



THE FALKLAND ISLANDS GAZETTE

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31 JANUARY 1985

No. 1

Appointments

Miss Christine Campbell, Assistant Teacher, Education Department, 12.11.84.

Dennis Lampard, B.V.M.S., M.R.C.V.S., Veterinary Officer, Agricultural Department, 24.12.84.

Keith Robert Allen, Administrative Assistant, Agricultural Research Centre (GTU), 1.1.85.

Miss Janet Ashworth, Clerk, Police and Prisons Department, 2.1.85.

Gerald Ian McPhee, Pilot, Aviation Department, 2.1.85.

Marvin Thomas Clarke, Superintendent of Fire Services, Public Works Department, 7.1.85.

Raymond Bates, Postal Officer, Posts and Telecommunications Department, 9.1.85.

Resignation

Hugh Marsden, Assistant Teacher, Education Department, 9.1.85.

NOTICES

No. 2. 15th January 1985.

Marriage Ordinance (Cap 43) Section 5

The following are registered as Ministers for celebrating marriages —

THE REVEREND HARRY BAGNALL, O.B.E., *Rector, Christ Church Cathedral.*

THE RIGHT REV. MONSIGNOR DANIEL SPRAGGON, O.B.E., *Prefect Apostolic of the Falkland Islands and Dependencies.*

THE REVEREND FATHER AUGUSTINE MONAGHAN, *Priest, Saint Mary's Church.*

Ref. INT/39/1.

No. 3.

21st January 1985.

School Terms 1985

Stanley Schools and recognised Camp Schools

1st Term — 7th February to 15th May

2nd Term — 6th June to 28th August

3rd Term — 19th September to 18th December.

Provided that the number of days worked is not less than that specified above, term dates for recognised Camp schools may be modified to meet the convenience of farms.

Public Holidays

THESE APPLY TO STANLEY SCHOOLS AND RECOGNISED CAMP SCHOOLS

Good Friday	...	...	5th April
Her Majesty the Queen's Birthday	...	...	22nd April (transferred)
Liberation Day	...	...	14th June
Spring Holiday	...	...	7th October
Battle Day	...	...	9th December (transferred)

Holidays for Itinerant Assistant Teachers

Tuition shall take place except during the following periods —

20th December 1984	to	9th January 1985
Good Friday	...	5th April
May Ball Week	...	21st to 27th May
Liberation Day	...	14th June
Battle Day	...	9th December (transferred)
19th December 1985	to	8th January 1986.

DAVID B. SMITH,
Superintendent of Education.
Ref. EDU/21/1.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

FLIGHT LIEUTENANT GRAHAM ANTHONY HOBBS to be a temporary Customs Officer with effect from 22nd January 1985.

L. J. HALLIDAY,
Collector of Customs.

In the Supreme Court of the Falkland Islands NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER OF Henry John Bonner, deceased of Stanley, Falkland Islands, who died at Stanley, Falkland Islands on the 1st day of January 1983, intestate.

WHEREAS Donald William Bonner 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 twenty-one days of the publication hereof.

SHARON HALFORD,
Acting Registrar.

Stanley,
Falkland Islands.
2nd January 1985.
Ref. PRO/1/83.

No. 1.

9th January 1985.

The following revised list of Magistrates, Justices of the Peace, and Commissioners for Oaths at present resident in the Colony and Dependencies is published for general information.

MAGISTRATES AND JUSTICES OF THE PEACE

H. Bennett, O.B.E., J.P.	...	...	...	22.7.46	...	...	...	Stanley
S. Miller, C.B.E., J.P.	...	...	...	3.6.55	...	...	...	Stanley
J. T. Clement, J.P.	...	...	...	4.5.61	...	...	...	Stanley
H. L. Bound, M.B.E., J.P.	...	...	...	11.7.63	...	...	...	Stanley
Mrs. J. Booth, J.P.	...	...	...	5.8.67	...	...	...	Stanley
Hon. W. H. Goss, M.B.E., J.P.	...	...	...	12.7.69	...	...	...	Stanley
Hon. L. G. Blake, O.B.E., J.P.	...	...	...	12.7.69	...	...	...	Hill Cove
J. D. Barton, J.P. ...	...	...	...	12.7.69	...	...	...	Teal Inlet
B. Hardcastle, J.P.	...	...	...	30.10.74	...	...	...	Darwin
J. R. Cockwell, J.P.	...	...	...	9.2.81	...	...	...	Fox Bay East
C. J. Mievile, <i>Magistrate</i>	...	...	...	19.10.84	...	...	...	South Georgia
M. C. Ll. Gaiger, <i>Attorney General</i>	...	...	...	23.11.84	...	...	...	Stanley
R. Browning, <i>Magistrate (Licensing)</i>	...	...	...	24.12.84	...	...	...	Stanley

COMMISSIONERS FOR OATHS

R. J. Ferguson	...	...	...	8.2.71	...	...	...	Weddell Island
Hon. W. R. Luxton	...	...	...	8.2.71	...	...	...	Chartres
S. R. Miller	...	...	...	8.2.71	...	...	...	Keppel Island
K. J. McPhee	...	...	...	8.2.71	...	...	...	Green Patch
R. B. Napier	...	...	...	8.2.71	...	...	...	West Point Island
R. M. Pitaluga, O.B.E.	...	...	...	8.2.71	...	...	...	Salvador
O. R. Smith	...	...	...	8.2.71	...	...	...	Johnsons Harbour
A. Pole-Evans	...	...	...	8.2.71	...	...	...	Saunders Island
Hon. A. T. Blake	...	...	...	23.3.73	...	...	...	Little Chartres
P. C. Robertson	...	...	...	23.11.73	...	...	...	Port Stephens
N. A. Knight	...	...	...	26.2.81	...	...	...	Fox Bay West
R. M. Lee	...	...	...	31.3.81	...	...	...	Port Howard
Attorney General	...	...	...	4.1.83	...	...	...	... Stanley

Ref. LEG/19/5.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE
(Section 2)

Resolution of the Legislative Council

No. 1 of 1985.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1984 that —

1. The companies the names of which are set out in the Schedule hereto and the employees thereof (hereafter together called "the exempted persons") shall be exempt from

- (a) Taxes imposed under the Income Tax Ordinance Cap 32.
- (b) Duties imposed under the Customs Ordinance Cap 16.
- (c) Contributions imposed under the Old Age Pensions Ordinance 1952.
- (d) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
- (e) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1 (b) is subject to the condition that exempted bodies or persons do not sell or give any dutiable goods to any body or person who is not exempted from payment of duties under the said Ordinance.

3. The exemption under paragraph 1 (d) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical treatment received by them from the Falkland Islands Medical Services.

4. The exemptions provided for in this Resolution shall subject to the proviso hereafter contained remain in force for a period of 2 years from the 1st day of November 1983.

Provided that :

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said companies and employees in relation to taxes, duties, contributions, levies and dues which but for the exemption would have been imposed on profits, income imports and use of harbours arising out of or occasioned by or in relation to work undertaken on the construction of Mount Pleasant Airport and the road from that airport to Stanley, or works related thereto;
- (b) an employee for the purposes of this Resolution shall not include a person recruited by any of the said companies in the Falkland Islands whether or not such person is a resident thereof;
- (c) an exemption may be revoked;
- (d) (i) if an exemption is revoked in respect of any exempted person, or
(ii) an exempted person ceases to carry out work on the construction of the Mount Pleasant Airport, the road from that airport or works related thereto
the exemption shall cease to apply to such exempted person.

SCHEDULE

John Laing Construction Limited
Mowlem International Limited
Amey Roadstone Construction Limited
Wimpey Major Products Limited
Taylor Woodrow International Limited
Kelvin Catering (Camps) Limited
Cunard Steamship Company Limited
Canargo Limited
Capper-Neill Limited
McTay Engineering Limited
GEC Diesels Limited
Balfour Kilpatrick International Limited
British Leyland
Bowmaker Limited

Mining Machinery Developments Limited
 Volvo BM Limited
 Compair Limited
 Goodwin Barsby Limited
 Petbow Limited
 Soil Mechanics

5. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 1 of 1985.

P. T. KING,
Clerk of Councils.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE
 (Section 2)

Resolution of the Legislative Council

No. 2 of 1985.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1984 that —

1. The companies the names of which are set out in the Schedule hereto and the employees thereof (hereafter together called "the exempted persons") shall be exempt from

- (a) Taxes imposed under the Income Tax Ordinance Cap 32.
- (b) Contributions imposed under the Old Age Pensions Ordinance 1952.
- (c) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
- (d) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1 (c) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical treatment received by them from the Falkland Islands Medical Services.

3. The exemptions provided for in this Resolution shall subject to the proviso hereafter contained remain in force for a period of 2 years from the 1st day of December 1982.

Provided that :

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said companies and employees in relation to taxes, duties, contributions, levies and dues which but for the exemption would have been imposed on profits, income imports and use of harbours arising out of or occasioned by or in relation to work undertaken on the construction of 54 houses in Racecourse and Callaghan Roads, Stanley, or works related thereto;
- (b) an employee for the purposes of this Resolution shall not include a person recruited by any of the said companies in the Falkland Islands whether or not such person is a resident thereof;
- (c) an exemption may be revoked;
- (d) (i) if an exemption is revoked in respect of any exempted person, or
 (ii) an exempted person ceases to carry out work on the construction of the 54 houses in Racecourse and Callaghan Roads, Stanley, or works related thereto the exemption shall cease to apply to such exempted person.

SCHEDULE

James Brewster Associates Limited

4. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 2 of 1985.

P. T. KING,
Clerk of Councils.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE
(Section 2)

Resolution of the Legislative Council

No. 3 of 1985.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1984 that —

1. The companies the names of which are set out in the Schedule hereto and the employees thereof (hereafter together called "the exempted persons") shall be exempt from
 - (a) Taxes imposed under the Income Tax Ordinance Cap 32.
 - (b) Contributions imposed under the Old Age Pensions Ordinance 1952.
 - (c) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
 - (d) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1 (c) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical treatment received by them from the Falkland Islands Medical Services.

3. The exemptions provided for in this Resolution shall subject to the proviso hereafter contained remain in force for the period commencing 1st April 1983 and ending 31st July 1984.

Provided that :

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said companies and employees in relation to taxes, duties, contributions, levies and dues which but for the exemption would have been imposed on profits, income imports and use of harbours arising out of or occasioned by or in relation to work undertaken on the repair and replacement of roads in Stanley, or works related thereto;
- (b) an employee for the purposes of this Resolution shall not include a person recruited by any of the said companies in the Falkland Islands whether or not such person is a resident thereof;
- (c) an exemption may be revoked;
- (d) (i) if an exemption is revoked in respect of any exempted person, or
(ii) an exempted person ceases to carry out work on the repair and replacement of roads in Stanley or works related thereto
the exemption shall cease to apply to such exempted person.

SCHEDULE

Fairclough International Construction Limited
The Crown Agents for Overseas Governments
The Grand Metropolitan Hotels Limited

4. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 3 of 1985.

P. T. KING,
Clerk of Councils.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE

(Section 2)

Resolution of the Legislative Council

No. 4 of 1985.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1984 that —

1. The companies the names of which are set out in the Schedule hereto and the employees thereof (hereafter together called "the exempted persons") shall be exempt from

- (a) Taxes imposed under the Income Tax Ordinance Cap 32.
- (b) Contributions imposed under the Old Age Pensions Ordinance 1952.
- (c) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
- (d) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1 (c) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical treatment received by them from the Falkland Islands Medical Services.

