of licence commences on 15 February 2002 and ends on 15th June 2002. (Note: Vessels fishing under a Type "B" licence using a bottom or demersal trawl are subject to the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990, but vessels fishing under such a licence using any other kind of trawl have until 15th June 2001 been exempted by the Director of Fisheries from the provisions of that Order).
4. Fees calculated by the Formula set out in this Table are for the full season.)

Effective text (of legislative effect)

- A. In the following Formula, "GRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.
- B. A licence is not transferable.

Formula

Fee payable is the result of:

$$\pounds(3.687 * \text{GRT}) + 105796$$

TABLE 4
Trawlers - Squid South - Type "C" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take squid species *Loligo Gahi* within the shaded (valid) area.
3. The season for this type of licence commences on 1st February 2002 and ends on 31st May 2002 and is exempt from the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990, within the shaded (valid) area.
4. Fees calculated by the Formula set out in this Table are for the full season.)

Effective text (of legislative effect)

- A. In the following Formula, "GRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.
- B. A licence is not transferable.

Formula

Fee payable is the result of:

$$\pounds(95.79 * \text{GRT}) + 109594$$

TABLE 5
Skate Only - Type "F" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take Skate (*Rajidae*) only.
3. The season for this type of licence commences on 1st January 2002 and ends on 30th June 2002 and will be subject to a closed area and the Fishing (Nets and Supplementary Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

A. In the following Formula, "GRT" means gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fees payable per licensed month of fishing is the result of:

$$\pounds(2.42 * \text{GRT}) + 19554$$

TABLE 6
Squid and Finfish (Species Restricted) - Type "G" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take *Illex argentinus* and *Martialia hyadesi* and any finfish except Hake (*Merluccius spp*), Toothfish (*Dissostichus eleginoides*) or Skate (*Rajidae*).
3. The season for this type of licence commences on 1st March 2002 and ends on 31st May 2002 and will be subject to a closed area and the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990. Applications for this licence type must be in respect of vessels which will engage in fishing using bottom or demersal trawls.
4. Fees calculated by the Formula set out in this Table are payable in respect of the Season.)

Effective text (of legislative effect)

A. In the following Formula, "GRT" means gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fee payable is the result of:

$$\pounds(37.674 * \text{GRT}) + 26085$$

TABLE 7

Finfish only - Species Restricted - Type "S" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this table apply to trawlers equipped with Surimi factories, licensed to take Blue Whiting (*Micromesistius australis*) and Hoki (*Macruronus magellanicus*).
3. The season for this type of licence commences on 1st January 2002 and ends on 30th June 2002 and will be subject to the Fishing (Nets and supplementary Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are payable in respect of the number of months for which the licence is valid).

Effective text (of legislative effect)

A. In the following Formula, "GRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fee payable per licensed month is the result of:

$$\pounds(27.496 * \text{GRT})$$

TABLE 8

Finfish Only - Species Restricted - Type "W" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take all finfish species with the exception of Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) and Skate (*Rajidae*) or squid.
3. The season for this type of licence commences on the 1st January 2002 and ends on the 30th June 2002 and will be subject to closed areas and the provisions of the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

A. In the following Formula, "GRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fees payable per licensed month is the result of :

$$\pounds(5.882 * \text{GRT}) + 10333$$

SUBSIDIARY LEGISLATION

ELECTIONS

Referendum (Single Constituency) (Arrangements) Order 2001

S. R. & O. No: 25 of 2001

Made: 26 September 2001
Approved by the Legislative Council: 21 September 2001
Published: 11 October 2001
Coming into effect: upon publication

Whereas a draft of this Order has been laid before the Legislative Council has been approved by resolution of that Council —

NOW IN EXERCISE of my powers under section 3(3) of the Referendum (Single Constituency and Voting System) Ordinance 2001(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation

1. This Order may be cited as the Referendum (Single Constituency) (Arrangements) Order 2001.

Interpretation

2. In this Order and in any provision applied by this Order —

“the Electoral Ordinance” means the Electoral Ordinance (Title 30.1);

“the 2001 Ordinance” means the Referendum (Single Constituency and Voting System) Ordinance 2001;

“Chief Counting Officer” means the Chief Executive;

“the referendum” means the referendum held by virtue of section 2(1) of the 2001 Ordinance; and

“voting area” means the Stanley Constituency or the Camp Constituency as may be appropriate

Holding of referendum

3. A referendum shall be held on 22nd November 2001 on the question mentioned in article 5.

Votes to be counted separately for each Constitution

4. Votes cast in the referendum shall be counted separately in respect of each constituency and as soon as possible after the counting is complete the Chief Counting office shall announce the

(a) No 12 of 2001

number of "Yes" votes and "No" votes cast in each constituency and thereafter the aggregate of such votes cast in both constituencies.

Form of question

5.—(1) The question to be asked in the referendum shall be —

"Do you agree that there shall be a SINGLE CONSTITUENCY for the Falkland Islands, with a new voting system for proportional representation?"

(2) Voters shall be invited to vote "Yes" if in favour of the proposition and "No" if against it, by marking the box on the ballot paper provided with a cross or a tick (as the voter may choose).

Counting of votes etc

6.—(1) A counting officer shall, in accordance with any directions given by the Chief Counting Officer under section 3(3)(a) of the 2001 Ordinance —

(a) appoint and pay such persons as may be necessary for the purpose of the counting of the votes; and

(b) appoint persons to observe the counting of the votes and the verification of the ballot paper accounts ("counting observers").

(2) The Chief Counting Officer shall make arrangements for counting the votes in the presence of the counting observers as soon as practicable after the close of the poll and shall give those observers notice in writing of the time and place at which he will begin to count the votes.

(3) The Chief Counting Officer shall give the counting observers such reasonable facilities for observing the proceedings at the counting of votes, and all such information with respect to them, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection with them.

Ballot papers

7.—(1) The colour of the ballot papers to be used in the referendum shall be —

(a) in respect of voters in the Stanley constituency, blue (and tendered ballot papers shall be yellow);

(b) in respect of votes in the Camp constituency, green (and tendered ballot papers shall be red).

(2) The front (or obverse) of the ballot papers shall be in the form set out in Schedule 1.

(3) The back of the ballot papers shall be in the following form —

"No.

Referendum on [insert date]: [insert name of constituency]

Note. — The number on the ballot paper is to correspond with that on the counterfoil and is to be printed in small characters."

(4) A ballot paper —

- (a) shall be capable of being folded up;
- (b) shall have a number printed on the back; and
- (c) shall have attached a counterfoil with the same number printed on it.

Form of information to be supplied to electors

8.—(1) A leaflet in the form set out in Schedule 2 shall be sent or delivered to each elector and copies of that leaflet shall be available at all polling places used in connection with the referendum.

(2) A notice in the form set out in Schedule 3 shall be posted outside and inside each polling booth used in the referendum.

Hours of polling

9. The hours of polling at any polling place shall be the same as those in the General Election held on the same day.

Returning officers

10.—(1) Functions conferred by this Order on the returning officer shall be exercised in each constituency, by the person who is for the time being the returning officer in respect of that constituency under section 47(1) or (2) of the Electoral Ordinance.

(2) It is the returning officer's general duty at the referendum to do all such acts and things as may be necessary for effectually conducting the referendum in the manner provided by this Order.

**SCHEDULE 1
Form of Ballot Paper**

**SINGLE CONSTITUENCY REFERENDUM
CAMP*/STANLEY* CONSTITUENCY
(as the case may be)**

22nd November 2001

Do you agree that there should be a SINGLE CONSTITUENCY for the Falkland Islands, with a new voting system for proportional representation?

Yes

No

SCHEDULE 2

Form of Leaflet to be sent to electors



A SINGLE CONSTITUENCY?

On 22 November 2001, there will be a Referendum held, along with the General Election.

The question is intended to be along the following lines:

| |
|---|
| <p>Do you agree that there should be a SINGLE CONSTITUENCY for the Falkland Islands, with a new voting system for proportional representation?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> |
|---|

This is an information paper on the choices open to all those eligible to vote.

A SINGLE CONSTITUENCY?

1. WHAT DOES THIS MEAN?

There would be one constituency rather than two as now. This could apply from the General Election in 2005. Every elector would then have the opportunity to elect all 8 councillors.

2. WHY CHANGE?

Pros

- Equality of voting - currently Camp is "over-represented" with councillors:

Stanley Councillors

1 : 240 electors

Camp Councillors

1: 101 electors

- Everyone has a chance to vote for the entire Legislature

- Wider choice of candidates

Cons

- Present system guarantees a strong Camp voice on Legislative Council

- In a single constituency, Camp might get no members at all under the current voting system

3. **IF THERE IS A CHANGE, WOULD WE KEEP THE PRESENT VOTING SYSTEM?**

No. The present voting system of "first past the post" would not provide a fair representation for Camp.

Ideally, there should be a fairer system of proportional representation.

4. **WHAT IS PROPORTIONAL REPRESENTATION?**

A system of Proportional Representation tries to ensure that "minorities" are given a fair representation. The most common system is the SINGLE TRANSFERABLE VOTE (STV) which is used in, for instance, Northern Ireland and Australia.

This ensures that:

- all views and interests are taken into account
- most electors can identify among the Councillors, those whom they have helped to elect
- around 90% of all votes count towards the final result (in first past the post, it is less than 50%)

In practice, STV works as follows:-

Single Transferable Vote

- You put candidates in order of preference. You can vote for as many candidates as you want, "1" for highest.
- We count all the first preferences first, A "quota" is established by formula - for the Falkland constituency this might have been around 122 in the last election. Anyone getting more than this in first preferences is elected.
- "Surplus" votes over the quota are redistributed to lower choices, as are the votes of candidates at the bottom of the poll.

So even if you don't get your first candidate elected, your other choices are likely to elect other candidates.

STV is currently thought to be the favoured scheme, if there is to be a single constituency.

5. **ARE THERE OTHER SCHEMES OF VOTING?**

Yes. Most rely on political party lists which we don't have here.

However, there is a system which would give minorities the ability to vote "tactically" - the "Norfolk Island" system, suggested by Mr Arthur Donahoe QC to the Select Committee.

This allows you 8 equal votes, and you can put up to 4 on one candidate. Camp voters, but also other "minority" interests, could place large numbers of votes on a few candidates.

However, this system is unlikely to be favoured, because it can mean that a majority of Councillors (say 5) come to be elected by a minority of votes (say 15%).

6. **CAN I VOTE TO CHANGE TO A SINGLE CONSTITUENCY, BUT NOT CHANGE THE VOTING SYSTEM?**

No. You can only answer the Referendum Question with a 'Yes' or 'No'. You cannot change the question. If you do not want either a single constituency, or a proportional representation voting system, you should vote 'No'.

7. **CAN I GET MORE INFORMATION?**

Yes. Public representations will be made before the Referendum.

More detailed information on voting systems is available from the Chief Executive on:

Telephone: 27110

e-mail: mblanch@sec.gov.fk

8. **WHAT HAPPENS NEXT?**

1. The formal wording of the "question" has to be agreed by Legislative Council in September 2001.
2. The Referendum will take place at the same time as the General Election, 22 November 2001. The Count will be separated into Stanley and Camp, and each constituency result will be declared.
3. The Referendum will not be the final decision. The referendum is advisory, and the new Legislative Council will have to take its results into account in deciding whether to seek a change to the Constitution for a single constituency, and a different voting system.

SCHEDULE 3

Form of notice to be placed in each polling booth

SINGLE CONSTITUENCY REFERENDUM 2001

Guidance to Voters

BEFORE YOU VOTE, please read this Notice carefully.

1. Make sure that the ballot paper is marked with the official mark.
2. Go into one of the compartments and, with the pencil provided, place a cross (X) OR a tick (✓) in the box against "Yes" OR in the box against "No" on the ballot paper.
3. After you have voted, fold the ballot paper so as to show the official mark, leave the voting compartment taking the ballot paper with you, and without showing the front of the ballot paper to anybody, show the official mark on the back of the ballot paper to the presiding officer. Then, in his presence, put the paper into the ballot box. Leave the polling place immediately afterwards.
4. If you accidentally spoil a ballot paper return it to the presiding officer. If the presiding officer is satisfied that you have accidentally spoilt a ballot paper he/she will give you another ballot paper.
5. If you make any mark on the ballot paper by which anybody can tell it is your ballot paper, your ballot paper will be void and will not be counted.
6. Do not take your ballot paper out of the polling place. Do not put anything in the ballot box except a ballot paper.

YOU DO NOT HAVE TO VOTE IN THE REFERENDUM

**THE BALLOT BOX OR BOXES IN THIS POLLING PLACE ARE IN
COMBINED USED FOR THE GENERAL ELECTION AND THE
REFERENDUM**

Made this twenty sixth day of September 2001

R T Jarvis
Acting Governor

EXPLANATORY NOTE

(not forming part of the above Order)

This Order prescribes the date, question, form of ballot paper, advice to electors and notice at polling booths in respect of the referendum as to a single constituency for the Falkland Islands.

SUBSIDIARY LEGISLATION

LAND

Land (Non-Residents) Ordinance

Falklands Conservation (Residence in the Falkland Islands) Order 2001

S. R. & O. No: 26 of 2001

Made: 26 September 2001

Published: 11 October 2001

Coming into force on publication

IN EXERCISE of my powers under section 3(2) of the Land (Non-Residents) Ordinance 1999(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation

1. This Order may be cited as the Falklands Conservation (Residence in the Falkland Islands) Order 2001.

Falklands Conservation to be treated as resident in the Falkland Islands

2. Falklands Conservation shall for the purposes of the Land (Non-Residents) Ordinance 1999 be treated as being resident in the Falkland Islands so long as the following conditions are met —

- (a) it remains a company limited by guarantee incorporated in England; and
- (b) it remains registered as a charity with the Charity Commissioners in England.

Made this twenty sixth day of September 2001

R T Jarvis
Acting Governor

EXPLANATORY NOTE

(not forming part of the above Order)

The effect of the Order is that, so long as the conditions set out in article 2 are met, Falklands Conservation does not need to obtain a licence under the Ordinance to hold or acquire land in the Falkland Islands.

(a) No 14 of 1999

SUBSIDIARY LEGISLATION

**ANIMALS
PUBLIC HEALTH**

Sand Bay Abattoir (Designation) Order 2001

S. R. & O. No: 27 of 2001

Made: 3 October 2001

Published: 11 October 2001

Coming into force: 1 October 2001

IN EXERCISE of my powers under section 3 of the Abattoirs Ordinance(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Sand Bay Abattoir (Designation) Order 2001 and comes into force on 1 October 2001.

Designation of Abattoir

2. The Abattoir near Sand Bay in East Falkland, otherwise known as the Sand Bay Abattoir is designated as an abattoir to which sections 4 and 5 of the Abattoirs Ordinance 1997 applies.

Made this third day of October 2001

R T Jarvis
Acting Governor

EXPLANATORY NOTE

(not forming part of the above Order)

The effect of this Order is to designate the Sand Bay Abattoir as one to which sections 4 and 5 of the Abattoirs Ordinance 1997 apply. As a result, the Slaughterhouses Ordinance will not apply to the Sand Bay Abattoir and the much more onerous requirements of the Designated Abattoirs (Application of Legislation) Order 1998 (SR&O No 65 of 1998) will apply.

(a) No 7 of 1997

**HYDATID ERADICATION
(DOGS) ORDER (TITLE 5.2.2)
RULE 13**

**SAND BAY ABATTOIR
(OFFAL) DISPENSATION**

IN EXERCISE of my powers under rule 13 of the Hydatid Eradication (Dogs) Order (Title 5.2.2) and being satisfied that there will be no risk to human health by reason of my so doing I **DISPENSE** the operators for the time being of the Sand Bay Abattoir from the requirements of rule 11 of the said Order insofar as they would prevent the liver and heart of any animal being disposed of for human consumption.*

Dated this third day of October 2001

R T Jarvis
Acting Governor

*N.B. Rule 11 has never prevented the kidneys of any animal being so disposed of.

2001 No. 1452

CIVIL AVIATION

**The Civil Aviation Act 1982 (Overseas Territories)
Order 2001**

| | |
|-------------------------------|------------------------|
| <i>Made - - - - -</i> | <i>11th April 2001</i> |
| <i>Laid before Parliament</i> | <i>25th April 2001</i> |
| <i>Coming into force - -</i> | <i>16th May 2001</i> |

At the Court at Windsor Castle, the 11th day of April 2001

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 66 of the Civil Aviation Act 1949(a), section 66 of the Civil Aviation Act 1971(b) and section 108 of the Civil Aviation Act 1982(c) and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:

Citation and commencement

1. This Order may be cited as the Civil Aviation Act 1982 (Overseas Territories) Order 2001 and shall come into force on 16th May 2001.

Revocation

2. The Civil Aviation Act 1971 (Overseas Territories) Order 1976(d) is hereby revoked, except insofar as it applies to Gibraltar.

Amendment of the Civil Aviation Act 1949 (Overseas Territories) Order 1969

3. The Civil Aviation Act 1949 (Overseas Territories) Order 1969(e) is hereby amended as follows:

- (1) In Article 3, for "sections 8, 9, 10" there shall be substituted "sections 8 (except subsection (4)), 9".
- (2) In paragraph 1 of Schedule 2, subsection (4) of section 8 shall be deleted.
- (3) Paragraph 3 of Schedule 2 shall be deleted.

Extension of sections 61 and 75 of the Civil Aviation Act 1982

4. Sections 61 and 75 of the Civil Aviation Act 1982 modified as in Schedule 1 to this Order shall extend to the Territories specified in Schedule 2.

(a) 1949 c. 67.
(b) 1971 c. 75.
(c) 1982 c. 16.
(d) S.I. 1976/1912.
(e) S.I. 1969/592.

Savings

5. Nothing in this Order shall affect any Order in Council made under section 8 of the Civil Aviation Act 1949, as extended to the Territory by the Civil Aviation Act 1949 (Overseas Territories) Order 1969 or any regulations made under section 10 of the said Act as so extended, being an Order in Council or regulations in force immediately before the coming into force of this Order.

Interpretation

6. In this Order—

“the Chicago Convention” means the Convention on International Civil Aviation which was, on 7th December 1944, signed on behalf of the Government of the United Kingdom at the International Civil Aviation Conference held at Chicago;

“Governor” means the officer for the time being administering the Territory;

“the Territory” means any one of the territories mentioned in Schedule 2 to this Order.

A. K. Galloway
Clerk of the Privy Council

Civil Aviation Act 1982

1. Section 61. (1) An Order made pursuant to section 8 of the Civil Aviation Act 1949, as extended to the Territory by the Civil Aviation Act 1949 (Overseas Territories) Order 1969, may, for the purpose of securing compliance with its provisions, provide—
- (a) subject to subsection (2) below, for persons to be guilty of offences in such circumstances as may be specified in the Order and to be liable on conviction of those offences to such penalties as may be so specified; and
 - (b) in the case of a provision having effect by virtue of paragraph (1) of subsection (2) of the said section 8, for the taking of such steps (including firing on aircraft) as may be specified in the Order.
- (2) The power conferred by virtue of subsection (1)(a) above shall not include power—
- (a) to provide for offences to be triable only on indictment;
 - (b) to authorise the imposition, on summary conviction of any offence, of any term of imprisonment or of a fine exceeding the statutory maximum;
 - (c) to authorise the imposition, on conviction on indictment of an offence, of a term of imprisonment exceeding two years.
2. Section 75. (1) The Governor may by regulations under this section make such provision as appears to him to be requisite or expedient—
- (a) for the investigation of any accident arising out of or in the course of air navigation and either occurring in or over the Territory or occurring elsewhere to aircraft registered in the Territory; and
 - (b) for carrying out any Annex to the Chicago Convention (being an Annex adopted in accordance with the Convention and relating to the investigation of accidents involving aircraft) as it has effect from time to time with any amendment made in accordance with the Convention (hereafter in this section referred to as “the Annex”).
- (2) Without prejudice to the generality of subsection (1)(b) above, the provision there authorised includes provision with respect to any of the following matters, that is to say—
- (a) the definition of “accident” for the purposes of this section so as to correspond to the meaning adopted for the time being in the Annex;
 - (b) the participation of any persons authorised for the purpose in accordance with the regulations in any investigation held in accordance with the requirements of the Annex by the competent authorities of any other state; and
 - (c) the investigation of any accident other than one to which subsection (1)(a) above applies for the purpose of securing any information, articles or other material which it is the duty of the Territory in accordance with any requirements of the Annex to furnish to any other state.
- (3) Without prejudice to the generality of subsection (1) above, regulations under this section may contain provisions—
- (a) requiring notice to be given of any such accident as is mentioned in subsection (1)(a) above in such manner and by such persons as may be specified in the regulations;
 - (b) applying, with or without modification, for the purpose of investigations held with respect to any such accident any of the provisions of any law in force in the Territory relating to the investigation of deaths or accidents;
 - (c) prohibiting, pending investigation, access to or interference with aircraft to which an accident has occurred, and authorising any person so far as may be necessary for the purposes of an investigation, or for the purpose of determining whether an investigation should be held, to have access to, examine, remove, test, take measures for the preservation of, or otherwise deal with, any such aircraft and any other aircraft;
 - (d) authorising or requiring the cancellation, suspension, endorsement or surrender of any licence or certificate granted in the Territory under Part II of the Civil Aviation Act 1949, as extended to the Territory by the Civil Aviation Act 1949 (Overseas Territories) Order 1969, or any Order in Council or order made under the said Part II as so extended, or the withdrawal or suspension of any validation conferred in the Territory of a licence granted by a duly competent authority elsewhere, where it appears on an investigation that the licence or certificate ought to be cancelled, suspended, endorsed or surrendered or the validation withdrawn or suspended, as the case may be, and requiring the production of any such licence or certificate for the purpose of being so dealt with.
- (4) Without prejudice to subsection (2)(a) above, in this section “accident” shall be construed as including any fortuitous or unexpected event by which the safety of an aircraft or any person is threatened.

(5) If any person contravenes or fails to comply with any regulations under this section he shall be liable on summary conviction to a fine not exceeding £1,000 or to imprisonment for a term not exceeding three months.

(6) Nothing in this section shall limit the powers of any authority under sections 245 to 247 or 252 to 254 of the Merchant Shipping Act 1995(a) or any enactment amending those sections.

(7) Part VI of the Civil Aviation Act 1949, as extended to the Territory by the Civil Aviation Act 1949 (Overseas Territories) Order 1969 applies to this section.

SCHEDULE 2

Article 4

Territories to which this Order applies

Anguilla
Bermuda
British Antarctic Territory
British Indian Ocean Territory
Cayman Islands
Falkland Islands
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
St. Helena and its Dependencies
South Georgia and the South Sandwich Islands
Sovereign Base Areas of Akrotiri and Dhekelia
Turks and Caicos Islands
Virgin Islands

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends to the territories listed in Schedule 2 to the Order, with modifications, section 61 (which increases the penalties which may be imposed for breaches of the Air Navigation (Overseas Territories) Order) and section 75 (which extends the definition of "accident" for purposes of regulations governing the investigation of aircraft accidents, increases the penalties for breaches of such regulations and otherwise makes provision for such regulations to comply with the Annex to the Chicago Convention dealing with aircraft accident investigation) of the Civil Aviation Act 1982.

(a) 1995 c. 21.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

5th November 2001

No. 16

The following are published in this Supplement -

**Referendum (Single Constituency) (Arrangements) Order 2001 (Amendment) Order 2001,
(S.R. & O. No. 28 of 2001);**

The Civil Aviation Act 1982 (Overseas Territories) (No. 2) Order 2001.

SUBSIDIARY LEGISLATION

ELECTIONS

Referendum (Single Constituency) (Arrangements) Order 2001 (Amendment) Order 2001

S. R. & O. No: 28 of 2001

Made: 24 October 2001

Published: 5 November 2001

Coming into effect: upon publication

IN EXERCISE of my powers under section 3(3) of the Referendum (Single Constituency and Voting System) Ordinance 2001(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation

1. This Order may be cited as the Referendum (Single Constituency) (Arrangements) Order 2001 (Amendment) Order 2001.

Amendment of the Referendum (Single Constituency)(Arrangements) Order 2001

2. The Referendum (Single Constituency)(Arrangements) Order 2001(b) is amended in article 7 as follows —

(a) in subparagraph (a) by deleting the word “yellow” and replacing it with the word “pink”;
and

(b) in subparagraph (b) by deleting the word “green” and replacing it with the word “yellow”
and by deleting the word “red” and replacing it with the word “pink”.

Made this twenty-fourth day of October 2001

D A Lamont
Governor

(a) No 12 of 2001

(b) SR&O No 25 of 2001

STATUTORY INSTRUMENTS

2001 No.

CIVIL AVIATION

The Civil Aviation Act 1982 (Overseas Territories) (No. 2) Order 2001

Made 9th October 2001

Coming into force 10th October 2001

At the Court at Buckingham Palace, the 9th day of October 2001

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 108 of the Civil Aviation Act 1982^(a) and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation and commencement

1. This Order may be cited as the Civil Aviation Act 1982 (Overseas Territories) (No.2) Order 2001 and shall come into force on 10th October 2001.

Extension of section 76(4) of the Civil Aviation Act 1982

2. Section 76(4) of the Civil Aviation Act 1982, modified as in Schedule 1 to this Order, shall extend to the Territories specified in Schedule 2.

Clerk of the Privy Council

^(a) 1982 c. 16.

Civil Aviation Act 1982

Section 76. - (4) Where an aircraft has been bona fide demised, let or hired out for any period exceeding fourteen days to any other person by the owner thereof, and no pilot, commander, navigator or operative member of the crew of the aircraft is in the employment of the owner, section 40(2) of the Civil Aviation Act 1949^(b) (as extended by the Civil Aviation Act 1949 (Overseas Territories) Order 1969^(c) to any of the Territories specified in Schedule 2 to this Order) shall have effect as if for references to the owner of the aircraft there were substituted references to the person to whom the aircraft has been so demised, let or hired out.

Territories to which this Order applies

Anguilla
Bermuda
British Antarctic Territory
British Indian Ocean Territory
Cayman Islands
Falkland Islands
Gibraltar
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
St Helena and Dependencies
South Georgia and the South Sandwich Islands
The Sovereign Base Areas of Akrotiri and Dhekelia
Turks and Caicos Islands
Virgin Islands

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends, with modifications, section 76(4) of the Civil Aviation Act 1982 to the Territories listed in Schedule 2 to the Order. The liability of the owner under section 40(2) of the Civil Aviation Act 1949, as extended to those Territories, for loss or damage caused by an aircraft in flight or by a person in, or an article, animal or person falling from such an aircraft, is transferred to the person to whom the owner has demised, let or hired out the aircraft if the demise, let or hire is for a period of more than 14 days and no crew member is employed by the owner.

^(b) 1949 c. 67.

^(c) S.I. 1969/592.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

19th November 2001

No. 17

The following is published in this Supplement -

**British Nationality Ordinance (Amendment of Schedule) Order 2001,
(S.R. & O. No. 29 of 2001).**

SUBSIDIARY LEGISLATION

BRITISH NATIONALITY ORDINANCE

British Nationality Ordinance (Amendment of Schedule) Order 2001

S. R. & O. No: 29 of 2001

Made:6 November 2001

Published:19 November 2001

Coming into force: 15 November 2001

IN EXERCISE of the powers conferred on me by section 4 of the British Nationality Ordinance(a), I make the following Order —

Citation and commencement

1. This Order may be cited as the British Nationality Ordinance (Amendment of Schedule) Order 2001 and comes into force on 15 November 2001.

Deletion and replacement of Schedule

2. The Schedule to the British Nationality Ordinance is deleted and replaced by the following —

SCHEDULE

1.—(1) Subject to paragraphs (4) and (5), the fees specified in the Schedule to this Order may be taken in respect of any application made to the Governor under the Act.

(2) Subject to paragraph (6), the fees specified in the Schedule to these Regulations may be taken in respect of things done in the Falkland Islands.

Provided that no fee shall be taken under this regulation for administering the oath of allegiance in a case where the oath is administered by a justice of the peace.

(a) Title 52.1

(3) (a) the fee payable in respect of —

(i) an application for the registration of a person as a British citizen, British Dependent Territories citizen, British Overseas citizen or British subject; or

(ii) an application for naturalisation as a British citizen or British Dependent Territories citizen,

shall be payable on the submission of the application.

(b) the fee payable in respect of the registration of a declaration of renunciation of British citizenship, British Dependent Territories citizenship, British Overseas citizenship or British subject status shall be payable on the submission of the declaration of renunciation.

(4) Where a husband and wife apply at the same time for naturalisation as British citizens or British Dependent Territories citizens and are residing together at the time of the applications, the total fee payable in respect of the applications shall be the same as that for a single application.

(5) Where an application for the registration of a minor as a British citizen, British Dependent Territories citizen, British Overseas citizen or British subject is made at the same time as an application or applications under the same or any other provision of the Act for the registration of some other minor or minors having the same parent, the total fee payable in respect of the applications shall be the same as that for a single application. In this paragraph, "parent" includes a step-parent and an adoptive parent.

(6) Where a declaration of renunciation of British citizenship, British Dependent Territories citizenship, British Overseas citizenship or British subject status is made by a person at the same time as a declaration of renunciation by him of another such citizenship or status, the total fee payable in respect of the registration of the declarations shall be the same as that for registration of a single declaration.

2.—(1) Except as provided by paragraph (2), fees paid under this Order shall be paid into the Consolidated Fund.

(2) Fees paid in respect of the administration of the oath of allegiance for the purposes of the Act (Item 6 in the Schedule to this Order) shall be paid if the oath is administered by a commissioner for oaths or notary public, to the commissioner or notary public.