3. The exemptions provided for in this Resolution shall subject to the proviso hereafter contained remain in force for a period of 2 years from the commencement of the project. Provided that :

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said companies and employees in relation to taxes, duties, contributions, levies and dues which but for the exemption would have been imposed on profits, income imports and use of harbours arising out of or occasioned by or in relation to work undertaken on the installation of generators at Stanley Power Station and the installation of a new water reticulation system for Stanley or works related thereto;
 - (b) an employee for the purposes of this Resolution shall not include a person recruited by any of the said companies in the Falkland Islands whether or not such person is a resident thereof;
 - (c) an exemption may be revoked;
 - (d) (i) if an exemption is revoked in respect of any exempted person, or
 - (ii) an exempted person ceases to carry out work on the installation of generators at Stanley Power Station and the installation of a new water reticulation system for Stanley or works related thereto
- the exemption shall cease to apply to such exempted person.

SCHEDULE

The Crown Agents for Overseas Governments
Fairclough International Construction Limited
Kelvin Catering (Camps) Limited

4. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 4 of 1985.

P. T. KING,
Clerk of Councils.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE
(Section 2)

Resolution of the Legislative Council

No. 5 of 1985.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1984 that —

1. The companies the names of which are set out in the Schedule hereto and the employees thereof (hereafter together called "the exempted persons") shall be exempt from

- (a) Taxes imposed under the Income Tax Ordinance Cap 32.
- (b) Contributions imposed under the Old Age Pensions Ordinance 1952.
- (c) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
- (d) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1 (c) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical treatment received by them from the Falkland Islands Medical Services.

3. The exemptions provided for in this Resolution shall subject to the proviso hereafter contained remain in force for a period of one year from 1st July 1984.

Provided that :

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said companies and employees in relation to taxes, duties, contributions, levies and dues which but for the exemption would have been imposed on profits, income imports and use of harbours arising out of or occasioned by or in relation to work undertaken on the construction of the Stanley Link Road or works related thereto;
- (b) an employee for the purposes of this Resolution shall not include a person recruited by any of the said companies in the Falkland Islands whether or not such person is a resident thereof;
- (c) an exemption may be revoked;
- (d) (i) if an exemption is revoked in respect of any exempted person, or
(ii) an exempted person ceases to carry out work on the construction of the Stanley Link Road, or works related thereto
the exemption shall cease to apply to such exempted person.

SCHEDULE

Property Services Agency
Fairclough International Construction Limited
Miller Construction (Northern) Limited

4. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 5 of 1985.

P. T. KING,
Clerk of Councils.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE
(Section 2)

Resolution of the Legislative Council

No. 6 of 1985.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1984 that —

1. The companies the names of which are set out in the Schedule hereto and the employees thereof (hereafter together called "the exempted persons") shall be exempt from

- (a) Taxes imposed under the Income Tax Ordinance Cap 32.
- (b) Contributions imposed under the Old Age Pensions Ordinance 1952.
- (c) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
- (d) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1 (c) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical treatment received by them from the Falkland Islands Medical Services.

3. The exemptions provided for in this Resolution shall subject to the proviso hereafter contained remain in force for a period of one year from 1st July 1984.

Provided that :

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said companies and employees in relation to taxes, duties, contributions, levies and dues which but for the exemption would have been imposed on profits, income imports and use of harbours arising out of or occasioned by or in relation to works undertaken on the School Hostel, Stanley House, Stanley or works related thereto;
- (b) an employee for the purposes of this Resolution shall not include a person recruited by any of the said companies in the Falkland Islands whether or not such person is a resident thereof;
- (c) an exemption may be revoked;
- (d) (i) if an exemption is revoked in respect of any exempted person, or
(ii) an exempted person ceases to carry out work on the School Hostel, Stanley House, Stanley, or works related thereto
the exemption shall cease to apply to such exempted person.

SCHEDULE

John Laing Construction Limited
Mowlem International Limited
Amey Roadstone Construction Limited

4. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 6 of 1985.

P. T. KING,
Clerk of Councils.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE
(Section 2)

Resolution of Legislative Council

No. 7 of 1985.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1984 that —

1. The companies the names of which are set out in the Schedule hereto and the employees thereof (hereafter together called "the exempted persons") shall be exempt from

- (a) Taxes imposed under the Income Tax Ordinance Cap 32.
- (b) Contributions imposed under the Old Age Pensions Ordinance 1952.
- (c) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
- (d) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1 (c) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical treatment received by them from the Falkland Islands Medical Services.

3. The exemptions provided for in this Resolution shall subject to the proviso hereafter contained remain in force for a period of two years from 1st January 1984.

Provided that :

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said companies and employees in relation to taxes, duties, contributions, levies and dues which but for the exemption would have been imposed on profits, income imports and use of harbours arising out of or occasioned by or in relation to work undertaken on the maintenance services and construction work for British Forces Falkland Islands or works related thereto;
- (b) an employee for the purposes of this Resolution shall not include a person recruited by any of the said companies in the Falkland Islands whether or not such person is a resident thereof;
- (c) an exemption may be revoked;
- (d) (i) if an exemption is revoked in respect of any exempted person, or
(ii) an exempted person ceases to carry out maintenance services and construction work for British Forces Falkland Islands or works related thereto
the exemption shall cease to apply to such exempted person.

SCHEDULE

Property Services Agency
Turner Diesels Limited
Kelvin Catering (Camps) Limited
Bristows Helicopters Limited
ITM Offshore Limited
Amey Roadstone Construction Limited

4. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 7 of 1985.

P. T. KING,
Clerk of Councils.

The Land (Subdivision for non-residents) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Interpretation.
3. Licence for acquisition of land in a controlled area.
4. Licence conditions.
5. Form of application and information required.
6. Acquisition of land without licence void.
7. Registrar not to register document, conveyance, letting or grant without licence.
8. Exemptions.
9. Offences.
10. Regulations.

Assented to in Her Majesty's name this 18th day of January 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 1



1985

Colony of the Falkland Islands

IN THE THIRTY-THIRD YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.

Civil Commissioner.

An Ordinance

To control the subdivision of land for acquisition
by persons not resident in the Falkland Islands.

ENACTED by the Legislature of the Colony of the Falkland
Islands, as follows —

1. This Ordinance may be cited as the Land (Subdivision for
non-residents) Ordinance 1985 and shall come into force on the 21st
day of January 1985.

Citation and commence-
ment.

2. In this Ordinance unless the context otherwise requires —
“acquire” shall mean take a conveyance, lease, letting or grant
of right of occupation or use, whether for a consideration or
not;

Interpretation.

“the controlled area” shall mean all that area of land outside a
radius of six miles from the Cathedral in Stanley except such
part or parts of such area as are exempted from the provisions
of this Ordinance in accordance with Section 8;

“licence” shall mean a licence referred to in Section 3 (1);

“non-resident” shall mean a person who has not immediately
preceding an application for a licence under Section 5 been
ordinarily resident in the Falkland Islands for a period of three
years;

a person shall be considered to have been ordinarily resident in
the Falkland Islands for the said period of three years provided
that after the commencement of that period such person has
not been absent from the Falkland Islands for more than 120
days.

Licence for acquisition of land in a controlled area.

3. (1) No non-resident shall acquire land in the controlled area being of 500 acres or less without a licence issued by the Civil Commissioner in Council.

(2) A licence may be issued for a fixed period but may be renewed if application is made before its expiry date.

Licence conditions.

4. (1) A licence may be issued subject to such conditions as the Civil Commissioner in Council may in his discretion impose.

(2) Without derogating from the generality of subsection (1) conditions imposed in respect of a licence may provide for —

- (a) drainage;
- (b) building lines;
- (c) access and other roads, their standard and minimum width;
- (d) the provision and siting of electricity, water and other services;
- (e) the making over to the Crown free of charge of any roads to be constructed on such land which are likely to be used as public rights of way;
- (f) the siting of buildings;
- (g) where the licence is in respect of plots for building residential accommodation the reservation of land for schools, churches, shops and land for commercial or industrial use.

Form of application and information required.

5. (1) An application for a licence shall be made in writing in the prescribed form.

(2) An application shall be accompanied by such information and documents as may be prescribed or the Civil Commissioner shall in his discretion require.

Acquisition of land without licence void.

6. A document purporting to provide for the acquisition of land for which a licence is required but has not been granted shall be void and of no effect.

Registrar General not to register document conveyance letting or grant without licence.

7. The Registrar General shall not register any document, conveyance, lease, letting or grant of land to which Section 3 shall apply unless it is accompanied by an unexpired licence.

Exemptions.

8. The Civil Commissioner may by Order in Council exempt any part or parts of the controlled area from the provisions of this Ordinance.

Offences.

9. (1) Any person who shall —

- (a) knowingly supply false information in an application for a licence or in support of such application; or
- (b) attempt without a licence to acquire land for which a licence may be required; or
- (c) fail to comply with a condition of a licence; or
- (d) contravene this Ordinance;

shall commit an offence.

(2) Any person who commits an offence under this Ordinance shall on conviction be liable to a fine of £2000 or to imprisonment for two years or both.

Regulations.

10. The Civil Commissioner may by Order in Council make regulations for anything that may be prescribed under Section 5 and otherwise for the better carrying out of the provisions of this Ordinance.

Passed by the Legislature of the Colony of the Falkland Islands
this 16th day of January 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. LND/10/1.

The Income Tax (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Cap 32.

Assented to in Her Majestys name this 31st day of January 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 2



1985

Colony of the Falkland Islands

IN THE THIRTY-THIRD YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.

Civil Commissioner.

An Ordinance To amend the Income Tax Ordinance Cap. 32.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation and commencement.

1. This Ordinance may be cited as the Income Tax (Amendment) Ordinance 1985 and shall come into force with effect from the 1st day of January 1985 except that Section 16 of the Income Tax Ordinance Cap 32 shall apply in the 1985 year of assessment for the assessment of chargeable income received during 1984.

Amendment of Cap 32.

2. The Income Tax Ordinance Cap 32 is amended —

- (a) by the repeal of Section 5 (g);
- (b) in Section 8 by the addition at the end thereof of the following —
 - “(o) allowances paid under the Family Allowances Ordinance 1960 or any allowances substituted therefor.”;
- (c) in Section 14 (1) by substituting “£2000” for “£1500”;
- (d) in Section 15 by substituting —
 - (i) “£1150” for “£900” in subsection (1);
 - (ii) “£650” for “£500” in subsection (2);
 - (iii) “£1150” and “£650” respectively for “£900” and “£500” in subsection (3) (a);
 - (iv) “£2000” for “£1500” in subsection (4);
- (e) by the repeal of Section 16 and any reference to that section in any other section;
- (f) in Section 16A by the substitution of “£3900” for “£2950” wherever it occurs;

- (g) in Section 21 by deleting "On every pound of" to "50 per cent" and substituting the following therefor —

"On every pound of

the first £500 of chargeable income	20 per cent
the next £500 of chargeable income	25 per cent
the next £6500 of chargeable income	30 per cent
the next £2500 of chargeable income	40 per cent
the remainder of chargeable income	50 per cent."

Passed by the Legislature of the Colony of the Falkland Islands
this 15th day of January 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

The Family Allowances (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 9 of 1960.

Assented to in Her Majestys name this 31st day of January 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 3



1985

Colony of the Falkland Islands

IN THE THIRTY-THIRD YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.

Civil Commissioner.

An Ordinance

To amend the Family Allowances Ordinance 1960.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation and commencement.

1. This Ordinance may be cited as the Family Allowances (Amendment) Ordinance 1985 and shall come into force on the 1st day of January 1985.

Amendment of Ordinance No. 9 of 1960.