TABLE OF FEES

| Matter in which fee may be taken | Amount of fee £ |
|--|--------------------|
| 1. Application for registration as a citizen or British subject, except under section 5 | 120 |
| 2. Application for naturalisation as a citizen under section 6(1) or 18(1) | 150 |
| 3. Application for naturalisation as a citizen under section 6(2) or 18(2) | 120 |
| 4. Registration of a declaration of renunciation of citizenship or British subject status under section 12, 24, 29 or 34 | 20 |
| 5. Supply a certified copy of a notice, certificate, order, declaration or entry, given, granted or made under the Act or any of the former nationality Acts | 20 |
| 6. Administering the oath of allegiance for the purposes of the Act | 5 |

Made this sixth day of November 2001

D A Lamont
Governor



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 12

20th December 2001

No. 18

The following are published in this Supplement -

Supplementary Appropriation (2001-2002) (No. 2) Ordinance 2001;

Falkland Islands Pension Scheme (Amendment) (No. 2) Ordinance 2001;

Merchant Shipping (Registration of Ships) Regulations 2001, (S.R. & O. No. 30 of 2001).

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT.
Governor.

Supplementary Appropriation (2001-2002) (No 2) Ordinance 2001

(No: 19 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Appropriation of further sum
3. Replenishment of Contingencies Fund

Schedule 1

Schedule 2

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT;
Governor.

SUPPLEMENTARY APPROPRIATION (2001-2002) (No 2) ORDINANCE 2001

(No: 19 of 2001)

AN ORDINANCE

(assented to: 5th December 2001)

(commencement: on publication)

(published: 20th December 2001)

To appropriate and authorise the withdrawal from the Consolidated Fund of the additional sum of £4,006,660 for the service of the financial year ending 30 June 2002.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Supplementary Appropriation (2001-2002) (No 2) Ordinance 2001.

Appropriation of further sum

2. The Financial Secretary may for the purposes specified in the Schedules cause to be withdrawn from the Consolidated Fund and applied to the service of the year commencing on 1 July 2001 and ending on 30 June 2002 (“the financial year”) the further sum of £4,006,660 in addition to sums already appropriated by Ordinance.

Replenishment of Contingencies Fund

3. The Financial Secretary shall out of the sum appropriated by section 2 replenish the Contingencies Fund to the extent that sums specified in Schedule 1, prior to the commencement of this Ordinance, have been withdrawn from the Contingencies Fund by the authority of Contingencies Warrant Numbers 2 and 3 of 2001-2002 (the authority of which lapses on the commencement of this Ordinance).

SCHEDULE 1

| PART I OPERATING EXPENDITURE | | £ |
|--|----------------------------|----------------|
| 0200 | Health and Social Services | 152,460 |
| 0600 | Central Administration | 3,500 |
| TOTAL OPERATING EXPENDITURE | | <u>155,960</u> |
| | | |
| PART II CAPITAL EXPENDITURE | | |
| 950 | Capital | 340,700 |
| TOTAL SUPPLEMENTARY EXPENDITURE | | <u>496,660</u> |

SCHEDULE 2

| PART II CAPITAL EXPENDITURE | | |
|--|---------|------------------|
| 950 | Capital | 3,510,000 |
| TOTAL SUPPLEMENTARY EXPENDITURE | | <u>3,510,000</u> |

Passed by the Legislature of the Falkland Islands this 27th day of November 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Falkland Islands Pension Scheme (Amendment)(No 2) Ordinance 2001

(No: 20 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title, commencement and interpretation
2. Amendment of the 1997 Ordinance

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

FALKLAND ISLANDS PENSION SCHEME (AMENDMENT)(NO 2) ORDINANCE 2001

(No: 20 of 2001)

AN ORDINANCE

(assented to: 5th December 2001)
(commencement: in accordance with section 1)
(published: 20th December 2001)

To amend the Falkland Islands Pension Scheme Ordinance 1997.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title, commencement and interpretation

1.—(1) This Ordinance may be cited as the Falkland Islands Pension Scheme (Amendment) (No 2) Ordinance 2001.

(2) This Ordinance shall come into force on publication.

Amendment of the 1997 Ordinance

2.—(1) In Schedule 3 to the Falkland Islands Pensions Scheme Ordinance 1997 (which makes provision for preserving pension rights for government employees in service on 31st December 1996) at the end of sub-paragraph (1) there shall be added “but shall not apply in relation to any member within paragraph 5A(1)” and after paragraph 5 there shall be inserted —

“5A.—(1) This paragraph applies to any member who had reached the age of 40 years before 1st January 1997, was in government service on 31st December 1996, had not ceased to be in government service before 1st January 2001 and is not a person in respect of whom contributions are payable under section 18(3A).

(2) For the purposes of this paragraph any reference to a person's retirement date is a reference to the following date (whether falling before or after the passing of this Ordinance)—

(a) the date on which that person ceases to be employed in government service if that date falls on or before his 60th birthday,

(b) if the member continues in government service after his 60th birthday, the date he ceases to be in government service or his 64th birthday whichever is the earlier.

(3) Subject to sub-paragraph (7), the Financial Secretary shall transfer to the Board such sum, if any, as may be necessary to ensure that the accumulated value of the member's share in the scheme at the retirement date is not less than the amount which would have been required to purchase an annuity and pay any lump sum which he would have received under the existing legislation (within the meaning of paragraph 3(3)) on his retirement on that date, making the following assumptions —

(a) that the member had remained in government service until his 60th birthday, if that is not the case;

(b) that the existing legislation was applicable to the member on the member's retirement date and that the member would have been entitled to the maximum pension which he could have received under that legislation on that date assuming it to have been his 60th birthday;

(c) that the member's salary at his retirement date was the same as it had been on 31st December 1996 but index-linked in accordance with sub-paragraph (5) below;

but the period, if any, starting with the retirement date and ending with the member's 60th birthday shall be disregarded in making any calculation for the purposes of this sub-paragraph.

(4) For the purposes of this paragraph, the accumulated value of a member's share shall be calculated in accordance with section 24(2) but disregarding —

(a) any contribution made in respect of the member in respect of any period after the member ceases to be employed in government service,

(b) any additional voluntary contribution made in respect of the member in respect of any period, and

(c) any amount allocated to the benefit of the member by reference to any such contribution.

(5) The amount of a person's salary as at 31st December 1996 shall be increased by —

(a) the indexation allowance, or

(b) 3 per cent for each year or part year from 1st January 1997 until that person's retirement date.

whichever produces the smaller sum.

(6) In subsection (5) "the indexation allowance", in relation to any salary, means the sum produced by multiplying the amount of the salary by a figure expressed as a decimal and determined by the formula —

$$\frac{(RD - RI)}{RI}$$

where—

(a) RD is the retail prices index for the quarter last ending before that person's retirement date;

(b) RI is the retail prices index for the quarter ending on 31st December 1996; and

(c) the retail price index is the index maintained and published quarterly as such by the Falkland Islands Government.

(7) Where any benefit becomes payable in accordance with section 28(3) to or in respect of a member before the member is 60 years of age, the amount of any annuity and lump sum found in accordance with sub-paragraph (3) shall be reduced in accordance with the following table —

| Age at date benefit becomes payable | Percentage reduction |
|-------------------------------------|----------------------|
| 55 years | 20% |
| 56 years | 16% |
| 57 years | 12% |
| 58 years | 8% |
| 59 years | 4% |

Passed by the Legislature of the Falkland Islands this 27th day of November 2001.

C. ANDERSON,
Clerk of Councils.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

C. ANDERSON,
Clerk of Councils.

SUBSIDIARY LEGISLATION

MERCHANT SHIPPING

Merchant Shipping (Registration of Ships) Regulations 2001

S. R. & O. No: 30 of 2001

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SUBSIDIARY LEGISLATION

MERCHANT SHIPPING

Merchant Shipping (Registration of Ships) Regulations 2001

S. R. & O. No: 30 of 2001

Made:5th December 2001

Published:20th December 2001

Coming into force: in accordance with article 1(1)

IN EXERCISE of my powers under sections 9, 10 and 11 of the Merchant Shipping Act 1995(a) in its application to the Falkland Islands under the Merchant Shipping Ordinance 2001(b) and of all other powers enabling me in that behalf, I hereby make the following Regulations —

PART I GENERAL

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Merchant Shipping (Registration of Ships) Regulations 2001 and shall come into force on such date as the Governor may notify by notice published in the *Gazette*.

(2) In these Regulations unless the context otherwise requires —

“the Act” means the Merchant Shipping Act 1995 in its application to the Falkland Islands under section 3 of the Merchant Shipping Ordinance 2001;

“application for registration” includes, except where otherwise stated, application for registration of a ship or share in a ship; application for registration of a small ship; application for re-registration of the same; and application for the registration of a transfer or transmission of a ship or share in a ship; but not application for the renewal of registration;

“appropriate person” means in relation to a port in a country outside the Falkland Islands —

(a) any British Consular office within whose Consular district the port lies; or

(b) where Her Majesty’s Government in the United Kingdom is represented in that country by a High Commissioner, any member of the High Commissioner’s official staff nominated by him for the purposes of these Regulations; or

(c) where that country is a Colony, the Governor of the Colony or any person appointed by him for those purposes;

and in this definition “High Commissioner” includes an Acting High Commissioner and “Governor” includes an acting Governor;

“appropriate attestation” means attestation in a form approved by the Governor;

(a) 1995 c.21;

(b) No 15 of 2001

“authorised measurer” means the Secretary of State or any person authorised under the Merchant Shipping (Tonnage) Regulations 1997(c) or the Merchant Shipping (Fishing Vessels Tonnage) Regulations 1988(d) to carry out the measurement of ships for the purposes of those Regulations;

“bareboat charter ship” means a ship registered under section 7 of the Act;

“beneficial ownership” shall be determined by reference to every beneficial interest of the vessel, however arising (whether held by trustee or nominee or arising under a contract or otherwise), other than an interest held by any person as mortgagee;

“builder’s certificate” means a certificate signed by the builder of the ship and containing a true account of the proper denomination and of the tonnage of the ship, as estimated by him, and of the date and place where it was built, and of the name of the person, if any, for whom the ship was built, or the name of the person to whom it was delivered;

“certificate of registry” means a certificate of registration which is issued to a ship which is registered under the Act and includes a certificate of bareboat charter unless the context otherwise requires;

“certificate of bareboat charter” means a certificate of registration issued to a ship which is registered under section 7 of the Act;

“classification society” means a person authorised to act as a “Certifying Authority” for the purposes of the Merchant Shipping (Tonnage) Regulations 1997;

“closure transcript” means a certified extract from the Registrar showing that the entry in the Register in respect of a ship has been closed, the date of its closure, and the details about the ship and its ownership at the time of the closure;

“declaration of eligibility” means a declaration which complies with the provisions of regulation 18(1);

“Falkland Islands status” has the same meaning as it has under section 17(5) of the Constitution;

“fishing vessel” means a vessel for the time being used (or, in the context of an application for registration, intended to be used) for or in connection with fishing for sea fish, other than a vessel used (or intended to be used) for fishing otherwise than for profit; and for the purposes of this definition “sea fish” includes shellfish, salmon and migratory trout;

“freeze” means to prevent any entry (which includes a deletion of an entry) being made in the Register;

“identifying number” means the unique identifying number allocated to a bareboat charter ship on its registration on the primary register or, in the absence of such a number, the number allocated under regulation 75(1);

“inspector of marks” means an authorised measurer or any person authorised by the Secretary of State to verify the carving and marking of a ship under these Regulations;

“overall length” for ships to be registered on Part III of the Register means the distance between the foreside of the foremost fixed permanent structure and the aftside of the aftermost fixed permanent structure;

“owner” means, in relation to a ship or share in a ship, the person owning the ship, or as the case may be, a share in a ship, whether or not registered as owner;

“pleasure vessel” means a pleasure vessel as defined in regulation 3 of the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1993(e);

(c) SI 1997/1510 as amended by SI 1998/1916

(d) SI 1988/1909 as amended by SI 1998/1916

(e) SI 1993/1072

“primary register” means the register on which the ship is registered at the time the application is made to register the ship as a bareboat charter ship;

“the Register” means the Register of British ships continued under section 8(1) of the Act;

“the Registrar” means the person who pursuant to section 8 of the Act is for the time being the registrar of ships or is performing the duties of such registrar;

“representation” means probate, administration, confirmation or other instrument constituting a person the executor, administrator or other legal representative of a deceased person, including a certificate of confirmation relating to a vessel;

“salmon coble” means a vessel under 10 metres in overall length used for fishing for profit only in connection with private rights of fishing for salmon or migratory trout;

“ship” includes a fishing vessel but does not include a small ship or a bareboat charter ship except for the purposes of Part XI (Miscellaneous) and Part XII (Offences);

“small ship” means a ship which is less than 24 metres in overall length and is, or is applying to be, registered under Part X;

“submersible vessel” means any vessel used or designed to be used under the surface of any waters;

“surveyor of ships” means a marine surveyor nominated by the Secretary of State or the Governor to undertake the surveys required by these Regulations and includes any marine surveyor of the Department of Transport; and

“transfer of a ship” includes, except where the context otherwise requires, transfer of a share in a ship.

PART II

THE REGISTER OF BRITISH SHIPS IN THE FALKLAND ISLANDS

The Register

2.—(1) The Register maintained by the Registrar in accordance with section 8 of the Act shall be divided into the following Parts —

(a) Part I for ships, owned by persons qualified in accordance with these Regulations, which are not —

(i) fishing vessels; or

(ii) registered on that Part which is restricted to small ships;

(b) Part II for fishing vessels,

(c) Part III for small ships, and

(d) Part IV for ships which are registered under section 17 of the Act (“bareboat charter ships”).

(2) The Register may consist of both paper and computerised records and such other records as the Governor may consider to be expedient.

(3) Any person shall be entitled on application to the Registrar to obtain a transcript, certified by an authorised officer, of the entries in the Register.

(4) During the hours the Customs Department of the Falkland Islands is open for business, any person shall be entitled on request to inspect the entries in the Register.

(5) Entries in the Register shall be made in accordance with the following provisions —

(a) the property in a ship shall be divided into 64 shares;

(b) subject to the provisions of the Act and of these regulations with respect to joint owners or owners by transmission, not more than 64 persons shall be entitled to be registered at the

same time as owners of any one ship. This rule shall not affect the beneficial title of any persons represented by or claiming under or through any registered owner or joint owner;

(c) a person shall not be entitled to be registered as owner of a part of a share: but any number of persons not exceeding five may be registered as joint owners of a ship or of any share or shares in a ship;

(d) joint owners shall be considered as constituting one person only as regards the persons entitled to be registered, and shall not be entitled to dispose in severalty of any interest in a ship, or in any share in a ship in respect of which they are registered.

(6) The Registrar shall be entitled to amend the Register where —

(a) a clerical error has occurred; or

(b) sufficient evidence is produced to satisfy him that the entry is incorrect,

and on making the amendment he shall issue a new certificate of registry if necessary.

Registration of fishing vessels to be of two kinds

3. Registration on Part II of the Register shall be of two kinds —

(a) registration of vessels to which the provisions of Schedule 1 to the Act relating to transfers by Bill of Sale and the registration of mortgages do not apply (hereinafter called “simple registration”), and

(b) registration of vessels to which those provisions do apply (hereinafter called “full registration”).

Fishing vessels changing from full registration to simple registration subject to conditions

4. A fishing vessel which has once been registered with full registration shall not thereafter be registered with simple registration unless —

(a) it is not subject to a registered mortgage, and

(b) the vessel has in the meantime been registered outside the Falkland Islands, and

(c) the Governor consents.

Registration on only one Part of the Register

5. No ship, including a small ship, may be registered on more than one Part of the Register at any one time.

Trusts not to be entered

6.—(1) Subject to paragraph (2) no trust, express, implied or constructive may be registered by the Registrar.

(2) Where, on the bankruptcy of a registered owner or mortgagee his title is transmitted to his trustee in bankruptcy, that person, if a qualified person, may be registered as the owner or mortgagee of a British ship or share in a ship.

PART III
QUALIFICATION AND ENTITLEMENT FOR REGISTRATION ON PART I OF THE REGISTER

Persons qualified to be owners of ships to be registered on Part I of the Register

7.—(1) The following persons are qualified to be the owners of ships which are registered on Part I of the Register—

- (a) British citizens;
- (b) British Dependent Territories citizens;
- (c) British Overseas citizens;
- (d) persons who under the British Nationality Act 1981(f) are British subjects;
- (e) persons who are British Nationals (Overseas);
- (f) bodies corporate incorporated in the Falkland Islands;
- (g) bodies corporate incorporated in the United Kingdom or in any relevant British possession and having their principal place of business in the United Kingdom or in any such possession.

(2) A person who is not qualified under paragraph (1) to be the owner of a British ship may nevertheless be one of the owners of such a ship if—

- (a) a majority interest in the ship (within the meaning of regulation 8) is owned by persons who are qualified to be the owners of British ships; and
- (b) the ship is registered on Part I of the Register.

Falkland Islands connection and majority interest

8.—(1) A ship shall not be registered in the Falkland Islands unless the Governor has informed the Registrar that he consents to that ship being registered on the Register.

(2) Without prejudice to regulation 12 (eligibility of fishing vessels for registration under this Part) the Governor shall not consent to registration of a ship on the Register unless he is satisfied that—

- (a) a majority interest in the ship is owned by one or more persons qualified to be owners of British ships; and
- (b) one or more of the following requirements is satisfied in respect of the ship—
 - (i) it is beneficially owned to the extent of at least 25% of the shares therein by persons having Falkland Islands status;
 - (ii) it is owned to the extent of at least 25% of the shares therein by one or more qualifying companies;
 - (iii) it is owned to the extent of at least 25% of the shares therein by a combination of persons having Falkland Islands status and one or more qualifying companies.

(3) In paragraph (2) —

- (a) “owned” means beneficially owned;
- (b) a company is a “qualifying company” if the following requirements are satisfied—
 - (i) the company is incorporated in the Falkland Islands;
 - (ii) at least 75% of the issued share capital (and where there is more than one class of share capital at least 75% of each such class) is beneficially owned by persons having Falkland Islands status,

(f) 1981 c. 61

(c) “Falkland Islands status” has the same meaning as it has for the purposes of section 17 of the Constitution.

(4) Nothing in subparagraph (b) of paragraph (2) applies in respect of any ship in which at least 33 shares are owned by an agency of Her Majesty’s Government in the United Kingdom.

Supplementary to regulation 8

9. For the purposes of regulation 8 (Falkland Islands connection and majority interest) —

(a) one or more persons shall be treated as owning a majority interest in a ship if there is vested in that person or in those persons, taken together, the legal title to 33 or more shares in the ship (there being left out of account for this purpose any share in which any beneficial interest is owned by a person who is not entitled to be an owner of a British ship); and

(b) one or more persons shall be treated as owning 25% or more of a ship if there is vested in that person or in those persons taken together, the legal title to 16 or more shares in the ship (there being left out of account for this purpose any share in which any beneficial interest is owned by a person who is not either —

(i) a natural person who has Falkland Islands status, or

(ii) a qualifying company as defined in regulation 8(3)(b)).

Government ships

10. Nothing in this Part applies to a ship which, for the purposes of the Act, is a Government ship.

Fishing vessels excluded from Part I

11. A fishing vessel may not be registered on Part I of the Register.

PART IV

QUALIFICATION AND ENTITLEMENT OF FALKLAND ISLANDS FISHING VESSELS TO BE REGISTERED ON PART II OF THE REGISTER

Eligibility of fishing vessels for registration under this Part

12.—(1) In relation to the eligibility of fishing vessels to be registered on Part II of the Register, the following provisions of this regulation shall have effect in place of regulation 7 (persons qualified to be owners of ships to be registered on Part I of the Register) and regulation 8 (Falkland Islands connection and majority interest).

(2) A fishing vessel shall not be registered upon the Stanley Register of Ships without the consent of the Governor.

(3) The Governor shall not consent to such registration unless he is satisfied —

(a) that the fishing vessel is wholly owned by a company incorporated in the Falkland Islands (“the owning company”);

(b) that at least 25% of the issued share capital of the company (and where there is more than one class of share capital at least 25% of the issued share capital of the company of each class) is beneficially owned by persons having Falkland Islands status; and

(c) that, taking into account for this purpose the shares owned as required by paragraph (b), at least 50% of the issued share capital of the owning company (and where there is more than one class of share capital at least 50% of the issued share capital of the owning company of each class) is owned by persons who are —

- (i) British citizens;
 - (ii) British Dependent Territories citizens;
 - (iii) British Overseas citizens;
 - (iv) persons who under the British Nationality Act 1981 are British subjects;
 - (v) persons who are British Nationals (Overseas);
 - (vi) bodies corporate incorporated in the Falkland Islands;
 - (vii) bodies corporate incorporated in the United Kingdom or in any relevant British possession and having their principal place of business in the United Kingdom or in any such possession.
- (4) Nothing in the preceding provisions of this regulation shall have effect in relation to the registration in Part II of the Register immediately upon the commencement of these Regulations of fishing vessels which immediately prior to such commencement were registered upon the Stanley Register of Ships.
- (5) Notwithstanding that the Governor is satisfied that having regard to the requirements of paragraph (3) of this regulation that he could consent to the registration of a fishing vessel he may for any reason he sees fit withhold consent to the registration of the fishing vessel but if he does so he shall notify the applicant of the reason or reasons by relation to which he has withheld his consent.

Requirements as to management etc

13. The Governor may if he sees fit require as conditions of his consent to registration of a fishing vessel —
- (a) that the fishing vessel is managed, and its operations controlled and directed, from within the Falkland Islands, and
 - (b) that any charterer, manager or operator of the vessel satisfies the requirement of subparagraphs (a) to (c) of regulation 12(3) (eligibility of fishing vessels for registration under this Part).

Dispensations

14. Where in the case of any fishing vessel the Governor is satisfied that it would be appropriate to modify the requirements of regulation 12(3) (eligibility of fishing vessels for registration under this Part), the Governor may determine that the requirements of that provision shall, in respect of the fishing vessel concerned, be modified in such manner as he shall specify in writing and, if he does so, the vessel shall, so long as it complies with the modified requirements so specified, be treated for the purposes of registration on Part II of the Register as being eligible to be registered as a Falkland Islands fishing vessel.

Appointment of inspectors

15. For the purpose of determining whether a fishing vessel is eligible to be registered on Part II of the Register, the Governor may appoint a person —
- (a) to investigate the eligibility of the vessel to be so registered, and
 - (b) to make a report of his conclusions to the Governor,
- and any person so appointed shall, for the purpose of conducting the investigation, have the powers conferred on an inspector by the provisions of sections 259 and 260 of the Act (other than paragraphs (d) to (h) of section 259(2)).

PART V
REGISTRATION

Form of application

- 16.—(1) Every application made under these Regulations shall be made to the Registrar.
(2) The application shall be made in a form approved by the Governor and shall contain the name and address of the applicant and sufficient information to enable the ship to be identified.

The applicant

17. Every application made under these Regulations shall be made —
(a) in the case of individuals, by some one or more of the individuals registered or requiring to be registered as owners or by his or their agent, or
(b) in the case of a body corporate, by a duly authorised officer of that body corporate, or by its agent.

Applications for registration

- 18.—(1) Every application for registration must be supported by a declaration of eligibility which shall be in a form approved by the Governor and shall include —
(a) a declaration of Falkland Islands connection;
(b) a declaration of ownership by every owner setting out his qualification to own a British ship;
(c) a statement of the number of shares in the ship the legal title to which is vested in each owner whether alone or jointly with any other person or persons; and
(d) in respect of an application to register a fishing vessel —
(i) a certified copy of the memorandum of articles of association and the register of shareholders in relation to the company which is the applicant for registration; or
(ii) a dispensation by the Governor under regulation 14 (dispensations) and sufficient evidence to demonstrate that any conditions of that dispensation have been or will be complied with by or on behalf of the applicant.
(2) Every application for registration of a ship which has, immediately prior to the application, been registered on any other register shall be accompanied by a certified extract from that register in respect of that ship.
(3) Every application for registration of a fishing vessel on Part II of the Register shall state whether the application is for full or simple registration.

Appointment of managing owner

- 19.—(1) Where application is made in respect of a ship which has more than one owner, or whose shares are owned by more than one owner, one of those owners who is resident in the Falkland Islands shall be nominated as the managing owner, and the Register shall be marked accordingly and all correspondence shall be sent to that person at the address recorded in the Register in respect of that owner.
(2) Where the owners determine that a different managing owner should be appointed, the Registrar shall be notified in writing and the Register noted accordingly but a determination that a managing owner not resident in the Falkland Islands should be appointed shall be ineffective for any purpose and no notation of any such appointment shall be made in the Register.

(3) Any document required or authorised to be served, by or under the Merchant Shipping Acts in the form they have effect in the Falkland Islands or required or authorised, by virtue of any statutory provision, to be served for the purpose of the institution of, or otherwise in connection with, proceedings for an offence under those Acts, under any other Act or Ordinance, or under any instrument in force under the Merchant Shipping Acts or any Act or Ordinance, on the owner of a ship shall be treated as duly served on him if—

(a) delivered to the managing owner, or

(b) sent to the managing owner by post at the address notified (or, as the case may be, last notified) to the Registrar under paragraph (1) or (2) of this regulation in relation to that person, or

(c) left for the managing owner at that address.

Applications by bodies corporate

20. Where application is made on behalf of a body corporate, the application must be accompanied—

(a) if it is a company registered in the Falkland Islands, or the United Kingdom, by a copy of its certificate of incorporation, and, in the case of a company which has changed its name since incorporation, its certificates of change of name, or

(b) if it is a company incorporated in any relevant British possession, by proof in accordance with the laws of the country of its incorporation that the company is an incorporated company.

(c) if it is a body corporate incorporated by virtue of an Act of Parliament, a Charter granted by Her Majesty, or an Act or Ordinance, by proof, sufficient to satisfy the Registrar, of its incorporation, and

(d) if it is a company, other than a company incorporated in the Falkland Islands, with a place of business in the Falkland Islands, by a certificate from the Registrar of Companies that the company is registered with him as an overseas company.

Declaration of intent

21. Where, at the time when the application for registration is made, the ownership of a ship has not yet passed (or fully passed) to the persons who are to be its owners when it is registered, the application shall be accompanied by a declaration of intent instead of a declaration of eligibility.

Form of declaration of intent

22. The declaration of intent shall consist of—

(a) a draft declaration of eligibility setting out particulars of ownership of the ship as they are intended to be when the ship is registered; and

(b) a declaration that the ownership of the ship will, at the time when registration occurs, be as stated in the draft declaration of eligibility.

Declaration of eligibility to be submitted before registration

23. Where an application for registration is accompanied by a declaration of intent and not by a declaration of eligibility, a duly completed declaration of eligibility shall be submitted to the Registrar prior to registration.

Evidence of title on first registration

24. An application to register a ship for the first time, other than an application in respect of a fishing vessel requiring simple registration, must be accompanied by the following evidence of title —

- (a) in the case of a new ship, the builder's certificate;
- (b) in the case of a ship which is not new, either —
 - (i) in respect of a ship other than a fishing vessel —
 - (aa) a previous bill or bills of sale showing the ownership of the ship for at least five years before the application is made, or
 - (bb) if the ship has been registered with a full registration at any time within the last five years, a bill or bills of sale evidencing all transfers of ownership during the period since it was so registered, or
 - (ii) in respect of a fishing vessel —
 - (aa) a previous bill or bills of sale showing the ownership of the vessel for at least three years before the application is made, or
 - (bb) if the vessel has been registered with full registration at any time within the last three years, a bill or bills of sale evidencing all transfers of ownership during the period since it was so registered, or
 - (cc) evidence that the vessel has been for at least three years continuously registered as a Falkland Islands fishing vessel with simple registration in the names of the owners applying to be registered and remain so registered.
- (c) where the evidence required by (a) or (b) is not available, other evidence of title satisfactory to the Registrar.

Survey and measurement of ship

25.—(1) Every ship, other than a fishing vessel less than 24 metres in length, shall before registration be surveyed by a surveyor of ships and her tonnage ascertained in accordance with the Tonnage Regulations for the time being having effect.

(2) A fishing vessel of less than 24 metres shall before registration be measured by an authorised measurer and her tonnage calculated in accordance with the Tonnage Regulations for the time being having effect.

(3) After survey or measurement, the surveyor or measurer shall issue a certificate specifying the ship's tonnage and build and such other particulars describing the identity of the ship as may be required by the Governor. The certificate shall be delivered to the Registrar before the ship may be registered.

Names

26.—(1) On making an application for registration of a ship the applicant shall propose a name by which the ship is to be called.

(2) Schedule 1 (which provides for the approval of names) shall have effect.

(3) A ship shall not be described by any name other than its registered name.

(4) A change shall not be made in a registered ship's name without the prior written permission of the Registrar.

Allocation of official number

27.—(1) On receipt of an application for registration of a ship for the first time the Registrar, if he is satisfied that the ship is eligible to be registered, shall allocate to the ship a register number (“official number”) and shall issue a carving and marking note.

(2) The Registrar may, on request by a classification society, allocate an official number to a ship notwithstanding that he is not yet satisfied as to its eligibility.

(3) Where a ship has had a number allocated under paragraph (2) of this regulation and that number has been carved into the ship’s beam but the ship is not accepted as being eligible for registration, the number must be permanently defaced and a certificate to that effect provided by the classification society to the Registrar.

Marking

28. On receipt of a carving and marking note on first registration the owner shall —

(a) if the ship has not already been surveyed or measured as required by regulation 25 (survey and measurement), cause it to be so surveyed or measured;

(b) cause the ship to be carved and marked in accordance with Schedule 2;

(c) where required under regulation 29 (inspection of marks) cause the ship’s carving and marking to be inspected by an inspector of marks.

Inspection of marks

29.—(1) In respect of a ship, other than a pleasure vessel which is under 24 metres in length, an inspector of marks shall satisfy himself that the ship has been carved and marked in accordance with Schedule 2 and, when so satisfied, shall complete the carving and marking note and return it to the Registrar.