2. The Family Allowances Ordinance 1960 is amended by —

(a) the repeal of Section 3 (2) and the substitution therefor of the following —

“(2) The Superintendent shall pay for each child of a family an allowance at the rate of fifteen pounds.”

(b) the repeal of Section 4 and the substitution therefor of the following —

“4. (1) A person shall be a child for the purposes of this Ordinance if he is —

(a) under the age when he is required by law to attend school in the Falkland Islands;

(b) required by law to attend school in the Falkland Islands; or

(c) subject to subsection (2), being unmarried, receiving full time instruction at any university, college, school or other educational establishment whether in the Falkland Islands or not.

(2) A person to whom subsection 1 (c) applies shall not be a child for the purposes of this Ordinance if —

- (a) he is over such age as may be declared by the Civil Commissioner by Order in Council; or
- (b) his income in his own right, excluding the amount of any scholarship, bursary or the like, exceeds the sum deductible under Section 15 (4) of the Income Tax Ordinance or any enactment substituted therefor.” Cap. 32.
- (c) the insertion in Section 17 (3) after the words “temporary absence of a person therefrom” of the following —
 “or, in the case of a child, absence therefrom to undergo full time instruction at any university, college, school or other educational establishment”.

Passed by the Legislature of the Colony of the Falkland Islands
this 15th day of January 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

A Bill for An Ordinance To amend the Labour (Minimum Wage) Ordinance Cap. 35.

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

Citation.

1. This Ordinance may be cited as the Labour (Minimum Wage) (Amendment) Ordinance 1985.

Amendment of
Ordinance Cap. 35.

2. The Labour (Minimum Wage) (Amendment) Ordinance 1942 shall be amended by —

(a) the repeal of Section 2 and the substitution therefor of —

“Minimum
wage.

2. (1) The Civil Commissioner may by Order in Council fix the minimum wage for any occupation.

(2) An Order made in accordance with subsection (1) may fix different minimum wages for the same occupation by reason of —

- (a) the part of the Falkland Islands in which persons are working in such occupation;
- (b) the number of years in which a worker has been working in such occupation; and
- (c) the qualifications whether by test or examination (written or otherwise) or completion of apprenticeship of persons working in such occupation.

(3) An Order made under subsection (1) shall be lawful if it fixes a minimum wage for occupations in general.

(4) An Order made under subsection (1) may except certain occupations or classes of persons within an occupation from such Order.”.

(b) the substitution in Section 4 of —

- (i) £500 and £100 for £20 and £5 respectively in subsection (1); and
- (ii) £100 and £50 for £2 and £1 respectively in subsection (5).

(c) the substitution in Section 5 (3) of £100 and £500 for £5 and £20 respectively.

OBJECTS AND REASONS

The purpose of this Bill is to clarify and expand Section 2 which provides for declaration of minimum wages and to increase the fines contained in Sections 4 and 5.

Road Traffic (Amendment) Bill 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
 2. Amendment of Cap. 60.
- Schedule.

A Bill for An Ordinance To amend the Road Traffic Ordinance Cap. 60

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

1. This Ordinance may be cited as the Road Traffic (Amendment) Ordinance 1985 and shall come into force on such day as the Civil Commissioner shall declare by Order published in the Gazette. Citation and commencement.
2. The Road Traffic Ordinance Cap 60 is amended by — Amendment of Cap. 60.
 - (a) (i) the removal of the full stop at the end of the definition of "Drivers Licence" in Section 2 and the addition of the following to that definition —

"and such other licence as may be recognised under the provisions of this Ordinance or Regulations made hereunder as permitting a person to drive a motor vehicle.";
 - (ii) the deletion of the words "the Stanley to Darwin Road" from the definition of "Road" in the same section and the substitution for those words of the following —

"any other street, thoroughfare, highway, lane, court, alley, passage or open place declared by the Civil Commissioner by Order in Council to be a road for the purposes of this Ordinance.";
 - (b) the repeal of subsections (4), (5), (6) and (7) of Section 3;
 - (c) the repeal of subsections 3 (A) and 3 (B) of Section 5;
 - (d) the substitution in Section 6 (1) of the words "such risks as may be prescribed" for the words "third party risks";

(e) the substitution for Section 8 (3) of the following —

“(3) drives a motor vehicle,

- (a) on a road within the boundaries of Stanley or on any other road designated by the Civil Commissioner by Order in Council as an urban road at a speed greater than thirty miles an hour, or
- (b) on any other road designated by the Civil Commissioner in Council as a restricted road at a speed greater than fifty miles an hour.”

(f) the repeal of Section 8 (5);

(g) the repeal of Section 16;

(h) the substitution of the following section for Section 18 thereof —

“Regulations.

18. (1) The Civil Commissioner by Order in Council may make Regulations providing for —

- (a) the registration of motor vehicles and the division of vehicles into classes for that purpose;
- (b) the exemption from registration, conditional or otherwise, of any vehicle or class of vehicle;
- (c) the display on vehicles of —
 - (i) prescribed identification marks,
 - (ii) vehicle licences,
 - (iii) any other means of identification of vehicles or the owners thereof;
- (d) controlling restricting or specifying —
 - (i) the colours of motor vehicles or any specified class thereof, and
 - (ii) special markings to be displayed or carried on motor vehicles or on any class of motor vehicle;
- (e) the licensing of drivers of motor vehicles;
- (f) the classes of motor vehicles for which persons may be licensed to drive;
- (g) the grant of temporary and provisional licences to drive;
- (h) the testing of persons applying for or holding driving licences;
- (i) the specification of any countries the holders of driving licences or driver's certificates of which are exempt from the requirements to take a test;
- (j) controlling or restricting traffic, whether vehicular or pedestrian, including the imposition of one way traffic systems;
- (k) controlling the driving of motor vehicles and the use of motor vehicles, their equipment and apparatus, including the testing, inspection and weighing thereof for the purpose of ascertaining whether there is or has been a contravention of any provision of this Ordinance;
- (l) controlling the conduct of persons using motor vehicles and drivers, conductors and passengers including intending passengers on motor vehicles;
- (m) controlling the user of roads and in particular prohibiting either absolutely or during specified hours in the day —
 - (i) the driving of any specified type or class of motor vehicle on a road,

- (ii) the manner in which a motor vehicle of any specified type or class may be used on a road, or
- (iii) the parking of motor vehicles on a road;
- (n) the arrest of persons who commit offences under this Ordinance;
- (o) controlling charges for the hire of motor vehicles and fares payable by passengers carried therein;
- (p) restricting the number of passengers who may be carried in or on any motor vehicle;
- (q) the granting and cancellation by the Chief Police Officer of permits authorising the use of public service vehicles and other motor vehicles for the carriage of passengers for hire or reward;
- (r) the designation of car parks and their administration;
- (s) the removal from roads, car parks and parking places of motor vehicles, without notice to the owners thereof, which contravene any provision of this Ordinance, and the fees payable in respect of such removal;
- (t) the seizure, impounding and detention for a period not exceeding 2 months of any motor vehicle which has been driven or used in contravention of this Ordinance;
- (u) the disposal by way of sale or otherwise or the destruction of unclaimed motor vehicles which have been seized, impounded or detained pursuant to regulations made under this section;
- (v) road signs and markings and including the observance thereof;
- (w) forms and other documents;
- (x) fees payable for any licence or on any application made under this Ordinance or Regulations made thereunder;
- (y) risks against which insurance shall be taken out;
- (z) the general carrying into effect of the provisions of this Ordinance.

(2) Any regulations made under subsection (1) may provide that contravention thereof shall be an offence and may provide a penalty thereof not exceeding a fine of £1000 or imprisonment for six months or both."

- (i) the repeal of the fine or fines provided for in each section set out in column A of the Schedule hereto and shown against each such section in column B and the substitution therefor of the fine shown against each such fine in column C of the said Schedule.



THE FALKLAND ISLANDS GAZETTE

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28 FEBRUARY 1985

No. 2

Appointments

Kenneth John Aldridge, Engineer, m v Forrest, Customs and Harbour Department, 31.7.84.

Peter Bernard Gilding, Teacher, Education Department, 23.8.84.

Richard Edwin John Fogerty, Teacher, Education Department, 21.9.84.

Miss Katherine Mary Nelson, Assistant Teacher, Education Department, 28.11.84.

Miss Eileen Wynne Evans, Teacher, Education Department, 10.1.85.

Miss Alison Mary Sutton, Teacher, Education Department, 21.1.85.

Miss Marjory Anderson, Assistant Teacher, Education Department, 16.2.85.

Miss Christine Hirtle, Clerk, Public Service, 18.2.85. On probation for two years.

Miss Teresa Clifton, Clerk, Public Service, 28.2.85.

Acting Appointments

Nicholas Capron, Acting Headmaster, Infant / Junior School, Education Department, 17.9.84 - 18.1.85.

Colin George Davies, Acting Camp Education Supervisor, Education Department, 15.11.84-5.2.85.

Mrs. Eileen Hughes, Acting Deputy Postmistress, Mount Pleasant Post Office, Posts and Telecommunications Department, 27.1.85.

Miss Shelley Livermore, Acting Clerk / Storekeeper, Medical Department, 8.2.85.

Promotion

Dr. Thomas Pearce, M.B., Ch.B., from Medical Officer, Medical Department to Chief Medical Officer, Medical Department, 5.2.85.

Resignation

Mrs. Valerie Elizabeth Bennett, Senior Nursing Officer, Medical Department, 13.2.85.

James Peck, Clerk, Public Service, 15.2.85.

Miss Lianne Crompton, Clerk, Public Service, 28.2.85.

Transfer

Alison Thom from Clerk Public Service, Education Department to Houseparent, Stanley House Hostel, Education Department, 1.2.85.

NOTICES

No. 4. 31st January 1985.

Appointment of Deputy Civil Commissioner

In accordance with Article 8 of the Letters Patent 1948 to 1962 His Excellency the Civil Commissioner has appointed

DAVID GEORGE PENDLETON TAYLOR
to be Deputy Civil Commissioner during the absence of His Excellency from the Colony.

The said Deputy Civil Commissioner may exercise all the powers of the Civil Commissioner except those vested by virtue of Article 15 of the said Letters Patent, Sections 18, 21A and 26 (1) of the Falkland Islands (Legislative Council) Order in Council 1948 to 1977, Clauses 3 (1) (b), 5 (1) (b) and 22 of the Royal Instructions.

Ref. P/1677.

No. 5. 7th February 1985.

In accordance with Section 6 of the Police Ordinance 1965 The Honourable the Deputy Civil Commissioner is pleased, for and on behalf of His Excellency the Civil Commissioner, to appoint

KENNETH DAVID GREENLAND

the Officer in Charge of the Police Force with effect from the 8th day of February 1985.

In accordance with Section 3 of the Immigration Ordinance 1965 The Honourable the Deputy Civil Commissioner, for and on behalf of His Excellency the Civil Commissioner, appoints

KENNETH DAVID GREENLAND

the Immigration Officer for carrying out the provisions of the said Ordinance.

Ref. P/1715.

No. 6. 19th February 1985.