(2) In respect of a pleasure vessel which is under 24 metres in length the owner shall certify that the ship has been carved and marked in accordance with Schedule 2 and return the certified carving and marking note to the Registrar.

Verification of measurement and carving and marking

30.—(1) If the Registrar is not satisfied —

(a) that the particulars of the measurement and tonnage of the ship furnished to him are correct, or

(b) that the ship is carved and marked in the manner required by Schedule 2,

he may direct the owner to have the measurement and/or carving or marking of the vessel verified by an authorised measurer or inspector of marks as appropriate.

(2) If the owner fails to comply with the direction of the Registrar, the Registrar may —

(a) if the ship is not registered, refuse it registration until his direction has been complied with, or

(b) if the ship is registered, he may serve notice on the owner or managing owner, or any charterer, manager or operator of the ship requiring him to produce evidence within 30 days sufficient to satisfy him that the particulars of the measurement and tonnage are, or that the marking of the ship is, correct.

(3) If at the expiry of that period of 30 days the Registrar is not so satisfied, he may —

(a) extend the notice and ask for further information, or

(b) serve a final notice which closes the ship's registration such closure to be effected seven days after the service of that notice.

(4) Where a ship's registration is closed under paragraph (3) the owner of the ship shall forthwith surrender its certificate of registry.

(5) Where the Registrar serves a notice under this regulation on the owner of a ship in respect of which a mortgage is registered, he shall send a copy of that notice to the mortgagee at the address recorded in the Register for the mortgagee.

Cancellation of carving and marking note

31. If a carving and marking note issued under regulation 27 (allocation of official number) is not duly completed and returned to the Registrar within three months of its issue, the Registrar may cancel it and the application shall be treated as having been withdrawn.

Registration and refusal of registration of a ship

32.—(1) Where the Registrar is satisfied in respect of an application that —

(a) the ship is eligible to be registered as a Falkland Islands ship and that the Governor has consented to its registration upon the Register; and

(b) the ship has been duly carved and marked and that the appropriate survey or measuring certificate has been provided, and

(c) the particulars of the ship furnished to him are correct, and

(d) title to the ship has been adequately proved (where necessary), and

(e) the relevant requirements of these Regulations have been complied with, he shall, subject to paragraphs (2) and (3) register the ship by entering in the Register the particulars of the ship and its owners specified in Schedule 3.

(2) The Registrar may refuse to register any fishing vessel if he is not satisfied that there is in force in respect of the vessel any certificate required to be so in force by virtue of section 4 of the Fishing Vessels (Safety Provisions) Act 1970(g) in its application to the Falkland Islands.

(3) If the Registrar is not satisfied as mentioned in paragraph (1) he shall, subject to regulation 103 (requirement for supplementary information), refuse the application.

(4) Notwithstanding that a ship is otherwise entitled to be registered, the Registrar may refuse to register it if, taking into account any requirement of the Merchant Shipping Acts (including any instrument made under them) relating to the condition of the ship or its equipment so far as it is relevant to its safety or to any risk of pollution or to the safety, health and welfare of persons employed or engaged in any capacity on board the ship, he considers that it would be inappropriate for the ship to be registered.

Issue of certificate of registry

33. Upon registering a ship the Registrar shall issue and send to the owner a certificate of registry containing the particulars set out in Schedule 4.

(g) 1970 c 27

Temporary registration documents for fishing vessels

34.—(1) The Registrar may upon registering a fishing vessel, if the owner so requests, issue to the owner a temporary registration document. The document shall contain the registered particulars of the vessel and shall specify the period (not exceeding two months) for which it is valid.

(2) During the period of its validity a temporary registration document shall have the effect of a certificate of registry.

Period of registration

35. The registration of a ship shall, unless terminated under these regulations, be valid for a period of five years beginning with the date of registration specified in the certificate of registry and shall expire at the end of that period unless it is renewed in accordance with regulation 38 (application for renewal of registration).

Documents to be retained by the Registrar

36.—(1) On registering a ship the Registrar shall retain in his possession a copy of any builder's certificate or bill of sale or other evidence of title produced on first registration, any certificate of measurement or survey, and all declarations of eligibility.

(2) On a fishing vessel changing from simple registration to full registration the Registrar shall retain in his possession a copy of the evidence adduced for that change of title.

(3) All documents which have been produced to the Registrar to establish title shall be returned to the applicant once the ship has been registered. The documents shall be stamped by the Registrar to indicate that they have been used for the registration of a ship.

Renewal notices and time limit for renewal

37.—(1) At least three months (but not more than six months) before the expiry of the registration period the Registrar shall issue to the owner of the ship a renewal notice.

(2) Subject to paragraph (3), the owner of the ship may apply for renewal of registration at any time between the date of issue of the renewal notice and the date of expiry of the current registration period.

(3) Notwithstanding paragraph (2), an application for renewal of registration may be made prior to the last three months of the current registration (or issue of a renewal notice), for issue of a certificate of registry commencing prior to the expiry of the current registration period. Where such a certificate is issued it shall not be valid for a period greater than five years commencing on the date of issue and the previous certificate shall then cease to be valid.

Application for renewal of registration

38.—(1) Application for renewal of registration shall be in a form approved by the Governor and shall be accompanied by —

(a) a declaration of eligibility, and

(b) a declaration that there have been no changes to any registered details of the ship that have not been notified to the Registrar.

(2) Where no application for renewal is made the Registrar shall notify each and every mortgagee of the expiration of the ship's registration.

Evidence of title on registration of transfer of ship

39.—(1) On application for registration under paragraph 2(1) of Schedule 1 to the Act of a transfer of a registered ship or a share in a registered ship, other than a fishing vessel registered with simple registration, the bill of sale shall be produced to the Registrar.

(2) When an application is made for the registration of a transfer of a fishing vessel which is registered with simple registration evidence of the transfer satisfactory to the Registrar shall be produced to him.

Form of bill of sale

40. Every bill of sale effecting a transfer of a registered ship or a share in a ship under the Act and these Regulations shall be in the form approved by the Governor with appropriate attestation and shall contain a description of the ship sufficient to identify it.

Registration of transfer of a ship

41.—(1) If the application under paragraph 2(2) of Schedule 1 to the Act (transfer of ship or shares in a ship) is granted by the Registrar, he shall —

(a) register the bill of sale by entering the name of the new owner in the Register as owner of the ship or share in question, and

(b) endorse on the bill of sale the fact that the entry has been made, together with the date and time when it was made.

(2) If the Registrar is satisfied with the evidence under regulation 39 (evidence of title on registration of transfer of ship) that the ship or share in a ship has been transferred, he shall enter the name of the new owner in the Register as the owner of the ship or share in question and issue a new certificate, which shall be valid for a period of five years.

Evidence of title on transmission of a registered ship

42.—(1) An application for registration of a transmission of a registered ship or a share in a registered ship under paragraph 3(1) of Schedule 1 to the Act shall be made in the form approved by the Governor.

(2) The following evidence shall be produced to the Registrar on an application for a transfer of a registered ship or share therein by way of transmission —

(a) if the transmission was consequent on death, the grant of representation or an office copy thereof or of an extract therefrom,

(b) if the transmission was consequent on bankruptcy such evidence as is for the time being receivable in courts of justice as proof of title of persons claiming under bankruptcy.

(c) if the transmission was consequent on an order of a court, a copy of the order or judgment of that court.

Declaration of eligibility on transfer or transmission

43. Every application for the registration of a transfer or transmission of a registered ship or of a share in a registered ship shall be accompanied by a declaration of eligibility and, where the application is made on behalf of a body corporate, the document or documents mentioned in regulation 20 (application by bodies corporate).

Refusal of registration of transfer or transmission

44.—(1) If on an application for transfer or transmission of a ship or shares in a ship the Registrar is not satisfied that the ship is eligible to be registered —

- (a) the Registrar shall serve a notice under paragraph (2) on the owner of the ship, and
- (b) the ship's registration shall terminate by virtue of this paragraph at the end of the period of 14 days beginning with the date of the service of that notice.

(2) A notice under this paragraph shall state —

- (a) that the Registrar is not satisfied that the vessel in question is eligible to be registered, and
- (b) that the ship's registration will accordingly terminate by virtue of paragraph (1) at the end of the period referred to in that paragraph.

Notifications of changes of ownership etc

45.—(1) If at any time there occurs, in relation to a registered ship —

- (a) any change affecting the eligibility of the ship to be registered, not being a change which affects the qualification or eligibility of the owner (as prescribed by regulations 7 and 12) or the Falkland Islands connection of a ship (as prescribed in regulations 8 and 12), or
- (b) in respect of a fishing vessel, any change, not affecting that eligibility, in the percentage of the property in the ship beneficially owned by qualified persons or companies,

the owner of the ship shall, as soon as practicable after the change occurs, notify the Registrar.

(2) The notification referred to in paragraph (1) shall be made in writing, shall be signed by the owner and shall specify the nature of the change and the name and the official number of the ship.

(3) Any person who contravenes paragraph (1) commits an offence.

Further provisions as to transfer or transmission of a registered ship or share therein

46.—(1) Where there is any transfer or transmission of a registered ship or a share in a registered ship —

- (a) the person ceasing to own the ship or share, or in the event of his death, his legal personal representative, shall notify the Registrar and surrender the certificate of registry, and
- (b) the Registrar shall cancel the certificate of registry and shall freeze the Register pending the application for the registration of the transfer or transmission by the new owner or owners of the ship or share.

(2) (a) Where there is a transfer of a registered ship the new owners shall within 30 days of the transfer make application in accordance with these Regulations for the transfer to be registered,

(b) if the transfer is of all the shares in the ship, and the application is not made within the 30 days, the Registrar may cancel the registration of the ship and the certificate of registry,

(c) if the transfer is of one or some of the shares in the ship, and application is not made within the 30 days, the Registrar shall serve a notice on the remaining registered owners notifying them that, unless an application to transfer the share or shares in question is made within 30 days of the date of the notice the registration of the ship and the certificate of registry may be cancelled.

(3) (a) where there is a transmission of a registered ship the new owners shall promptly make application in accordance with these Regulations for the transmission to be registered,

(b) if the transmission is of all the shares in the ship, and application is not made within a reasonable time, the Registrar may cancel the registration of the ship and the certificate of registry,

(c) if the transmission is of one or some of the shares in the ship, and application is not made within a reasonable time, the Registrar shall serve a notice on the remaining registered owners notifying them that, unless an application to register the transmission of the share or shares in question is made within 30 days of the date of the notice the registration of the ship and the certificate of registry may be cancelled.

Change in registered particulars of ship

47.—(1) Where there is a change —

(a) in the registered particulars of a ship other than a change in the tonnage of the ship, or

(b) in the name or address of an owner entered in the Register (not being a change of ownership),

application shall be made as soon as practicable to the Registrar for the change to be recorded in the Register.

(2) Such application shall be in writing and shall subject to regulation 108 (dispensing with production of certificate) be accompanied by the certificate of registry and such evidence as to the change as may be required by the Registrar.

(3) Where there is a change in the tonnage of a ship, it shall be resurveyed or remeasured in accordance with regulation 25 (survey and measurement of ship). Thereafter application in a form approved by the Governor shall be made as soon as practicable for the change to be recorded in the Register. The application shall be accompanied by the certificate of survey or measurement and the certificate of registry.

(4) On recording the change in the registered particulars the Registrar shall cancel the existing certificate and issue to the owner a new certificate of registry expiring on the same date as the existing one.

Change of name

48.—(1) An owner of a registered ship may apply to the Registrar to change the name of the ship. The application shall be made in a form approved by the Governor and shall, subject to regulation 108 (dispensing with production of certificate), be accompanied by the certificate of registry.

(2) If it appears to the Registrar that the name complies with Schedule 1 (approval of names) he shall issue a marking note to the owner.

Re-marking of ship

49.—(1) On receipt of the marking note the owner shall cause the ship to be marked with the new name and, in respect of ships over 24 metres and fishing vessels, shall cause the marking to be inspected in accordance with regulation 29 (inspection of marks).

(2) The owner or inspector shall, if satisfied that the ship is marked in the manner required by Schedule 2, complete the marking note and return it to the Registrar.

Registration of changes of name

50. On receipt of the marking note duly completed the Registrar shall re-register the ship with its new name and shall cancel the existing certificate and shall issue to the owner a new certificate of registry expiring on the same date as the existing one.

Removal from the Register

51.—(1) The Registrar may, subject to regulation 98 (service of notices) terminate a ship's registration in the following circumstances —

- (a) on being directed by the Governor so to do pursuant to regulation 52;
- (b) on application by the owner;
- (c) on the ship no longer being eligible to be registered;
- (d) on the destruction of the ship (destruction for this purpose including, but not being limited to, shipwreck, demolition, fire and sinking);
- (e) when a registered fishing vessel which has been licensed to fish in the Falkland Islands waters or elsewhere ceases to be so licensed for a continuous period of six months or more;
- (f) when a fishing vessel which requires a licence to fish but at the time of registration did not have such a licence and has not acquired such a licence within six months of the issue of its certificate of registry;
- (g) when any penalty imposed on the owner of a ship in respect of a contravention of the Merchant Shipping Acts, or of any instrument in force under those Acts, or under any Ordinance of the Falkland Islands relating to fishing, or of any instrument in force under such an Ordinance, has remained unpaid for a period of more than three months (and no appeal against that penalty is pending);
- (h) when any summons for any such contravention has been duly served on the owner of the ship but the owner has failed to appear at the time and place appointed for the trial of the information or complaint in question and a period of not less than three months has elapsed since that time.

(2) Where the Registrar terminates registration under subparagraph (b) or (d) of paragraph (1) above, he shall —

- (a) forthwith issue a closure transcript to the owner of the ship, and
- (b) notify any mortgagees of the closure of the registration.

(3) On receipt of the closure transcript the owner shall immediately surrender the ship's certificate of registry to the Registrar for cancellation.

(4) Where the registration of a fishing vessel has been terminated by virtue of paragraph (1)(c) then, without prejudice to the operation of any provision of the Act or these Regulations the ship shall not again be registered as a Falkland Islands ship unless the Governor consents to the vessel being so registered (and the Governor shall not so consent unless —

- (a) the Governor is satisfied that the vessel was removed from the Register in error; or
- (b) the Governor is satisfied that the vessel has been disposed of by its former registered owner by means of a transaction at arms' length and that no person who for the time being is a relevant owner of the vessel was a relevant owner of it at the time the registration was terminated.)

(5) For the purposes of paragraph (4) a person is a relevant owner of a vessel at any time if at that time —

- (a) the legal title to the vessel or any share in it is vested in that person;

(b) the vessel or any share in it is beneficially owned by that person, or
(c) any share in a body corporate falling within (a) or (b) above is legally or beneficially owned by that person,
whether vested in, or (as the case may be) owned by, that person alone or together with any other person or persons.

Direction by Governor to remove vessel from the Register

- 52.—(1) The Governor may direct the Registrar to remove a vessel from the Register if —
- (a) the Governor is satisfied, taking into account any requirements of the Merchant Shipping Acts (including any instrument made under them) relating to the condition of the ship or its equipment so far as relevant to its safety or to any risk of pollution or to the safety, health and welfare of persons employed or engaged in any capacity on board the ship, that it would be inappropriate for the ship to remain registered upon the Stanley Register of Ships;
 - (b) in relation to a fishing vessel, taking into account any offence of which any owner or charterer of the vessel has been convicted under any Ordinance of the Falkland Islands relating to fishing, he considers that it would be inappropriate for the ship to remain registered upon the Stanley Register of Ships; or
 - (c) the registered owner has not informed the Registrar that the ownership of the vessel has changed.
- (2) The Governor shall not give any direction under paragraph (1) unless he has given to the owner of the vessel concerned notice of his intention so to do and at least 21 days have expired since such notice was given and the Governor has taken into account before giving such direction any representations made to him in writing by the owner of the vessel as a result of the service of that notice.

PART VI MORTGAGES

Form of mortgage

53. (a) a mortgage produced for registration under Schedule 1 to the Act, and
(b) a transfer of a registered mortgage, and
(c) a discharge of a registered mortgage,
shall be in a form approved by the Registrar, in each case with appropriate attestation.

Registration of mortgage

54. Where a mortgage executed in accordance with regulation 53 (form of mortgage) is produced to the Registrar for registration, he shall —
- (a) register the mortgage, and
 - (b) endorse on it the date and time it was registered.

Notices by intending mortgagees: priority notices

- 55.—(1) Where any person who is an intending mortgagee under a proposed mortgage of —
- (a) a registered ship, or
 - (b) a share in a registered ship,
- notifies the Registrar of the interest which it is intended that he should have under the proposed mortgage, the Registrar shall record that interest.

- (2) For the purposes of paragraph (1) the notice to the Registrar shall be in a form approved by the Governor and shall contain the name and official number of the ship, the name address and signature of the intending mortgagor, the number of shares to be mortgaged, and the name and address of the intending mortgagee.
- (3) Where any person who is an intending mortgagee under a proposed mortgage of—
- (a) a ship which is not for the time being registered, or
 - (b) a share in any such ship,
- notifies the Registrar in writing of the interest which it is intended that he should have under the proposed mortgage, the Registrar —
- (i) shall record that interest in the Register, and
 - (ii) if the ship is subsequently registered, shall register the ship subject to that interest or, if the mortgagee has by then executed a mortgage in accordance with regulation 53 and produced to the Registrar, subject to that mortgage.
- (4) For the purposes of paragraph (3), the notice shall be in a form approved by the Governor and contain the following information —
- (a) the present name of the ship;
 - (b) the intended name of the ship;
 - (c) the approximate length of the ship;
 - (d) where the ship is registered outside the Falkland Islands, a copy of its certificate of registry or other document evidencing its registration and giving its port of registration;
 - (e) where the ship is a new ship, the builder's certificate or, if that is not available, the name and address of the builder and the ship's yard number;
 - (f) where the ship is neither a new ship nor a registered ship, details of any permanent marks on the ship which enable it to be clearly identified;
 - (g) the name, address and signature of the intending mortgagor, the number of shares to be mortgaged, and the name and address of the intending mortgagee.
- (5) In a case where —
- (a) paragraph 8 of Schedule 1 to the Act operates to determine the priority between two or more mortgagees, and
 - (b) any of those mortgagees gave notification under paragraph (1) or (3) above with respect to his mortgage,
- paragraph 8 of Schedule 1 shall have effect in relation to that mortgage as if it had been registered at the time when the relevant entry was made in the Register under the said paragraphs (1) or (3).
- (6) Any notification given by a person under paragraphs (1) or (3) (and anything done as a result of it) shall cease to have effect —
- (a) if the notification is withdrawn, or
 - (b) at the end of the period of 30 days beginning with the date of the notification, unless the notification is renewed in accordance with paragraph (7).
- (7) The person by whom any such notification is given may renew or further renew the notification on each occasion for a period of 30 days, by notice in writing given to the Registrar—
- (a) before the end of the period mentioned in paragraph (6)(b), or
 - (b) before the end of a period of renewal, as the case may be.
- (8) Any notice given under this regulation shall be in a form approved by the Governor.

Evidence of transfer or transmission of mortgage

56. A registered mortgage —

- (a) which is transferred under paragraph 11, or
- (b) the interest in which is transmitted under paragraph 12,

of Schedule 1 to the Act shall be transferred in a form approved by the Governor.

Transfer or transmission of registered mortgage

57.—(1) Where any transfer or transmission of a registered mortgage is produced to the Registrar, he shall —

- (a) enter the name of the transferee in the Register as mortgagee of the ship or share in question, and
- (b) endorse on the instrument the date and time when the entry was made.

(2) On an application for registration of a transmission of a registered mortgage the evidence to be produced to the Registrar shall be the same as is required under regulation 42 (evidence of title on transmission of a registered ship).

Discharge of mortgages

58.—(1) Where a registered mortgage has been discharged, the Registrar shall, on production of the mortgage deed and with such evidence of the discharge as satisfies him that the mortgage has been discharged, record in the Register that the mortgage has been discharged.

(2) If for good reason the registered mortgage cannot be produced to the Registrar, he may, on being satisfied that the mortgage has been properly discharged, record in the Register that the mortgage has been discharged.

Effect of termination of registration on registered mortgage

59. Where the registration of a ship terminates by virtue of any of these regulations, that termination shall not affect any entry in the Register of any undischarged registered mortgage of that ship or any share in it.

PART VII

PROVISIONAL REGISTRATION

Provisional registration

60. Where a ship which the owner intends should be registered on Part I or Part II of the Register is outside the Falkland Islands the owner may apply to the Registrar for provisional registration, or, if the ship is at a port outside the Falkland Islands, the owner may alternatively apply to the appropriate person for provisional registration of the ship.

Application for provisional registration

61. An application for provisional registration shall be in a form approved by the Governor and shall be accompanied by the particulars required by regulation 18(2) (applications for registration) and regulation 20 (application by bodies corporate).

Scrutiny of particulars of eligibility

62. Where application is made to the appropriate person he shall forward those particulars to the Registrar who shall, if he is satisfied that the ship is eligible for registration, notify the appropriate person accordingly.

Period of provisional registration

63. The Registrar, on being satisfied that the ship is eligible for registration, or the appropriate person on receipt of that notification (but not otherwise), may proceed to register the ship provisionally for a period of three months.

Certificate of provisional registration

64. The Registrar, or the appropriate person, shall issue to the owner of the ship a certificate of provisional registration in a form approved by the Governor. The certificate shall have the effect of a certificate of registry until —

- (a) the expiration of three months from its date of issue, or
- (b) the ship's arrival in the Falkland Islands, or
- (c) termination by the Registrar on request from the owner of the certificate of provisional registration.

whichever shall first occur.

Provisional registration not to be renewed

65. Where a ship has been provisionally registered once, it shall not be provisionally registered again within one year of the date of issue of the certificate of provisional registration, except with the consent of the Governor.

Condition of provisional registration for fishing vessels

66. It shall be a condition of provisional registration for fishing vessels that the vessel shall not fish for profit while so registered; and if any provisionally registered vessel does fish for profit its provisional registration shall immediately thereon terminate and the owner shall as soon as practicable surrender the certificate of provisional registry to the Registrar.

PART VIII

TRANSFER OF REGISTRATION

Transfer of registration

67.—(1) Subject to paragraph (2) the registration of a ship registered on Part I of the Register may be transferred from the Stanley Register of Ships to the register of a port in the United Kingdom or of a port in a relevant British possession.

(2) Where an application is made under this regulation for the transfer of a ship's registration under paragraph (1), the Registrar shall not proceed to deal with the application unless he is satisfied that registration of the ship at the intended port of registration is not precluded by —

- (a) any provision of law in force in the United Kingdom, or
- (b) any provision of the law in force in the possession in question;

and any certificate purporting to be signed by the Registrar of the intended port of registration and stating that any such provision is in force shall be conclusive evidence for the purposes of this paragraph of the matters stated in it.

(3) Where the Registrar of the intended port of registration issues a certificate of registry following any such application and on notification of the transfer by the Registrar of the new port of registration, the Registrar shall terminate the registration of the ship.

(4) Where the registration of a ship is transferred under this regulation the certificate of registry shall be transferred to the Registrar for cancellation.

Transfer of registration from United Kingdom or relevant British possession

68.—(1) Where a ship, excluding a fishing vessel, is registered in the United Kingdom or in a relevant British possession, the registration of that ship may be transferred to Part I of the Register if —

(a) an application to the Registrar of the existing port of registration has been made for that purpose by a declaration in writing by all the persons appearing on his register to be interested in the ship as owners, and

(b) the following documents have been transmitted to the Registrar —

(i) a copy of the application and declaration required by subparagraph (a) transmitted to the Registrar at the existing port of registration;

(ii) a copy transmitted by him of all the registered particulars of the ship and the names of all persons appearing on his register to be interested in the ship as owners and mortgagees; and

(iii) the ship's certificate of registry.

(2) Where the ship has not previously been required by the Registrar of its existing port to have its name approved by the Registrar in accordance with Schedule 1 the applicant shall propose a name by which the ship is to be called.

(3) On being satisfied that the name complies with the requirements of Schedule 1, the Registrar shall issue a marking note.

(4) On receipt of a marking note the owner shall proceed as provided in regulation 49 (re-marking of ship).

(5) On receipt of the documents specified in paragraph (1) and the completed marking note the Registrar shall —

(a) enter in the Register all the particulars and names so transmitted, and

(b) issue a new certificate of registry.

(6) Where entitlement of a ship to be registered is by virtue of regulation 8 (Falkland Islands connection and majority interest) subject to any condition specified in that regulation being satisfied, the registration of the ship shall not be transferred to the Stanley Register of Ships unless it appears to the Registrar that that condition is satisfied.

(7) A transfer of registration under this regulation shall not affect the rights of any person mentioned in paragraph (1)(a) of this regulation.

(8) Notwithstanding that a ship is otherwise entitled to be registered, the Registrar may refuse to register it if, taking into account any requirement of the Merchant Shipping Acts (including any instrument made under them) relating to the condition of the ship or its equipment so far as it is relevant to its safety or to any risk of pollution or to the safety, health and welfare of persons employed or engaged in any capacity on board the ship, he considers that it would be inappropriate for the ship to be registered. He shall not in any case register it without the consent of the Governor.

Transfer within the Register

69. On application being made to him, the Registrar may, after provision of such information and evidence as he may require and if he is satisfied that the ship is eligible to be registered in the new Part, transfer the registration of the ship to a different Part of the Register. All entries in the Register relating to the ship (including any entries relating to mortgages) shall be transferred. Notwithstanding the preceding provisions of this regulation a ship shall not be transferred to Part II of the Register without the consent of the Governor.

PART IX

BAREBOAT CHARTER-IN

Qualification and entitlement for registration of bareboat charter ships other than fishing vessels

70. The persons qualified to be the owners of Falkland Islands ships by virtue of regulation 7(1) who charter a ship (other than a fishing vessel) on bareboat charter terms shall be qualified to register a bareboat charter ship under section 7 of the Act.

Qualification and entitlement for registration of a fishing vessel as a bareboat charter ship

71.—(1) The persons prescribed by regulation 12 who charter a fishing vessel on bareboat charter terms shall be eligible to register it on Part IV of the Register under section 7 of the Act.
(2) The Governor may require as a condition of a fishing vessel being registered on Part IV of the Register that it is managed, and its operations controlled and directed, from within the Falkland Islands.

Dispensations for the bareboat charterers of fishing vessels

72. The charterers of fishing vessels which are, or are to be, registered as bareboat charter ships may apply for dispensation from the eligibility requirements in accordance with regulation 14 (dispensations).

Applications

- 73.—(1) Every application for registration of a bareboat charter ship shall be made to the Registrar.
- (2) Regulation 17 (the applicant) shall apply to this Part as if the charterer were the owner.
- (3) Every application for registration of the ship shall be in a form approved by the Governor and accompanied by —
- (a) a declaration of eligibility which shall include —
 - (i) a declaration by every charterer setting out his qualification to register a bareboat charter ship, and
 - (ii) if the Governor shall have required pursuant to regulation 71(3) that the management, and direction and control of the ship will be carried out from within the Falkland Islands, that the management, and direction and control will be so carried out.
 - (b) a copy of the charter-party showing —
 - (i) the name of the ship;
 - (ii) the name of the charterer or charterers and the name of the owner or owners of the ship;
 - (iii) the date of the charter-party;

- (iv) the duration of the charter-party;
 - (c) the certificate of registry, or other document, issued by the authority responsible for the registration of ships in the country of primary registration showing the ownership of the ship; and
 - (d) where the charterer is a body corporate, the document or documents required by regulation 20 (applications by bodies corporate).
- (4) Regulation 25 (survey and measurement) shall apply to this Part.
- (5) The Registrar may refuse to register any fishing vessel as a bareboat charter ship if he is not satisfied that there is in force in respect of the vessel any certificate required to be so in force by virtue of section 4 of the Fishing Vessels (Safety Provisions) Act 1970 in its application to the Falkland Islands.

Names

- 74.—(1) On making an application for registration of a bareboat charter ship the applicant shall propose a name by which the ship is to be called while so registered.
- (2) If the Registrar is satisfied that the name is in accordance with the provisions of Schedule 1 he shall approve the name.

Allocation of identifying number

- 75.—(1) Where the application is made in respect of a fishing vessel, the Registrar shall, if he is satisfied that the ship in respect of which the application has been made is eligible to be registered as a bareboat charter ship, allocate a number to the vessel.
- (2) Any ship which does not have a unique identifying number (“identifying number”) allocated by its primary register shall be allocated such a number by the Registrar.

Marking

- 76.—(1) On being satisfied that the ship is eligible for registration and on production of any certificate for survey required under regulation 25 (survey and measurement of ship) the Registrar shall issue a carving and marking note.
- (2) On receipt of a carving and marking note the charterer shall —
- (a) where the ship is not already so marked cause it to be marked with —
 - (i) its name, and
 - (ii) Stanley, and
 - (iii) in respect of a fishing vessel, the allocated number;
 - (b) where the ship is not already so carved, cause it to be carved with its identifying number and the number denoting its tonnage,
- in accordance with Schedule 2.

Inspection of marks etc

77. Regulations 29 (inspection of marks) and 31 (cancellation of carving and marking note) shall apply to this Part.

Registration

- 78.—(1) Where the Registrar is satisfied in respect of an application —
- (a) that the ship has been duly carved and marked, and

(b) that, where required, the appropriate certificate of survey has been provided, and
(c) that the other requirements preliminary to registration have been complied with,
he shall enter in the Register the details prescribed in Schedule 3.

(2) Upon registering a ship the Registrar shall issue and send to the charterer a certificate of bareboat charter containing the particulars set out in Schedule 4.

(3) Upon registering a ship the Registrar shall retain in his possession a copy of the charter, a copy of any certificate of survey and all declarations of eligibility, and if applicable any declarations required by regulation 20 (applications by bodies corporate).