**Medical Practitioners, Midwives and Dentists Ordinance
(Cap. 45) Section 4**

The following persons are at present registered to practise in the Falkland Islands —

<i>Medical Practitioners</i>	<i>Qualifications</i>
Bleaney, Alison Ann, O.B.E.,	M.B., Ch.B. (Aberdeen)
Broadway, James	B.Sc., M.B., B.S.
Edwards-Moss, David John	M.B., B.S.
Goss, Brian Michael	B.Sc., M.B., B.S., M.R.C.G.P., D.A.
Henderson, Adrian	B.Sc., M.B., B.S.
Krikler, Steven	B.Sc., M.B., B.S.
Pearce, Thomas	M.B., Ch.B.
Commanding Officer, British Military Hospital	
<i>Midwives</i>	
Bachelor, Christine Mary	S.R.N., R.M.
Burgess, Beryl	S.R.N., S.C.M.
Douse, Bronwen Vaughan,	B.E.M., S.R.N., S.C.M.
Garner, Phyllis	S.R.N., S.C.M.
Pearce, Andrea	R.G.N., S.C.M.
Taylor, Jennifer	S.R.N., S.C.M.
<i>Dentists</i>	
WATSON, Robert Muir	L.D.S., R.C.S.

Ref. MED/7/3.

No. 7. 20th February 1985.

Hydatid Eradication (Dogs) Order 1981

(Under Section 12A of the Dogs Ordinance, Cap. 21)

His Honour the Deputy Civil Commissioner has appointed the undermentioned to be Inspectors for the purpose of this Order —

Ian Jeffrey Butler	— Waimea Farm, San Carlos
Gerald William Dickson	— Wreck Point, San Carlos
Ronald Edward Dickson	— The Flats, San Carlos
Robin Christopher Goodwin	— Outer Verde, San Carlos

Ref. AGR/7/16.

No. 8. 18th February 1985.

In accordance with Section 3 of the Administration of Justice Ordinance (Cap 3) His Honour the Deputy Civil Commissioner, for and on behalf of His Excellency the Civil Commissioner, has appointed

GWYNFRYN IAIN DAVIES

of the 1st Battalion the Royal Welch Fusiliers to be Magistrate for South Georgia with effect from the 19th day of February 1985.

In accordance with Section 3 of the Immigration Ordinance 1965 His Honour the Deputy Civil Commissioner, for and on behalf of His Excellency the Civil Commissioner, has appointed

GWYNFRYN IAIN DAVIES

of the 1st Battalion the Royal Welch Fusiliers the Immigration Officer for the Dependencies for carrying out the provisions of the said Ordinance.

Ref. LEG/19/5 & IMM/6/1.

No. 9. 28th February 1985.

In accordance with Section 2(2) of the Commissioners for Oaths Ordinance 1969, SHARON HALFORD is appointed Commissioner for Oaths.

Ref. LEG/19/5.

No. 10. 28th February 1985.

In accordance with Section 3 of the Administration of Justice Ordinance (Cap 3) His Honour the Deputy Civil Commissioner, for and on behalf of His Excellency the Civil Commissioner, has appointed the following persons Justices of the Peace with effect from 28th February 1985 —

EMMA JANE STEEN
STUART ALFRED BOOTH, M.B.E.
TERENCE GEORGE SPRUCE
WILLIAM EDWARD BOWLES
HENRY MILLAR MILNE
JANET LYNDA CHEEK.

Ref. LEG/19/5.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint

FLIGHT LIEUTENANT GRAHAM ANTHONY HOBBS

to be a temporary Customs Officer with effect from 22nd January 1985.

L. J. HALLIDAY,
Collector of Customs.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint

FLIGHT SERGEANT B. H. DENMAN, R.A.F.,

to be a temporary Customs Officer with effect from 6th February 1985.

L. J. HALLIDAY,
Collector of Customs.

Colony of the Falkland Islands
Appointment of temporary Registrar

In exercise of the powers conferred upon me by Section 4 of the Marriage Ordinance I, DAVID GEORGE PENDLETON TAYLOR, ESQUIRE, Deputy Civil Commissioner of the Colony of the Falkland Islands and its Dependencies

HEREBY APPOINT

ERIC MILLER GOSS a Registrar for the purpose of the marriage at North Arm of CLIVE ALEXANDER NEWMAN and DWENDA ROSE MORRISON.

Given under my hand at Stanley this 6th day of February 1985.

D. G. P. TAYLOR,
Deputy Civil Commissioner.

The Pioneer Enterprise
(South Atlantic Marine Services Limited) Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Declaration of Pioneer Enterprise.

THE INCOME TAX ORDINANCE
(Cap 32)

**The Pioneer Enterprise
(South Atlantic Marine Services Limited) Order 1985**

No. 1 of 1985.

In accordance with Section 8A of the Income Tax Ordinance (Cap. 32) the Deputy Civil Commissioner, for and on behalf of the Civil Commissioner, in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Pioneer Enterprise (South Atlantic Marine Services Limited) Order 1985 and shall come into force with effect from the 1st day of January 1985.

Declaration of Pioneer Enterprise.

2. South Atlantic Marine Services Limited is declared a pioneer enterprise for the purposes of Section 8A of the Ordinance.

Made the 19th day of February 1985.

D. G. P. TAYLOR,
Deputy Civil Commissioner.

Ref. INC/29/1

The Road Traffic (Amendment) Regulations Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Amendment of Order No. 12 of 1948.
3. Transitional.

THE ROAD TRAFFIC ORDINANCE
(Cap 60)

The Road Traffic (Amendment) Regulations Order 1985

No. 2 of 1985.

In accordance with Section 60 of the Road Traffic Ordinance Cap 60 the Deputy Civil Commissioner, for and on behalf of the Civil Commissioner, in Council makes the following Order —

1. This Order may be cited as the Road Traffic (Amendment) Regulations Order 1985 and shall come into force on the 1st day of March 1985. Citation and commencement.
2. The Road Traffic Regulations No. 12 of 1948 are amended Amendment of Order No. 12 of 1948. by —
 - (a) the substitution for Clauses (1), (2) and (3) of Regulation 4 of the following —
 - “(1) Application for a driver's licence shall be made by submitting to the Officer in Charge of Police a duly completed and signed application in the Form C set out in the Schedule.
 - (2) Every applicant for a driver's licence shall unless he held a driver's licence on the 28th day of February 1985 issued in accordance with these Regulations or can produce a licence which the Officer in Charge of Police is satisfied is valid and subsisting issued in a Commonwealth country or a member country of the European Economic Community be tested by the Officer in Charge of Police or a person authorised by him.
 - (3) A driver's licence shall be of indefinite duration and on or before the issue thereof an applicant shall pay a fee of £10 therefor unless he shall satisfy the Officer in Charge of Police that he is of or more than the age of sixty years when the fee shall be £2.”;
 - (b) the insertion of the following new clauses after Clause (3) and the renumbering of the existing Clause (4) as Clause (7) —
 - “(4) A person who intends to be resident in the Falkland Islands for a period of more than six months but not more than one year may subject to the preceding clauses of this Regulation be issued with a temporary driver's licence valid for one year from his day of entry into the Falkland Islands which shall not be renewable.
 - (5) The fee payable for a licence issued under Clause (4) and for the endorsement made under Section 5 (3A) of the Ordinance shall be £2 and £1 respectively.
 - (6) The driver's licence and temporary driver's licence shall be in the form D 1 and D 2 respectively in the Schedule.”;
 - (c) the substitution of the following for Forms C and D in the Schedule —

“FORM C

(1)
APPLICATION FOR A DRIVER'S LICENCE / TEMPORARY DRIVER'S LICENCE
Officer in Charge Police

(2)
1. I, _____ of _____
(1) (3)
hereby apply for a driver's licence / temporary driver's licence to drive

2. I was born at (4) on the (5)
3. I am not suffering from any physical or mental disability which prevents me from driving in a safe and proper manner.
4. I have never before applied for or been granted or refused or disqualified for obtaining a driver's licence, or
5. I was first granted a driver's licence on at
6. Particulars of any endorsement of any driver's licence held by me
7. Particulars of any disqualification for obtaining a driver's licence (Court by which, date on which and period for which such disqualification was imposed)
- (6)
8. I entered the Falkland Islands on and intend to stay until
9. And I hereby declare that the above particulars are true and accurate in every respect.

Dated

19

Signature of Applicant.

NOTES

- (1) Delete as applicable.
- (2) Full name and address.
- (3) State class of vehicle, i.e., "motor cycle", or any class of "motor vehicle".
- (4) Place of birth.
- (5) Date of birth.
- (6) To be completed for temporary driver's licence only.

FORM D 1

Colony of the Falkland Islands
DRIVER'S LICENCE

Name

Address

is hereby licensed to drive a motor vehicle / cycle subject to the conditions shown overleaf.

Dated

19

Officer in Charge of Police.

FORM D 2

Colony of the Falkland Islands
TEMPORARY DRIVER'S LICENCE

Name

Address

is hereby licensed to drive a motor vehicle / cycle subject to the conditions shown overleaf.

This licence expires on

19

Dated

19

Officer in Charge of Police."

Transitional.

3. A driver's licence issued before the coming into force of this Order shall remain valid and subsisting for the period for which it was issued.

Made the 19th day of February 1985.

D. G. P. TAYLOR,
Deputy Civil Commissioner.

Ref. POL/10/5.

**The Land (Subdivision for non-residents)
Application and Forms Regulations Order 1985**

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Completed Form A to be submitted.
3. Form A to be accompanied by documentary evidence.
4. Form of licence.

Schedule

THE LAND (SUBDIVISION FOR NON-RESIDENTS) ORDINANCE 1985

**The Land (Subdivision for non-residents)
Application and Forms Regulations Order 1985**

No. 3 of 1985.

In accordance with Section 10 of the Land (Subdivision for non-residents) Ordinance 1985 the Deputy Civil Commissioner, for and on behalf of the Civil Commissioner, in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Land (Subdivision for non-residents) Application and Forms Regulations Order 1985 and shall come into force on the 22nd day of February 1985.

Completed Form A to be submitted.

2. An applicant for a licence under Section 5 of the Ordinance shall complete and submit to the Chief Executive Form A set out in the Schedule.

Form A to be accompanied by documentary evidence.

3. A form submitted in accordance with Regulation 2 shall be accompanied by the documentary evidence referred to in such form.

Form of licence.

4. A licence to acquire land shall be in Form B in the Schedule.

SCHEDULE

FORM A

The Land (Subdivision for non-residents) Ordinance 1985

APPLICATION FOR A LICENCE

(Section 5)

I, (full names)
of (address)

hereby apply to His Excellency the Civil Commissioner for a licence to acquire the land particulars of which are given hereunder.

I give the following information knowing that if I give false information in support of my application I commit an offence and make myself liable on conviction to a fine of £2,000 or imprisonment for two years or both.

PERSONAL DETAILS OF APPLICANT

1. Date of Birth	_____
2. Nationality (1)	_____
3. Present occupation	_____
4. Professional or other qualifications	_____
5. Marital status	_____
6. Date of first arrival in the Falkland Islands	_____
7. Length of residence in the Falkland Islands (2)	_____
8. Present employer	_____
9. If not resident in the Falkland Islands approximate date of arrival	_____
10. What is your intended length of stay?	_____

DETAILS OF DEPENDANTS (if any)

11. Wife's full name

12. Wife's nationality

13. Names and ages of
children

INFORMATION CONCERNING LAND

14. Description of land
including its acreage
and whereabouts (3)15. Name of proposed
vendor16. Purpose for which
you intend to
use the land (4)17. Explanation of how you
intend to raise funds
for construction work
including fences18. Names and addresses of the following persons
who can give references

(a) Present employer:

(b) Last employer:

(c) Bank Manager:

(d) Solicitor:

(e) Other persons namely —

19. Other information
and requirements

Dated this day of 198

Signed

Applicant

Signed :

Witness

Name of Witness

Address

Occupation

NOTES

- (1) Aliens require a further licence to hold land.
Evidence of nationality must be given. Number, date and place of issue of a passport or birth certificate supported by statutory declaration as to non change of nationality may be accepted.
- (2) Number of years and months must be given and details of any absences from the Falkland Islands.
- (3) A map or plan should be furnished with sufficient detail to show whereabouts of land with reasonable accuracy.
- (4) Plans of any structures or roads that it is intended shall be built should accompany the application.

FORM B

The Land (Subdivision for non-residents) Ordinance 1985

LICENCE TO ACQUIRE LAND

(Section 3)

In accordance with Section 3 of the Land (Subdivision for non-residents) Ordinance 1985 the Civil Commissioner in Council grants to
a licence to acquire the land described in Schedule 1 hereto.

2. This licence is subject to the conditions set out in Schedule 2 hereto.

3. This licence shall be effective until the day of 1985 or until such further day to which it may be renewed upon application before the day of 198

Given at Stanley the day 198

Clerk of Councils.

SCHEDULE 1

SCHEDULE 2

Made the 22nd day of February 1985.

D. G. P. TAYLOR,
Deputy Civil Commissioner.

Ref. LND/10/1.

The Harbour Regulations (Amendment) No 2 Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Amendment of Harbour Regulations.

THE HARBOUR ORDINANCE
(Cap 30)

The Harbour Regulations (Amendment) No. 2 Order 1985

No. 4 of 1985.

In accordance with Section 3 of the Harbour Ordinance Cap 30 the Deputy Civil Commissioner, for and on behalf of the Civil Commissioner, in Council makes the following Order —

1. This Order may be cited as the Harbour Regulations (Amendment) No. 2 Order 1985 and shall come into force with effect from the 26th day of October 1984.

Citation and commencement.

2. The Harbour Regulations are amended by —

Amendment of Harbour Regulations.

(a) the addition, after Regulation 15, of the following new regulations —

"Port Stanley
first port of
call.

16. The Master of any yacht entering territorial waters shall make Port Stanley his first port of call in the Falkland Islands.

Yachts limited
to 30 day stay.

17. No yacht may remain in territorial waters in excess of 30 days without the permission of the Harbour Master.

Prohibition of
yachts regis-
tered in
Argentina.

18. Any yacht registered in Argentina is prohibited from entry into territorial waters.

Yachts not to
carry Argentine
nationals etc.

19. A yacht not registered in Argentina but the last port of call of which was a port in Argentina is permitted to enter territorial waters provided that no Argentine national or persons domiciled in Argentina is on board such yacht."

(b) the renumbering of regulations 16 and 17 as 20 and 21 respectively;

(c) the substitution of the word "twenty" for the word "five" in Regulation 21;

(d) the substitution of the following for Item 1 in Schedule III—

"1. HARBOUR DUES

(1) The following harbour dues shall be payable on all vessels arriving in the Colony —

							£
Yachts ...	...	...	...	...	...	...	30
Vessels under	15 tons	...	...	...	...	...	30
Vessels of	15 tons and up to	50 tons	...	...	...	...	110
Vessels of over	50 tons and up to	500 tons	...	...	...	...	135
Vessels of over	500 tons and up to	800 tons	...	...	...	...	145
Vessels of over	800 tons and up to	1,000 tons	...	...	...	...	185
Vessels of over	1,000 tons and up to	1,500 tons	...	...	...	...	215
Vessels of over	1,500 tons and up to	2,000 tons	...	...	...	...	265
Vessels of over	2,000 tons and up to	5,000 tons	...	...	...	...	320
Vessels of over	5,000 tons and up to	7,000 tons	...	...	...	...	400
Vessels of over	7,000 tons and up to	10,000 tons	...	...	...	...	595
Vessels of over	10,000 tons and up to	15,000 tons	...	...	...	...	730
Vessels of over	15,000 tons and up to	20,000 tons	...	...	...	...	860
Vessels of over	20,000 tons	...	...	...	...	...	990
Locally registered vessels normally employed in trading	...	...	...	...	...	...	Free.

(2) Double the harbour dues prescribed under (1) above shall be payable on every passenger vessel carrying more than 12 passengers arriving in the Colony.

(3) An additional charge shall be made in respect of vessels, other than yachts and vessels under 15 tons, which remain in the harbour for a period of more than 24 hours, for every additional and consecutive period of 24 hours or part thereof at the rate of one half of the harbour dues prescribed in (1) or (2) above."

Made this 22nd day of February 1985.

D. G. P. TAYLOR,
Deputy Civil Commissioner.

Ref. CUS/10/3.



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No. 3

Appointments

Miss Sheena Newman, Clerk, Public Service, 4.3.85. On probation for two years.

Mrs. Sandra Clifton, Secretary, Justice Department, 6.3.85.

Robert Matthew McBride, Clerk, Public Service, 25.3.85.

Transfer

Miss Caroline Ann Middleton from Clerk, Public Service to Secretary, Posts & Telecommunications Department, 1.3.85.

Resignation

Neil Rogers, Watchkeeper/Handyman, Power Generation Section, Public Works Department, 27.3.85.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

SERGEANT D. R. AUSTIN, R.A.F.,
to be a temporary Customs Officer at South Georgia
with effect from the 7th March 1985.

L. J. HALLIDAY,
Collector of Customs.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

GWYNFRYN IAIN DAVIES
to be a temporary Customs Officer at South Georgia
with effect from the 13th March 1985.

L. J. HALLIDAY,
Collector of Customs.

No. 11.

28th March 1985.

Grant of Wreck

It is notified for general information that the following Grant of Wreck has been made —

<i>Name of Vessel</i>	<i>To whom Granted</i>	<i>Position</i>	<i>Expiry Date</i>
COQUIMBANA	MR. D. J. EYNON	TYSSEN PATCH	31st March 1986

2. Gazette Notice No. 14 of 25th May 1984 is hereby rescinded.

Ref. CUS/7/2.

IMMIGRATION ORDINANCE 1965

Order for deportation of Nigel Ernest White

WHEREAS His Honour the Acting Civil Commissioner in Council deems NIGEL ERNEST WHITE to be an undesirable immigrant.

NOW, THEREFORE, His Honour the Acting Civil Commissioner in Council in accordance with Section 17 of the Immigration Ordinance 1965 orders and directs that —

1. The said Nigel Ernest White be deported from the Falkland Islands as soon as may be practicable.
2. The said Nigel Ernest White be kept in custody while awaiting deportation and while being conveyed to the place of his departure.

Made this 14th day of March 1985.

D. G. P. TAYLOR,
Acting Civil Commissioner.

IMMIGRATION ORDINANCE 1965

Order for deportation of Paul Fahey

WHEREAS His Honour the Acting Civil Commissioner in Council deems PAUL FAHEY to be an undesirable immigrant.

NOW, THEREFORE, His Honour the Acting Civil Commissioner in Council in accordance with Section 17 of the Immigration Ordinance 1965 orders and directs that —

1. The said Paul Fahey be deported from the Falkland Islands as soon as may be practicable.
2. The said Paul Fahey be kept in custody while awaiting deportation and while being conveyed to the place of his departure.

Made this 14th day of March 1985.

D. G. P. TAYLOR,
Acting Civil Commissioner.

IMMIGRATION ORDINANCE 1965

Order for deportation of William Martin Clark

WHEREAS His Honour the Acting Civil Commissioner in Council deems WILLIAM MARTIN CLARK to be an undesirable immigrant.

NOW, THEREFORE, His Honour the Acting Civil Commissioner in Council in accordance with Section 17 of the Immigration Ordinance 1965 orders and directs that —

1. The said William Martin Clark be deported from the Falkland Islands as soon as may be practicable.
2. The said William Martin Clark be kept in custody while awaiting deportation and while being conveyed to the place of his departure.

Made this 14th day of March 1985.

D. G. P. TAYLOR,
Acting Civil Commissioner.

A Bill for
The Supplementary Appropriation (1980-1984) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Appropriation of excess expenditure for the years 1980-1981,
1981-1982, 1982-1983 and 1983-1984.

Schedule

A Bill for
An Ordinance

To allow and confirm certain expenditure incurred in
the years 1980-81, 1981-82, 1982-83 and 1983-1984.

WHEREAS expenditure was necessarily incurred during the
financial years 1980-81, 1981-82, 1982-83 and 1983-84 on certain
services although not provided for in the relevant Appropriation
Ordinances for the said financial years.

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

Citation.

1. This Ordinance may be cited for all purposes as the
Supplementary Appropriation (1980-1984) Ordinance 1985.

Appropriation of excess
expenditure for the years
1980-1981, 1981-1982,
1982-1983 and 1983-1984.

2. (1) The expenditure referred to in subsection (2) and not
provided for or fully provided for by the —

- (a) Appropriation (1980-81) Ordinance 1980;
- (b) Appropriation (1981-82) Ordinance 1981;
- (c) Appropriation (1982-83) Ordinance 1982;
- (d) Appropriation (1983-84) Ordinance 1983;

is hereby allowed and confirmed.

(2) The expenditure referred to in subsection (1) is —

- (a) the expenditure during the financial year 1980-1981 on the
services and for the sums in respect thereof amounting in
all to £398,606 set out in Part 1 of the Schedule;
- (b) the expenditure during the financial year 1981-1982 on the
services and for the sums in respect thereof amounting to
£3,808 set out in Part 2 of the Schedule;

- (c) the expenditure during the financial year 1982-1983 on the services and for the sums in respect thereof amounting to £837,416 set out in Part 3 of the Schedule;
- (d) the expenditure during the financial year 1983-1984 on the services and for the sums in respect thereof amounting to £1,327,614 set out in Part 4 of the Schedule.

SCHEDULE

PART 1

1980-1981

NUMBER	HEAD OF SERVICE						AMOUNT
FALKLAND ISLANDS							£
I.	The Governor ...	...	...	...	...	...	118
III.	Aviation ...	...	...	...	...	...	58,624
IV.	Customs & Harbour ...	...	...	...	...	...	994
VI.	Medical ...	...	...	...	...	...	29,945
IX.	Miscellaneous ...	...	...	...	...	...	20,660
X.	Pensions ...	...	...	...	...	...	29,025
XII.	Posts & Telecommunications ...	...	...	...	...	...	31,732
XIII.	Public Works ...	...	...	...	...	...	23,954
XIV.	Public Works Recurrent ...	...	...	...	...	...	2,698
XVI.	Secretariat, Treasury & Central Store ...	...	...	...	...	...	33,693
XIX.	Supreme Court & Legal ...	...	...	...	...	...	10,624
	Ordinary Expenditure ...	...	...	...	...	...	£242,067
DEVELOPMENT 'A'							
	Expenditure to be met from local funds ...	...	...	...	...	...	156,539
TOTAL						...	£398,606

PART 2

1981-1982

NUMBER	HEAD OF SERVICE					AMOUNT
FALKLAND ISLANDS						£
IX.	Miscellaneous ...	...	...	...	...	746
XII.	Posts & Telecommunications	...	...	...	...	3,062
						£3,808

PART 3

1982-1983

NUMBER	HEAD OF SERVICE					AMOUNT
FALKLAND ISLANDS						£
I.	The Governor ...	...	...	...	...	2,696
III.	Aviation ...	...	...	...	...	83,610
X.	Pensions & Gratuities ...	...	...	...	...	10,105
XII.	Posts & Telecommunications ...	...	...	...	...	35,845
XIV.	Public Works Recurrent ...	...	...	...	...	158,450
XV.	Public Works Special ...	...	...	...	...	42,304
XVIII.	Social Welfare ...	...	...	...	...	2,042
XIX.	Justice ...	...	...	...	...	4,175
	Ordinary Expenditure ...	...	...	...	...	£339,227
DEVELOPMENT 'B'						
	Expenditure to be met from United Kingdom Aid ...	...	...	...	...	498,189
TOTAL					...	£837,416

PART 4
1983-1984

NUMBER	HEAD OF SERVICE	AMOUNT
FALKLAND ISLANDS		£
III.	Civil Commissioner	845
IV.	Customs & Harbour	1,252
V.	Education	13,062
VI.	Falkland Islands Government Office	9,914
X.	Miscellaneous ...	3,154
XIII.	Posts & Telecommunications	20,912
XV.	Public Works Recurrent	47,888
XVI.	Public Works Special	244,775
XX.	Training	110
XXI.	Transfer to Oil Stocks Replacement Fund ...	322,000
XXII.	Public Debt Charges ...	208,680
	Ordinary Expenditure	£872,592
	DEVELOPMENT 'B'	
	Expenditure to be met from United Kingdom Aid ...	455,022
	Total	£1,327,614

Ref: TRE/14/15, 14/16, 14/18 & 14/19.