(4) Notwithstanding that a ship is otherwise entitled to be registered, the Registrar may refuse to register it if, taking into account any requirements of the Merchant Shipping Acts (including any instrument made under them) relating to the condition of the ship or its equipment so far as relevant to its safety or to any risk of pollution or to the safety, health and welfare of persons employed or engaged in any capacity on board the ship, he considers that it would be inappropriate for the ship to be registered.

Period of registration

79.—(1) The registration of a bareboat charter ship shall expire -

(a) on the expiry of the charter period, or

(b) at the end of a period of five years beginning with the date of registration specified in the certificate of bareboat charter, whichever is the earlier.

(2) Three months before the expiry of the registration period the Registrar shall issue to the charterer of the ship a renewal notice.

(3) Application for renewal of registration may be made during the last three calendar months of the current registration period.

(4) Application for renewal shall be in a form approved by the Governor and shall be accompanied by a declaration of eligibility and by the certificate of bareboat charter.

Notification of changes

80.—(1) If at any time there occurs in relation to a bareboat charter ship any change affecting the eligibility of the ship to be registered, the charterer of the ship shall, as soon as practicable after the change occurs, notify the Registrar.

(2) Notification made under paragraph (1) shall be made in writing, shall be signed by the charterer and shall specify the nature of the change and the name and the identifying number of the ship.

(3) Any person who contravenes paragraph (1) commits an offence.

Application of other Regulations to this Part

81. Regulations 47 (change in registered particulars of ship), 48 (change of name) and 49 (re-marking of ship) shall apply to this Part.

Notification to foreign registries by the Registrar

82. The Registrar shall notify the responsible authority for registration of ships in the country of primary registration when —

(a) the ship has been registered as a bareboat charter ship on the Stanley Register, or

- (b) the ship's registration has closed by reason of the expiry of the certificate of registry under regulation 79(1)(b) (period of registration), or
- (c) the ship's registration has been closed by the Registrar by reason of regulation 83 (closure of bareboat charter ship's registration by the Registrar).

Closure of bareboat charter ship's registration by the Registrar

83.—(1) The Registrar may, subject to regulation 98 (service of notices) close the registration of a bareboat charter ship —

- (a) on being directed so to do by the Governor under regulation 84;
- (b) on application by the charterer;
- (c) on the ship no longer being eligible to be registered;
- (d) on the destruction of the ship (which includes, but is not limited to, shipwreck, demolition, fire and sinking).

(2) On closure of a ship's registration under paragraph (1) the charterer shall forthwith surrender to the Registrar the certificate of bareboat charter for cancellation.

Direction by Governor to remove vessel from the Register

84.—(1) The Governor may direct the Registrar to close the registration of a bareboat charter ship if—

- (a) the Governor is satisfied taking into account any requirement of the Merchant Shipping Acts (including any instrument made under them) relating to the condition of the ship or its equipment so far as is relevant to its safety or to any risk of pollution or to the safety, health and welfare of persons employed or engaged in any capacity on board the ship, that it would be inappropriate for the ship to remain registered;
- (b) the bareboat charter ship is a fishing vessel which requires a licence to fish but at the time of registration did not have such a licence and has not acquired such a licence within 6 months of the issue of its certificate of bareboat charter registry;
- (c) in relation to a fishing vessel, taking into account any offence of which any owner or charterer of the vessel has been convicted under any Ordinance of the Falkland Islands relating to fishing, he considers that it would be inappropriate for the ship to remain registered upon the Stanley Register of Ships.

(2) The Governor shall not give any direction under paragraph (1) unless he has given to the owner of the vessel concerned notice of his intentions so to do and at least 21 days have expired since such notice was given and the Governor has taken into account before giving such direction any representations made to him in writing by the owner of the vessel as a result of the service of that notice.

PART X

REGISTRATION OF SMALL SHIPS

Qualification and entitlement to be registered as a small ship on Part III of the Register

85. To be eligible to be registered on Part III of the Register a ship must be a small ship other than —

- (a) a fishing vessel, or
- (b) a submersible vessel.

Persons qualified to be the owners of a small ship to be registered on Part III of the Register

86. The following persons are entitled to be the owners of a small ship to be registered on Part III of the Register —

- (a) British citizens;
- (b) British Dependent Territories citizens;
- (c) British Overseas citizens;
- (d) persons who under the Hong Kong (British Nationality) Order 1986 are British Nationals (Overseas); and
- (e) Commonwealth citizens not falling within those paragraphs.

Falkland Islands connection

87. Subject to regulation 90(2) (details to be registered and refusal) a small ship shall be entitled to be registered if it is owned —

- (a) by one or more persons who are ordinarily resident in the Falkland Islands and who are qualified to be the owners of a small ship by virtue of regulation 86; or
- (b) it is owned by one or more persons who, or if more than one, each of whom —
 - (i) has Falkland Islands status, and
 - (ii) is qualified to be the owner of a small ship by virtue of regulation 86.

Disapplication of Schedule 1 to the Act in respect of small ships

88. Schedule 1 to the Act relating to the private law provisions (transfers by bill of sale and the registration of mortgages) shall not apply to small ships.

Applications

89. Applications shall be in a form approved by the Governor and shall include —

- (a) a description of the ship;
- (b) the overall length of the ship;
- (c) the name of the ship;
- (d) the name and address of every owner of the ship; and
- (e) a declaration by every owner —
 - (i) that he is eligible to be the owner of a small ship under regulation 86 (persons qualified to be the owners of a small ship to be registered on Part III of the Register); and
 - (ii) that the ship is entitled to be registered on Part III of the Register in accordance with regulation 87 (Falkland Islands connection).

Details to be registered and refusal

90.—(1) On receiving an application for registration and being satisfied that the ship may properly be registered and that the name of the ship does not appear to him to be undesirable, the Registrar shall register the ship and shall record in the Register the following details —

- (a) the registration number of the ship;
- (b) the date of registration;
- (c) the date of expiry of registration in accordance with regulation 93 (period of registration); and
- (d) the details specified in regulation 89(a) to (d).

(2) Where the Registrar is not satisfied that the ship is eligible to be registered on this Part of the Register, he may, subject to regulation 103 (requirement for supplementary information), refuse to register the ship.

Certificate of registry

91. On registration the Registrar shall issue a certificate which shall contain the details recorded in the Register in accordance with regulation 90 (details to be registered and refusal) save for the address of any owner.

Marking

92. The person registered as owner of the ship shall ensure that —

(a) within one month of the date on which the registration of the ship takes effect there is clearly painted on or affixed to a visible external surface of the ship the number of its registration preceded by the letters FSS, and

(b) such marking is effectively maintained and renewed when necessary during the period of the registration of the ship.

Period of registration

93. The registration of a ship under this Part shall, unless terminated under these Regulations, be valid for a period of five years beginning with the date of registration specified in the certificate of registry and shall expire at the end of that period unless it is renewed under regulation 94 (renewal).

Renewal

94.—(1) Application for renewal of registration may be made during the last three calendar months of the current registration period.

(2) Application for renewal shall be in writing and be accompanied by a declaration as required by regulation 89(e) (applications).

Notifications of changes of ownership etc

95.—(1) If at any time there occurs, in relation to a ship registered under this Part —

(a) any change affecting the eligibility of the ship to be registered as a Falkland Islands ship,
or

(b) any change in relation to the address of the registered owner of the ship, or

(c) any details relating to the ship,

the registered owner of the ship shall, as soon as practicable after the change occurs, notify the Registrar.

(2) Notification made under paragraph (1) shall be in writing, shall be signed by the registered owner and shall specify the nature of the change and the name and the number of the ship.

Supplementary information and production of ship

96.—(1) Where it appears to the Registrar that there is any doubt as to the right of the ship to be registered on Part III of the Register, he may require satisfactory evidence to be produced by the person registered as the owner that the ship is entitled to be so registered.

(2) Such evidence may include the production of the ship for inspection at a place and under such conditions as the Registrar requires; and, if the necessary evidence is not provided within one month of being so required, he may terminate the registration of the ship.

Termination of registration

97.—(1) In the event of —

- (a) a ship ceasing to be a ship to which this Part applies, or
- (b) a change in the details recorded on the certificate of registry,

the registration of the ship shall terminate.

(2) Where the registration of a ship is terminated, the certificate of registry shall cease to have effect and shall, within one month, be surrendered to the Registrar by the person registered prior to the termination as the owner of the ship or, if he has died, by his legal personal representative.

PART XI MISCELLANEOUS

Service of notices

98.—(1) Where it appears to the Registrar that regulations 51(1)(c), (e), (f), (g) or (h) (removal from the Register) or 83(1)(c) (closure of bareboat charter ship's registration by the Registrar) apply he may serve notice on the owner or managing owner, or on any charterer, manager or operator of the ship requiring him to produce, within 30 days, evidence, which may include declaration of Falkland Islands connection, sufficient to satisfy him that the ship is eligible to remain on the Stanley Register of Ships and shall not remove the ship from the register unless such notice has been served and the period of 30 days has expired.

(2) If at the expiry of that period of 30 days the Registrar is not so satisfied, he may —

- (a) extend the notice and ask for further information or evidence, or
- (b) serve a final notice which closes the ship's registration, such closure to take effect seven days after the service of that notice.

(3) Where a ship's registration is terminated under paragraph (2) the Registrar shall issue a closure transcript and the owner of the ship shall forthwith surrender its certificate of registry.

Copy of notice to be sent to mortgagee

99. Where the Registrar serves a notice under regulation 98 on the owner of a vessel in respect of which a mortgage is registered, the Registrar shall send a copy of that notice to the mortgagee at the address recorded for him in the Register.

Documents not in the English language to be accompanied by a translation

100. Any document which is not in the English language and is produced in support of any application under these Regulations shall be accompanied by a notarised translation of the document in the English language.

Witnessing of documents

101. Where the signature on any document made under these Regulations is required to be witnessed any witness to the signature shall be a person of full age and shall not be the spouse of the signatory.

Dispensing with declarations

102. When under these Regulations —

- (a) any person is required to make a declaration on behalf of himself or any body corporate, but is unable to do so and can satisfy the Registrar that it is due to reasonable cause, the Registrar may on such terms as he thinks fit, dispense with the declaration, or
- (b) any evidence is required to be produced to the Registrar, but such evidence is unable to be produced and the Registrar is satisfied that it is due to reasonable cause, the Registrar may on production of such other evidence as he considers appropriate, dispense with the evidence.

Requirement for supplementary information

103. Where the Registrar is not satisfied by the information provided on an application for registration of a ship that the ship is eligible for registration, he may require such supplementary information or evidence as he considers appropriate for the purpose of satisfying himself that it is so eligible.

Fees

104. Where a fee is prescribed in respect of any service or other transaction to be carried out pursuant to these regulations, the Registrar shall not be required to carry out the service or other transaction unless the appropriate fee has been paid.

Duplicate certificates

105.—(1) If it is shown to the satisfaction of the Registrar that the certificate of registry has been lost, stolen or destroyed or has become defaced or illegible (“the event”), he may issue to the owner a duplicate of that certificate, which shall be marked as such, and shall be of the same effect as the original.

(2) Where a duplicate certificate of registry is issued the original if then available or if subsequently found or recovered shall be forthwith surrendered to the Registrar.

(3) If —

- (a) the port where the ship is at the time of the event, or as the case may be, where it first arrives after the event, is not in the Falkland Islands, and
- (b) the master of the ship or some other person having knowledge of the facts of the case makes a declaration before the appropriate person as to the loss, theft, destruction, defacement or illegibility of the certificate,

the appropriate person shall notify the Registrar.

(4) On being notified of the event and being satisfied that the ship is entitled to be issued with a duplicate certificate the Registrar shall —

- (a) fax to the appropriate person a copy of the duplicate certificate which the appropriate person shall endorse with a statement of the circumstance under which it is granted, or
- (b) where there are no fax facilities, the appropriate person shall issue a provisional certificate so endorsed.

(5) The faxed duplicate or the provisional certificate shall within 10 days of the ship arriving in a port in the Falkland Islands be surrendered to the Registrar, and a duplicate certificate shall be issued.

Custody of certificate

106.—(1) A certificate of registry shall be used only for the lawful navigation of the ship, and shall not be subject to detention by reason of any title, lien, charge or interest whatever had or claimed by any owner, mortgagee or other person to, on, or in the ship.

(2) If any person refuses to surrender the certificate of registry when in his possession or under his control to the person entitled to its custody for the purpose of the lawful navigation of the ship, or to the Registrar, or an officer of Customs or any other person entitled by law to demand such delivery, he commits an offence.

Surrender of certificate on termination or expiry of registration

107. On the termination, whether by expiration of the registration period or otherwise of a ship's registration, the certificate of registry must be returned by the owner or charterer to the Registrar for cancellation.

Dispensing with production of certificate

108. Where a certificate of registry is required by these Regulations to accompany any application and it is shown to the satisfaction of the Registrar that for any reasonable cause (which includes, but is not limited to, the ship being in a port outside the Falkland Islands, or the certificate being needed for an imminent voyage, at the time the application was made) the certificate cannot be produced, the Registrar may, subject to such conditions as he thinks fit, dispense with its production.

Removal of marks on cessation of registration

109. If a ship's registration is terminated, whether by expiration of the registration period or otherwise, the marking prescribed under these Regulations must be removed from the ship and written confirmation of that removal must be sent to the Registrar.

PART XII OFFENCES

Offences

110.—(1) Any person who, with intent to deceive, uses or lends or allows to be used by another, a certificate of registry whether in force or not, commits an offence.

(2) It is an offence on the part of the owner or master of a registered ship if any of the marks required by these Regulations to be marked on a ship is effaced, altered, allowed to become illegible, covered or concealed.

(3) It is a defence for a person charged with an offence under paragraph (2) of this regulation to prove —

(a) that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence, or

(b) that the effacing, alteration, covering or concealing of the marking was for the purpose of escaping capture by an enemy.

(4) Any person who fails without reasonable cause to surrender a certificate of registry when required to do so by regulations 105 (duplicate certificates), 106 (custody of certificate) or 107 (surrender of certificate on termination or expiry of registration) commits an offence.

- (5) Any person who in connection with the registration of a ship knowingly or recklessly furnishes information which is false in a material particular shall be guilty of an offence.
- (6) Any person who intentionally alters, suppresses, conceals or destroys a document which he has been required by these Regulations to produce to the Registrar commits an offence.
- (7) The offences specified in regulations 45 and 80 (notification of changes) and in paragraphs (1), (4), (5) and (6) of this regulation shall be punishable on conviction —
- (a) for an offence under regulations 45 or 80 or paragraph (1), (5) and (6) of this regulation, with a fine not exceeding level 5 on the standard scale, and
- (b) for an offence under paragraph (4) with a fine not exceeding level 3 on the standard scale.
- (8) An offence under paragraph (2) shall be punishable on conviction with a fine not exceeding the maximum of level 8 on the standard scale.