THE FALKLAND ISLANDS GAZETTE (Extraordinary)

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9 APRIL 1985

No. 4

Notice

The Interpretation and General Clauses Ordinance

In accordance with Section 43 (4) of the Interpretation and General Clauses Ordinance 1977 the Office of Chief Executive is hereby specified generally.

Government House the 9th day of April 1985.

R. M. HUNT,
Civil Commissioner.

Ref. LEG/10/5 & LEG/10/57.



THE FALKLAND ISLANDS GAZETTE

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29 APRIL 1985

No. 5

Appointments

Neil Rogers, Watchkeeper / Handyman, Power Generation Section, Public Works Department, 16.4.85.

George Henry Calvert, Teacher of commercial studies, Education Department, 24.4.85.

Peter Anthony Collins, Field Assistant, Agricultural Research Centre, 29.4.85.

Resignations

Robert Matthew McBride, Clerk, Public Service, 5.4.85.

Mrs. Gwenhwyfar Davies, Teacher, Education Department, 27.4.85.

NOTICE

No. 12.

23rd April 1985.

The following have been approved on 19th April 1985 by His Excellency the Civil Commissioner as fit and proper places for the care and treatment of persons of unsound mind —

- (a) The Stanley Hospital, Jeremy Moore Avenue;
- (b) The Medical Centre and Security Block at Mount Pleasant;
- (c) The British Military Hospital.

Ref. MED/31/1.

Colony of the Falkland Islands

Appointment of Temporary Registrar

In exercise of the powers conferred upon me by Section 4 of the Marriage Ordinance I, SIR REX MASTERMAN HUNT, Companion of the Most Distinguished Order of Saint Michael and Saint George, Civil Commissioner of the Colony of the Falkland Islands and its Dependencies —

HEREBY APPOINT

PETER CHARLES ROBERTSON a Registrar for the purpose of the marriage at Port Stephens of Michael Robert Alazia and Mandy Gwyneth Lloyd.

Given under my hand at Stanley this 9th day of April 1985.

R. M. HUNT,
Civil Commissioner.

Colony of the Falkland Islands

Appointment of Temporary Registrar

In exercise of the powers conferred upon me by Section 4 of the Marriage Ordinance I, SIR REX MASTERMAN HUNT, Companion of the Most Distinguished Order of Saint Michael and Saint George, Civil Commissioner of the Colony of the Falkland Islands and its Dependencies —

HEREBY APPOINT

BROOK HARDCASTLE a Registrar for the purpose of the marriage at Goose Green of Peter Malcolm Dixon and Joanna Morfydd Fielding.

Given under my hand at Stanley this 23rd day of April 1985.

R. M. HUNT,
Civil Commissioner.

The Road Traffic (Amendment) (No. 2) Regulations Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Amendment of Order No. 12 of 1948.

THE ROAD TRAFFIC ORDINANCE

Cap 60

The Road Traffic (Amendment) (No. 2) Regulations Order 1985

No. 5 of 1985.

In accordance with Section 60 of the Road Traffic Ordinance Cap 60 the Civil Commissioner in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Road Traffic (Amendment) (No. 2) Regulations Order 1985 and shall come into force on the 12th day of April 1985.

Amendment of Order No. 12 of 1948.

2. The Road Traffic Regulations No. 12 of 1948 are amended by the substitution for paragraph (c) of Regulation 15 (2) of the following —

“(c) comply with every road sign put in place or erected by the Government or the police and every reasonable direction or signal given by a police officer in uniform.”

Made the 8th day of April 1985.

R. M. HUNT,
Civil Commissioner.

Ref. POL/10/5.

The Pioneer Enterprise (Kiddcrafts) Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Declaration of Pioneer Enterprise.

THE INCOME TAX ORDINANCE

Cap 32

The Pioneer Enterprise (Kiddcrafts) Order 1985

No. 6 of 1985.

In accordance with Section 8A of the Income Tax Ordinance Cap 32 the Civil Commissioner in Council makes the following Order —

1. This Order may be cited as the Pioneer Enterprise (Kiddcrafts) Order 1985 and shall come into force with effect from the 1st day of January 1985. Citation and commencement.
2. The business carried on by Mrs. Lillian Kidd under the name Kiddcrafts is declared a pioneer enterprise for the purposes of Section 8A of the Ordinance. Declaration of Pioneer Enterprise.

Made the 8th day of April 1985.

R. M. HUNT,
Civil Commissioner.

Ref. INC/29/1.

The Pioneer Enterprise (Falkland Mill Limited) Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Declaration of Pioneer Enterprise.

THE INCOME TAX ORDINANCE

Cap 32

The Pioneer Enterprise (Falkland Mill Limited) Order 1985

No. 7 of 1985.

In accordance with Section 8A of the Income Tax Ordinance Cap 32 the Civil Commissioner in Council makes the following Order —

1. This Order may be cited as the Pioneer Enterprise (Falkland Mill Limited) Order 1985 and shall come into force with effect from the 11th day of May 1985. Citation and commencement.
2. Falkland Mill Limited is declared a pioneer enterprise for the purposes of Section 8A of the Ordinance. Declaration of pioneer enterprise.

Made the 26th day of April 1985.

R. M. HUNT,
Civil Commissioner.

Ref: INC/29/1.

BY HIS EXCELLENCY THE CIVIL COMMISSIONER.

R. M. HUNT,
Civil Commissioner.

LAND ORDINANCE Cap 36

WHEREAS on the 24th day of April 1985 the Civil Commissioner in Council by resolution declared that the following land, namely —

- (a) All that parcel of land situate in the town of Stanley being Lot 12 b in Section C containing a quarter of an acre more or less and bounded as follows :
On the north by Crown land 92 links; on the east by Lot 13 c in the holding of D. W. McAskill 269 links; on the south by St. Mary's Walk 92 links; and on the west by Crown land 269 links;
- (b) All those two contiguous lots or parcels of land situated in the town of Stanley containing one rood and thirty perches and bounded on the north by the public road commonly known as St. Mary's Walk 280 links; on the east by a public drain (6½ links wide) 125 links; on the south by a public road 420 links; and on the west by the public road known as the Reservoir Road 190 links and numbered 9 and 10 Section E,

should be acquired for public purposes.

THEREFORE I do hereby direct that the said land shall be acquired for a public purpose under and in accordance with the Land Ordinance.

Given under the Public Seal this 25th day of April 1985.

By Command
R. BROWNING,
Delegate for Chief Executive.



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31 MAY 1985

No. 16

Appointments

Robert John King, Assistant Customs Officer, Customs and Harbour Department, 1.8.84.

Ronald McCormick, Police Constable, Falkland Islands Police Force, 1.5.85.

Mrs. Wendy Joan Fitzgerald, Nursing Sister, Medical Department, 8.5.85.

Robert Michael Pomfret, Assistant Teacher, Education Department, 15.5.85.

William Davies, Senior Carpenter, Public Works Department, 21.5.85.

Acting Appointments

Mrs. Beryl Burgess, Acting Matron, Medical Department, 14.5.85.

Mrs. Eileen Hughes, Ag. Deputy Postmistress, Mount Pleasant Post Office, Posts & Telecommunications Department, 27.1.85 - 18.5.85.

James Stephenson, Acting Income Tax Officer, 21.5.85.

Resignations

Miss Patricia Buckland, Secretary/Clerk, Agricultural Research Centre, 8.5.85.

Kuzma Mario Zuvic-Bulic, Electrician, Power Generation Section, Public Works Department, 8.5.85.

Miss Lynda Buckland, Clerk, Public Service, 29.5.85.

Mrs. Barbara June Clark, Clerk/Storekeeper, Medical Department, 31.5.85.

Promotion

Miss Sharon Marie Hewitt from Clerk, Public Service to Senior Clerk, Public Works Department, 1.5.85.

NOTICES

No. 13.

6th May 1985.

Currency Notes Rules

In exercise of the powers conferred by Rule 3 of the Currency Notes Rules, His Excellency the Civil Commissioner has been pleased to approve the appointment of the undermentioned currency officers with effect from 6th May 1985.

Mrs. Vera Joan Bonner

Mrs. Marie Cheek.

H. T. ROWLANDS,
Commissioner of Currency.
Ref. TRE/19/1.

No. 14.

9th May 1985.

In accordance with Section 18 of the Stanley Rates Ordinance His Excellency the Civil Commissioner has appointed Terence Severine Betts a member of the Stanley Rates Assessment Committee with effect from 30th April 1985 following the resignation of Mr. Neville Kenneth Bennett.

Ref. TRE/2/20.

No. 15. 14th May 1985.
 Notice is hereby given that MR. JOSE RAUL HUANEL HERNANDEZ of Stanley, Falkland Islands is applying to the Civil Commissioner for naturalisation, and that any person who knows any reason why naturalisation should not be granted should send a written and signed statement of the facts to the Government Secretary at the Secretariat, Stanley, Falkland Islands.
 Ref. LEG/10/196.

No. 16. 15th May 1985.
 Intimation has been received from the Right Honourable the Secretary of State for Foreign and Commonwealth Affairs to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinances of the Colony —

No.	Title	Ref.
1/85	The Land (Subdivision for non-residents) Ordinance 1985	LND/10/1
2/85	Income Tax (Amend.) Ordinance 1985	INC/10/5
3/85	Family Allowances (Amend.) Ord. 1985	TRE/10/1.

Ref. LEG/10/42.

No. 17. 15th May 1985.
 Intimation has been received from the Right Honourable the Secretary of State for Foreign and Commonwealth Affairs to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinance of the Dependencies —

No.	Title	Ref.
DS 1/84	Income Tax (Amend.) Ord. 1984	LEG/10/37.

No. 18. 15th May 1985.
 In accordance with Section 2 of the Public Health Ordinance His Excellency the Civil Commissioner has appointed the following persons to be members of the Board of Health for the year 1985 —

The Honourable John Edward Cheek
 Mr. William Statham Hills
 Mr. Kenneth David Greenland
 Mr. Dennis Lampard
 The Environmental Health Officer, HQ BFFI.
 Ref. MED/19/1.

PROCLAMATION

No. 1 of 1985

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY SIR REX MASTERMAN HUNT, Companion of the Most Distinguished Order of Saint Michael and Saint George, Civil Commissioner for the Colony of the Falkland Islands and its Dependencies.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Civil Commissioner shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, REX MASTERMAN HUNT, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 9.30 in the forenoon of Wednesday the 26th day of June 1985 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 24th day of May in the year of Our Lord One thousand Nine hundred and Eighty-five.



R. M. HUNT,
 Civil Commissioner.

GOD SAVE THE QUEEN

The Constitutional (Registration of Electors) Regulations 1985

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement.
2. Interpretation.
3. Regulations to be read as one with the Ordinance.
4. Stanley and Camp Constituencies.
5. Registration and returning officers.
6. Qualifications of Electors.
7. Publication of register of electors.
8. Forms.
9. Amendment of the Ordinance.
10. Repeals.

The Falkland Islands Constitution Order 1985

The Constitutional (Registration of Electors) Regulations 1985

No. 1 of 1985.

In accordance with paragraph 2 of Schedule 3 to the Falkland Islands Constitution Order 1985 the Civil Commissioner makes the following Regulations —

Citation and commencement.

1. These Regulations may be cited as the Constitutional (Registration of Electors) Regulations 1985 and shall come into force on the 13th day of May 1985.

Interpretation.

2. In these Regulations unless the context otherwise requires -
 "Stanley Constituency" and "Camp Constituency" shall mean the constituencies provided for in Regulation 4 and "constituency" shall mean either of those constituencies;
 "the Constitution" shall mean the Constitution set out in Schedule 1 to the Falkland Islands Constitution Order 1985;
 "the Ordinance" shall mean the Legislative Council (Elections) Ordinance, Cap 37;
 "the qualifying day" shall mean in respect of the General Election taking place next after the coming into force of these Regulations the 15th day of May 1985;
 "qualifying period" shall mean the twelve months immediately preceding the qualifying day;
 "resident" shall have the same meaning as given to "ordinarily resident" in Section 2 of the Ordinance.

Regulations to be read as one with the Ordinance.

3. These Regulations shall be read as one with the Ordinance except that where there is a conflict between these Regulations and the Ordinance these Regulations shall prevail.

Stanley and Camp Constituencies.

4. (1) For the purposes of election of members of the Legislative Council the Falkland Islands shall be divided into two constituencies namely the Stanley Constituency and the Camp Constituency.

(2) Stanley Constituency shall be all that area of the Falkland Islands within the radius of three and one half miles measured from the spire of Stanley Cathedral and Camp Constituency shall be the remainder of the Falkland Islands.

(3) Throughout the Ordinance the word "constituency" shall be substituted for the words "electoral area" or "electoral division" wherever they occur.

Registration and returning officers.

5. The Civil Commissioner shall appoint one or more registration officers and a returning officer for Stanley Constituency and the like for Camp Constituency.

Qualifications of Electors.

6. (1) Subject to the provisions of sub-regulation (2), a person shall be qualified to be registered as an elector in a constituency for the purpose of the election of members of the Legislative Council if, and shall not be qualified unless, on the qualifying day he is normally resident in that constituency and —

- (a) he is a Commonwealth citizen;
- (b) he is eighteen years of age or over;
- (c) he has been resident in the Falkland Islands during the qualifying period and, in the case of a person who was not born in the Falkland Islands, he has also been resident in the Falkland Islands for an aggregate period of five years or more.

(2) No person shall be qualified to be registered as an elector under this regulation who on the qualifying day —

- (a) is a person certified to be insane or otherwise adjudged to be of unsound mind under any law;
- (b) is under sentence of death imposed on him by a court in any part of the Commonwealth or is serving a sentence of imprisonment (by whatever name called) for a term exceeding twelve months imposed on him by such a court or substituted by competent authority for some other sentence imposed on him by such court;
- (c) is incapable in accordance with Section 47 of the Ordinance of being registered as an elector or of voting;
- (d) is a member of the regular armed forces of Her Majesty, unless he is, for the purposes of Chapter I of the Constitution, regarded as belonging to the Falkland Islands; or
- (e) is, by virtue of his own act, under any acknowledgement of allegiance, obedience or adherence to a foreign Power or State.

(3) The provisions of Section 24 (3) of the Constitution shall apply for the purposes of sub-regulation (2) (b) as they apply for the purposes of Section 24 (1) (f) of the Constitution.

(4) For the purposes of this regulation a person who is normally resident in a constituency shall be taken as resident therein on the qualifying day notwithstanding his absence overseas or otherwise on that day if he intends to resume actual residence within six months from the date of his departure from the constituency.

(5) The reference in sub-regulation 2 (d) to a member of the regular armed forces of Her Majesty shall not include a reference to a member of the Falkland Islands Defence Force.

(6) Nothing in this regulation shall entitle a person to be registered in more than one constituency.

7. A register of electors for each constituency shall be prepared and published in accordance with Sections 8 and 8A of the Ordinance not later than the 2nd day of July 1985.

Publication of register of electors.

8. The Civil Commissioner may by Order in Council —

Forms.

- (a) amend, add to or replace the forms provided for in the First to the Fourth Schedule of the Ordinance;
- (b) provide for additional forms for the purposes of registration of electors and nomination for and election of candidates to the Legislative Council.

9. Section 11 (1) of the Ordinance shall be amended by the insertion after the word "Stanley" of the words "or not less than two justices as provided in subsection (2),".

Amendment of the Ordinance.

10. Sections 3, 3A, 4 and 6 of the Ordinance are repealed.

Repeals.

Made this 7th day of May 1985.

R. M. HUNT,
Civil Commissioner.

The Immigration Regulations (Amendment) Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Amendment of Regulation No. 1 of 1965.

Appendix

THE IMMIGRATION ORDINANCE 1965

The Immigration Regulations (Amendment) Order 1985

No. 8 of 1985.

In accordance with Section 24 of the Immigration Ordinance 1965 the Civil Commissioner in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Immigration Regulations (Amendment) Order 1985 and shall come into force on the date hereof.

Amendment of Regulation No. 1 of 1965.

2. The form contained in the appendix hereto shall replace Form 1 in the Schedule to the Immigration Regulations 1965.

Made this 10th day of May 1985.

R. M. HUNT,
Civil Commissioner.

Ref. IMM/10/1.

APPENDIX

Form 1.

IMMIGRATION REGULATIONS 1965

Declaration

TO BE COMPLETED BY ALL PERSONS ENTERING THE FALKLAND ISLANDS

PART 1.

Surname Forenames

Mr / Mrs / Miss / Other title

Permanent address

Occupation

Passport No. Place of issue.....

Date of issue Date of expiry

Date of birth Place of birth

Details of accompanying dependant(s) travelling on same passport —

Name Age..... Relationship

TO BE COMPLETED BY ALL NON-RESIDENTS

PART 2.

Reason for visit
Representing
Duration of stay From..... To..... (put "immigrant" if relevant)
Do you have sufficient funds to support yourself for the duration of your visit?
Do you have dual nationality? Yes No
If the answer is yes what other nationality do you have apart from that shown on your passport?
.....
What arrangements are made for your return journey?
Address in the Falkland Islands

TO BE COMPLETED BY NON-RESIDENTS INTENDING TO TAKE UP EMPLOYMENT OR TO BE
SELF-EMPLOYED

PART 3.

Name of employer
Address of employer.....
Nature of business (if self-employed)

I declare that to the best of my knowledge and belief the above particulars are true.

Signed *Dated*

A Bill for An Ordinance To amend the Land Ordinance Cap 36

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

Citation and commence-
ment.

1. This Ordinance may be cited as the Land (Amendment) Ordinance 1985 and shall come into force on the 1st August 1985.

Amendment of Cap 36.

2. The Land Ordinance Cap 36 shall be amended by —

(a) in Section 2, the substitution of the following for the definition of "public purpose" —

" "Public purpose" means —

(a) any purpose connected with —

- (1) exclusive government use;
- (2) general public use;
- (3) or ancillary to the public interest or utility;
- (4) or to town planning;
- (5) the defence of the Falkland Islands;
- (6) or ancillary to naval, military or air force requirements;
- (7) the promotion or creation of healthy and sanitary surroundings and the prevention or abatement of what the Civil Commissioner in Council shall consider to be a nuisance dangerous to health or limb;

(b) any purpose intended to result in a benefit or advantage to the community and without prejudice to its generality to include the development, utilisation or disposal of property (in whole or in part) for the promotion of the physical, economic, social or aesthetic well-being of the community;

(c) any other purpose specified as public by any Ordinance or which the Civil Commissioner in Council may declare to be a public purpose."

(b) in Section 35 (2) by the substitution of the sum £1,000 for the sum £50;

(c) the deletion of the certificate as to value in the First Schedule;

(d) the substitution in the Third Schedule for the part headed CONVEYANCE of the following —

"CONVEYANCE

50p for every £50 or part of £50 of the consideration for the sale or transaction.

ASSENT

£1 on any assent or transfer for vesting title to land in a trustee or beneficiary of the estate of a deceased person."

OBJECTS AND REASONS

The purpose of this Bill is to widen the meaning of "public purpose" in relation to compulsory acquisition of land. The Bill also provides for an increase in the penalty for obstruction of persons taking possession of land that is being compulsorily acquired. Opportunity is also taken to introduce a standard *ad valorem* conveyance duty and increase the duty on assents from a fixed duty of 50p to a fixed duty of £1.



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No. 7

CORRIGENDUM

The Falkland Islands Gazette of 31 May 1985 was incorrectly numbered as No. 7. The correct number of that issue is No. 6.

A Bill for The Non-Contributory Old Age Pensions (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Schedule to Ordinance No. 6 of 1961.

A Bill for An Ordinance To amend the Non-Contributory Old Age Pensions Ordinance 1961.

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

1. This Ordinance may be cited as the Non-Contributory Old Age Pensions (Amendment) Ordinance 1985 and shall come into force on the 1st day of July 1985.

Citation and commencement.

2. The Schedule to the Non-Contributory Old Age Pensions Ordinance 1961 is amended by substituting the sums "£24.50" and "£18" respectively for the sums "£21.50" and "£16" where they occur.

Amendment of Schedule to Ordinance No. 6 of 1961.

OBJECTS AND REASONS

The purpose of this Bill is to provide for an increase in non-contributory old age pensions for a married man, unmarried person and a man or woman living apart from his or her wife or husband.

A Bill for The Old Age Pensions (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 3 of 1952.

A Bill for An Ordinance To amend the Old Age Pensions Ordinance 1952.

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

Citation and commencement.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1985 and shall come into force on the 1st day of July 1985.

Amendment of Ordinance No. 3 of 1952.

2. The Old Age Pensions Ordinance 1952 is amended —
 - (a) in Section 6 (2) by substituting —
 - (i) £2.25 for £2.00 in paragraph (a);
 - (ii) £3.35 for £3.00 in paragraph (b);
 - (iii) £5.60 for £5.00 in paragraph (c);
 - (b) in Section 6A (2) by substituting £5.60 for £5.00;
 - (c) in Section 6B by substituting the sums £2000 and £500 for the sums £800 and £250 wherever they occur; and
 - (d) in the Schedule by substituting the sums £28.50 and £19.00 respectively for the sums £25.50 and £17.00.

OBJECTS AND REASONS

The purpose of this Bill is to provide for an increase in old age pensions and the contributions payable by employers, employees and self-employed persons. The Bill also provides for an increase in the amount that a female contributor may earn before contributions by her shall be compulsory.

A Bill for The Application of Enactments (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 13 of 1954.
3. References to "a master".

A Bill for An Ordinance To amend the Application of Enactments Ordinance 1954.

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

- | | |
|---|---|
| <p>1. This Ordinance may be cited as the Application of Enactments (Amendment) Ordinance 1985 and shall come into force on the 1st day of July 1985.</p> | <p>Citation and commencement.</p> |
| <p>2. The Schedule to the Application of Enactments Ordinance 1954 is amended by the addition of the Act set out in the Schedule hereto.</p> | <p>Amendment of Ordinance No. 13 of 1954.</p> |
| <p>3. Any reference in the Lunacy Act 1890 and the Act set out in the Schedule hereto to "a master" shall be construed in the application of those Acts to the Falkland Islands as a reference to the Senior Magistrate or not less than two Justices of the Peace.</p> | <p>References to "a master".</p> |

SCHEDULE

The Lunacy Act 1908 (8 Edw. 7.c.47)

OBJECTS AND REASONS

This Bill will provide for the application of an Act of the United Kingdom to the Falkland Islands so that the procedure of the Supreme Court in matters relating to the administration of the property of persons who cannot manage their own affairs is less cumbersome.