PART XIII
TRANSITIONAL

Definitions for this Part

111. For the purposes of this Part —

“new certificate” means a certificate of registry issued in accordance with these Regulations.

“old certificate” means any certificate of registry issued under the Merchant Shipping Act 1894(h),

“transitional period” in relation to a ship means a period commencing on the commencement of these Regulations and ending on the date of expiry of the certificate which is specified in relation to such a ship in the table in regulation 112.

Validity of old certificates

112. Subject to regulation 113, an old certificate shall remain in force until either —

- (a) a new certificate is issued under these Regulations; or
- (b) the certificate has expired in accordance with the following table —

| Age of ship | Date of Expiry of Certificate |
|--|-------------------------------|
| Registered ships with a year of build before — | |
| (i) 1 st January 1989 | 31 st March 2004 |
| (ii) 1 st January 2002 | 31 st March 2005 |

whichever shall be the earlier.

Continuation in force of old certificates

113. Notwithstanding regulation 112, an old certificate shall remain in force beyond the transitional period if —

- (a) an application to renew the certificate has been correctly made in accordance with regulation 38, and

(h) 57 & 58 Vict. c.60

(b) the Registrar has not issued a new certificate by the date of expiry of the transitional period,
but any new certificate shall commence at that date.

Registered information

114. Schedules 3 and 4 shall not apply to any ship until a new certificate of registry is issued in respect of that ship.

Issue of new certificate of registry

115.—(1) Notwithstanding regulation 47 (change in registered particulars of ship) and regulation 50 (registration of changes of name) any certificate of registry of a ship, other than a fishing vessel, which —

(a) is issued during the transitional period, and

(b) replaces an old certificate of registry

shall be valid for a period of five years from the date of issue.

(2) Any duplicate certificate issued to a ship including a small ship under regulation 105 (duplicate certificates) during the transitional period shall be a certificate issued in accordance with these Regulations and —

(a) for ships including fishing vessels, should be valid for a period of five years from the date of issue; and

(b) for small ships shall expire on the date that the old certificate would have expired.

(3) The Registrar may, during the transitional period, at his discretion replace a ship's old certificate with a new certificate of registry which shall be valid for a period of five years from the date of issue.

Advertisement rather than renewal notice

116.—(1) Notwithstanding regulation 37 (renewal notices and time limit for renewal) no renewal notice shall be issued by the Registrar when old certificates of registry are due to expire at the end of the transitional period under regulation 112(b) (validity of old certificates).

(2) At least four months before the expiry of each date mentioned in column 2 in the table in regulation 112 or, in the case of the first entry, as soon as practicable after the coming into force of these Regulations, the Registrar shall publicise that —

(a) all certificates of registry will expire on the specified date for ships of that year of build; and

(b) application for renewal must be made in accordance with regulations 37 and 38.

Applications for registration made before commencement of these Regulations

117.—(1) Subject to paragraph (2) any application for registration of a ship which is made, but not completed, prior to the commencement of these Regulations shall be completed in accordance with these Regulations.

(2) Where —

(a) an application for registration of a ship is made, but not completed, prior to the commencement of these Regulations, and

(b) the operation of paragraph (1) would render the ship ineligible for registration,

then the application shall be determined in accordance with the relevant legislation under which the application is made.

(3) An application shall be deemed to have been made when a properly completed application, accompanied by the proper fee, is received by the Registrar.

(4) Where, for any reason the fee is not a proper and valid fee, or where the cheque used to pay a fee is returned by the Bank on which it is drawn, then the application shall be deemed not to have been made.

(5) A certificate of registry which is issued in accordance with this regulation shall be valid for a period of five years and shall contain the information contained in Schedule 4.

SCHEDULE 1

regulations 26, 48, 68 and 74

APPROVAL OF NAMES

1. Every application to the Registrar to approve a name shall specify a name which is in Roman letters; any numerals shall be in Roman or European numerals.
2. In respect of an application to register a ship, other than a fishing vessel, on Parts I or IV of the Register, the Registrar shall not approve the proposed name if it is —
 - (a) already the name of a vessel registered on the Register; or
 - (b) a name so similar to that of a ship registered in the United Kingdom or any other relevant British possession that in any special circumstances related to that ship, it is in the opinion of the Registrar likely to be confused with that of the other ship;
 - (c) a name which may be confused with a distress signal;
 - (d) a name which is pre-fixed by any letters or name which could be taken to indicate a type of ship or any other word, pre-fix or suffix which might cause confusion as to the name of the ship.
3. In respect of an application to register a fishing vessel in Parts II or IV of the Register, the Registrar shall not approve the proposed name if it is —
 - (a) already the name of a vessel registered on the Register;
 - (b) a name so similar to that of a fishing vessel registered on the Stanley Register of Ships as to be calculated to deceive or likely to confuse;
 - (c) a name which may be confused with a distress signal;
 - (d) a name which is pre-fixed by any letters or name which could be taken to indicate a type of ship or any other word, pre-fix or suffix which might cause confusion as to the name of the ship.
4. Subject to paragraph 5, if the Registrar is satisfied that a name does not fall within any subparagraph of paragraph 2 or paragraph 3 he shall notify the applicant in writing that the name is approved and that the ship may be registered with that name.
5. Notwithstanding that the Registrar is satisfied as to paragraphs 2 and 3 he may refuse to approve a name —
 - (a) which might cause offence or embarrassment; or
 - (b) which has a clear and direct connection with the Royal Family.
6. Any approval given under paragraphs 2 or 3 shall be valid only for the period of three months beginning with the date it is notified to the applicant.

7. If the Registrar is not so satisfied he shall notify the applicant accordingly.
8. Notwithstanding paragraph 6, the Registrar may allow the reservation of a ship's name or designation for a period of 10 years if he is satisfied that —
 - (a) the ship is intended to replace another of the same name which is to be registered within 10 years of the date of the application, and
 - (b) the applicant is the owner of the registered ship of the same name as that which is to be reserved and its registration on the Stanley Register of Ships will be closed before the registration of the new vessel; or
 - (c) the applicant is the owner of a registered ship with the same name as that which is to be reserved and it will be sold before the registration of the new vessel on condition that it changes its name and that its name is so changed.
9. Applications for a reservation under paragraph 8 must be accompanied by a full statement of the circumstances of the case.
10. Where a ship having once been registered has ceased to be registered, no person (unless ignorant of the previous registration, proof whereof will lie on him), shall apply for registration of a ship other than by the name by which it was previously registered except with the written permission of the Registrar.

SCHEDULE 2

regulations 28, 29, 30 and 76

CARVING AND MARKING

1. Every ship is required, before it may be registered, to be marked permanently and conspicuously to the satisfaction of the Registrar in accordance with this Schedule.
2. The Governor may exempt any class of ship from all or any of the requirements of this Schedule, subject to such conditions, if any as he thinks fit.
3. Subject to any exemption in respect of that class of ship, a ship other than —
 - (a) a fishing vessel,
 - (b) a pleasure vessel which is under 24 metres,
 is to be marked as follows —
 - (i) its name shall be marked on each of its bows, and its name and "Stanley" must be marked on its stern;
 - (ii) the marking is to be on a dark ground in white or yellow letters, or on a light ground in black letters, the letters not being less than 10 centimetres high and of proportional breadth; and
 - (iii) its official number and the number denoting its registration tonnage shall be cut on its main beam or if that is not possible, marked or fixed thereon in the manner prescribed in paragraph 4(a).
4. A pleasure vessel which is under 24 metres in length is to be marked as follows —
 - (a) the official number and registered tonnage are —
 - (i) to be marked on the main beam (or, if there is no main beam on a readily accessible visible permanent part of the structure of the pleasure vessel) either by cutting in, centre punching or raised lettering, or
 - (ii) to be engraved on plates of metal, wood or plastic, secured to the main beam (or, if there is no main beam, to a readily accessible visible permanent part of the structure) with rivets, through bolts with the ends clenched or screws with the slots removed.

(b) the name and "Stanley" (unless an exempted ship), are to be marked on a conspicuous and permanent part of the stern on a dark ground in white or yellow letters or on a light ground in black letters, the letters being not less than 5 centimetres high and of proportionate breadth, or, where this is not possible by one of the following methods —

(i) by engraving on plates of metal or of plastic or by cutting in on a shaped wooden chock. Where a shaped wooden chock is used it should be secured to the hull through bolts, the end being clenched, or

(ii) by individual glass reinforced plastic letters and numbers approximately 2mm in thickness. These are to be fixed to the hull with epoxy adhesive, and painted with suitable paint and coated with translucent epoxy resin;

(iii) where metal or plastic plates have been used these must be affixed by the use of epoxy adhesives. Metal or plastic plates secured by adhesives must be coated with translucent epoxy resin after they have been fixed in position.

5. A fishing vessel is to be marked as follows —

(a) the name of the vessel and "Stanley" shall be painted in white on a black background or in black on a white background outside the stern of the boat in letters which shall not be less than 8 centimetres in height and 1.5 centimetres in breadth, and

(b) the designating letters and number of the vessel shall be painted or displayed on both sides of the vessel as high above the water as possible so as to be clearly visible from the sea and the air, in white on a black background or black on a white background:

(c) for vessels not over 17 metres in length, the height of the letters and number mentioned in subparagraph (b) shall be at least 25 centimetres with a line thickness of at least 4 centimetres;

(d) for vessels over 17 metres in length, the height of the letters and numbers shall be at least 45 centimetres with a line thickness of at least 6 centimetres:

(e) the vessel's official number shall be carved into the main beam of the vessel or, if that is not possible, marked or fixed thereon in the manner prescribed in paragraph 4(a).

6. A scale of decimetres, or metres and decimetres, denoting a draft of water shall be marked on a ship, other than an exempted ship, on each side of its stem and its stern post, as follows —

(a) in figures in 2 decimetre intervals, if the scale is in decimetres; and

(b) in figures at each metre interval and at intervening 2 decimetre intervals, if the scale is in metres and decimetres;

the capital letter "M" being placed after each metre figure; the top figure of the scale showing both the metre and (except where it marks a full metre interval) the decimetre figure; the lower line of the figures, or figures and letters (as the case may be), coinciding with the draft line denoted thereby; the figures and letters being not less than 1 decimetre in length and being marked by being cut in and painted white or yellow on a dark ground, or in such other way as the Governor approves.

7. The name of a ship shall be marked in Roman letters and any numerals shall be in Roman or European numerals.

SCHEDULE 3

regulations 32 and 78

DETAILS TO GO ON REGISTER

1. The following information is to be registered about each owner who is an individual —

- (a) surname, forename and title,
 - (b) address,
 - (c) nationality,
 - (d) number of shares owned by him, and if held jointly, with whom the shares are held,
 - (e) the name of the managing owner.
2. The following information is to be registered about each owner which is a body corporate —
- (a) name of owner,
 - (b) the address of its registered office,
 - (c) country of incorporation,
 - (d) where it is a body corporate incorporated in the Falkland Islands, the United Kingdom or in a relevant British possession, its principal place of business,
 - (e) number of shares owned by the company, and if held jointly, with whom the shares are held.
3. In respect of any charterer of a fishing vessel there is to be registered —
- (a) the full name of the individual or body corporate,
 - (b) the address of the individual.
 - (c) where the charterer is a body corporate, the address of its registered office.
4. The following information is to be registered about ships registered or to be registered on Part I of the Register —
- (a) name,
 - (b) either the IMO number or the International Standards Organisation Hull Identification Number, as appropriate,
 - (c) radio callsign,
 - (d) official number,
 - (e) year of build,
 - (f) method of propulsion eg. whether sail, steam, motor or dumb,
 - (g) where built,
 - (h) name and address of builders,
 - (i) date keel laid/when built,
 - (j) length in metric units,
 - (k) breadth in metric units,
 - (l) depth in metric units,
 - (m) type of ship eg. dry cargo, oil tanker, passenger, bulk carrier,
 - (n) material used to construct hull,
 - (o) gross tonnage,
 - (p) nett tonnage,
 - (q) registered tonnage,
 - (r) make and model of engine(s), and
 - (s) total power of engines in kilowatts.
5. The following is to be registered about fishing vessels registered or to be registered on Part II of the Register —
- (a) official number,
 - (b) either the IMO number or the International Standards Organisation Hull Identification Number, as appropriate,
 - (c) fishing vessel number.

- (d) name,
- (e) radio callsign,
- (f) whether full or simple registration,
- (g) material used to construct hull,
- (h) name of builder,
- (i) year of build,
- (j) place and country of build.
- (k) date of entry into service.
- (l) overall length in metric units,
- (m) registered length in metric units,
- (n) breadth in metric units,
- (o) depth in metric units,
- (p) gross tonnage.
- (q) nett tonnage.
- (r) total power of engines in kilowatts, and
- (s) make and model of engine.

SCHEDULE 4

regulations 33 and 78

CERTIFICATE OF REGISTRY

1. A certificate of registry for a ship registered or to be registered on Part I of the Register shall contain —
 - (a) the full name and address of the owner(s),
 - (b) the number of shares owned by each owner and if any are jointly owned, with whom they are owned,
 - (c) the following information about the ship —
 - (i) name,
 - (ii) either the IMO number or the International Standards Organisation Hull Identification Number, as appropriate,
 - (iii) radio callsign,
 - (iv) official number,
 - (v) year of build,
 - (vi) method of propulsion, eg. whether sail, steam, motor or dumb,
 - (vii) length in metric units,
 - (viii) breadth in metric units,
 - (ix) depth in metric units,
 - (x) type of ship, eg. dry cargo, oil tanker, passenger, bulk carrier,
 - (xi) such of the following tonnages as are specified in the certificate of survey: gross, nett and registered,
 - (xii) engine make and model,
 - (xiii) engine power in kilowatts,
 - (d) the date of issue of the certificate, and
 - (e) the date the certificate expires.
2. A certificate of registry for a fishing vessel registered or to be registered on Part II of the Register shall contain —

- (a) the name and address of each owner,
- (b) the name and address of any charterer,
- (c) the number of shares and, if any are jointly owned, with whom they are owned,
- (d) the following details about the vessel —
 - (i) name,
 - (ii) fishing vessel number,
 - (iii) official number,
 - (iv) IMO number.
 - (v) radio callsign,
 - (vi) registered length,
 - (vii) overall length in metric units,
 - (viii) breadth in metric units,
 - (ix) depth in metric units,
 - (x) such of the following tonnages as are specified in the certificate of survey: gross, nett and registered.
 - (xi) engine make and model.
 - (xii) year of build.
 - (xiii) date of entry into service.
- (e) the date and time of the issue of the certificate, and
- (f) the date of the expiry of the certificate.

3. Bareboat charter ships: a certificate of bareboat charter for ships registered or to be registered on Part IV of the Register shall contain the details prescribed by either paragraph 1(a), (c), (d) and (e) (for ships other than fishing vessels) or paragraph 2(a), (b), (d), (e) and (f) (for fishing vessels) and the following —

- (a) the name and address of the charterer.
- (b) national unique identifier or official number.
- (c) country of primary registration.
- (d) original name if different from its registered name.

Made this fifth day of December 2001

D A Lamont
Governor