A Bill for An Ordinance To provide for the service of the year 1985-86.

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

Citation.

1. This Ordinance may be cited for all purposes as the Appropriation (1985-86) Ordinance 1985.

Appropriation of
£6,186,140 for the service
of the year 1985/86.

2. The Civil Commissioner may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the period 1st July 1985 to 30th June 1986, a sum not exceeding Six Million, one hundred and eighty-six thousand, one hundred and forty pounds, 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 which will come in course of payment during the year 1985/86.

SCHEDULE

Number	HEAD OF SERVICE	£
100	Aviation	462,690
150	Posts and Telecommunications	529,900
200	Medical and Dental	401,210
250	Education and Training	493,480
300	Customs and Harbour	124,210
350	Public Works	2,196,900
390	Fox Bay Village	24,060
400	Agriculture	58,190
450	Justice	67,260
500	Military	58,200
550	Police and Prisons	78,120
600	Secretariat, Treasury and Central Store	374,280
650	Pensions and Gratuities	92,610
700	Social Welfare	143,600
750	Civil Commissioner	74,180
800	Legislature	22,960
850	Falkland Islands Government Office	83,140
860	Agricultural Research Centre	66,520
900	Income Tax Refunds	20,000
TOTAL ORDINARY EXPENDITURE ...		5,371,510
950	DEVELOPMENT	
951	Expenditure to be met from Local Funds ...	519,630
952	Expenditure to be met from U.K. Aid ...	295,000
TOTAL EXPENDITURE ...		£ 6,186,140

A Bill for The Education (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 14 of 1967.

A Bill for An Ordinance To amend the Education Ordinance 1967.

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

1. This Ordinance may be cited as the Education (Amendment) Ordinance 1985 and shall come into force on the 1st day of September 1985. Citation and commencement.

2. The Education Ordinance 1967 is amended — Amendment of Ordinance No. 14 of 1967.

(a) in Section 6 by the substitution of the words “full time education at” for the words “education by attending regularly either” in the second line;

(b) by the insertion of the following section after Section 7 —

“Duty of parents to secure regular attendance of children.

7A. (1) If any child fails to attend regularly at a recognised school or classes held by a recognised teacher the parent of the child shall be guilty of an offence against this section.

(2) In any proceedings for an offence against this section a child shall not be deemed to have failed to attend regularly at the school or classes by reason of his absence therefrom with leave or—

(a) at any time when he was prevented from attending by reason of sickness or any unavoidable cause; or

(b) on any day exclusively set apart for religious observance by the religious body to which his parent belongs.

(3) In this section the expression “leave” means leave granted by any person authorised in that behalf by the Superintendent either specifically or generally.”

(c) in Section 15 by the substitution for “five pounds”, “twenty-five pounds” and “fifty pounds” of “twenty-five pounds”, “one hundred and twenty-five pounds” and “two hundred and fifty pounds” respectively.

OBJECTS AND REASONS

This Bill provides for the enforcement of regular attendance of children at school.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCIV

28 JUNE 1985

No. 8

Appointments

Miss Faith Felton, Clerk Public Service, 10.6.85.

Mrs Janet Elaine Clifton, Houseparent, Education Department, 18.6.85.

Acting Appointments

Dr David John Edwards-Moss, M.B., B.S., Acting Chief Medical Officer, Medical Department, 18.6.85.

Miss Sharon Marie Hewitt, Acting Office Manager, Public Works Department, 3.6.85.

Transfer

Mrs Lisa Short from Counter Clerk, Posts and Telecommunications Department to Clerk, Central Store, 1.6.85.

Resignations

Miss Margaret Orlanda Butler, Clerk, Public Service, 16.11.83.

Miss Daniela Grace Clarke, Secretary / Clerk, Agricultural Research Centre, 15.6.85.

NOTICES

No. 19. 4th June 1985.

IT IS HEREBY NOTIFIED that His Excellency the Civil Commissioner prescribes the 19th day of July 1985 for the purposes of paragraph 7 of Schedule 3 to the Falkland Islands Constitution Order 1985.

Ref. LEG/10/54.

No. 20. 5th June 1985.

HIS EXCELLENCY THE CIVIL COMMISSIONER in accordance with Section 5 of the Legislative Council (Electors) Ordinance, Cap 37, has been pleased to

make the following appointments with effect from the 3rd day of June 1985 —

CAMP CONSTITUENCY

KENNETH WILLIAM HALLIDAY

Registration Officer and Returning Officer

Adrian Henry Frederick Newman

Deputy Registration Officer

STANLEY CONSTITUENCY

SHARON HALFORD

Registration Officer and Returning Officer

SANDRA BEATRICE CLIFTON

Deputy Registration Officer

SYLVIA JEAN SUMMERS

Deputy Registration Officer

MARGARET ORLANDA BUTLER

Deputy Registration Officer

TERESA ANN CLIFTON

Deputy Registration Officer

Ref. LEC/20/8.

No. 21. 7th June 1985.

In accordance with Section 7b of the Administration of Justice Ordinance His Excellency the Civil Commissioner has been pleased to appoint —

JOHN RAYMOND OLIVER

a Senior Magistrate with effect from the 7th day of June 1985.

Ref. LEG/19/5.

No. 22.

26th June 1985.

Notice is hereby given that MR. ATILIO SUGUNDO LAFFI of Stanley, Falkland Islands, is applying to the Civil Commissioner for naturalisation, and that any person who knows any reason why naturalisation should not be granted should send a written and signed statement of the facts to the Government Secretary at the Secretariat, Stanley, Falkland Islands.

Ref. LEG/10/19H.

Notice is hereby given that MR. JOSE RAUL HUANEL HERNANDEZ of Stanley, Falkland Islands is applying to the Civil Commissioner for naturalisation, and that any person who knows any reason why naturalisation should not be granted should send a written and signed statement of the facts to the Government Secretary at the Secretariat, Stanley, Falkland Islands.

Ref. LEG/10/19G.

Customs Ordinance (Cap. 16)

It is notified for general information that in exercise of the powers conferred on him by Section 4 of the Customs Ordinance, the Collector of Customs appointed —

SERGEANT D. R. AUSTIN, R.A.F.,
to be a temporary Customs Officer, with effect from 7th March 1985.

2. The notice relating to Sergeant D. R. Austin appearing in Vol. XCIV, No. 3 of the Gazette (page 35) is cancelled.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

CORPORAL P. BUTTERWORTH, R.A.F.,
to be a temporary Customs Officer with effect from 12th April 1985.

L. J. HALLIDAY,
Collector of Customs.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

FLIGHT LIEUTENANT W. J. WILSON
to be a temporary Customs Officer with effect from 16th May 1985.

L. J. HALLIDAY,
Collector of Customs.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

FLIGHT SERGEANT G. M. MUNRO
to be a temporary Customs Officer with effect from 24th May 1985.

L. J. HALLIDAY,
Collector of Customs.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

SERGEANT MICHAEL GEORGE CROOK, R.A.F.,
to be a temporary Customs Officer with effect from 28th June 1985.

L. J. HALLIDAY,
Collector of Customs.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

MAJOR JOHN BADGERY
to be a temporary Customs Officer, South Georgia, with effect from 28th June 1985.

L. J. HALLIDAY,
Collector of Customs.

The Legislative Council (Registration of Electors Forms) Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Registration of Electors Forms.

Schedule

The Constitutional (Registration of Electors) Regulations 1985
The Legislative Council (Registration of Electors Forms) Order 1985

No. 9 of 1985.

Citation and commencement.

In accordance with Regulation 8 of the Constitutional (Registration of Electors) Regulations 1985 the Civil Commissioner makes the following Order —

Registration of Electors Forms.

1. This Order may be cited as the Legislative Council (Registration of Electors Forms) Order 1985 and shall come into force on the 22nd May 1985.

2. The forms set out in the Schedule hereto are substituted for the forms provided for in the First, Third and Fourth Schedules to the Ordinance.

SCHEDULE

1. (Form A — First Schedule)

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37

AND

THE CONSTITUTIONAL (REGISTRATION OF ELECTORS) REGULATIONS 1985

APPLICATION TO HAVE NAME INSERTED IN ELECTORS LIST

To the Registration Officer for the * Camp Constituency / * Stanley Constituency.

I claim to have my name included in the register of electors for * Camp Constituency
 * Stanley Constituency.

Surname (in block letters).....

Other names

Address

I certify that I am a British subject that I have attained the age of 18 years and that I have resided in the Constituency of

..... since

and that I am normally resident in this Constituency.

Dated this day of 198...

.....
Applicant.

* Delete whichever is inapplicable.

2. (Form F — Third Schedule)

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37
AND
THE CONSTITUTIONAL (REGISTRATION OF ELECTORS) REGULATIONS 1985
APPLICATION TO VOTE BY POST

I, (Surname) (BLOCK LETTERS)
(Other names) (BLOCK LETTERS)
am qualified to be registered as an elector for the * Stanley Constituency / * Camp Constituency.

I apply to be treated as a postal voter at the elections because I am likely to be unable to go to the polling station due to *illness, *incapacity of travelling to the voting area, *intended absence at sea, *temporary absence from the Colony.

My address is (Address in full) (BLOCK LETTERS)
.....

Signature Date

* Delete whichever is inapplicable.

3. (Form J — Fourth Schedule)

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37
AND
THE CONSTITUTIONAL (REGISTRATION OF ELECTORS) REGULATIONS 1985
OBJECTION TO AND APPLICATION FOR REMOVAL OF NAME FROM LIST

To the Registration Officer for the * Camp Constituency / * Stanley Constituency

I hereby give you notice that I object to the entry of †
as an elector.

The grounds of my objections are
.....

I am entered in the electors lists as an elector for the above Constituency as follows ‡
.....

Signed

Address

Date

* Delete whichever is inapplicable.

† Here insert extracts from printed electors lists, stating registration unit or name and address.

‡ Here insert extracts from printed electors lists.

Made the 31st day of May 1985.

R. M. HUNT.
Civil Commissioner.

Ref. LEC/20/8.

The Constitution (Registration of Electors) (No. 2) Regulations 1985

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement.
2. Regulations to be read as one with Constitutional Regulations No. 1.
3. Calculation of periods of residence.

The Falkland Islands Constitution Order 1985

The Constitution (Registration of Electors) (No. 2) Regulations 1985

No. 2 of 1985.

In accordance with paragraph 2 of Schedule 3 to the Falkland Islands Constitution Order 1985 the Civil Commissioner makes the following Regulations —

1. These Regulations may be cited as the Constitution (Registration of Electors) (No. 2) Regulations 1985 and shall come into force on the 1st day of July 1985.

Citation and commencement.

2. These Regulations shall be read as one with the Constitutional (Registration of Electors) (No. 1) Regulations 1985 (hereinafter referred to as the "Registration Regulations").

Regulations to be read as one with Constitutional Regulations No. 1.

3. In calculating the periods of residence referred to in Regulation 6 (1) (c) of the Registration Regulations any absences of a person from the Falkland Islands for an aggregate period of six months or less in —

Calculation of periods of residence.

- (a) any calendar year in the case of the aggregate period of five years or more; and
- (b) the qualifying period;

shall not be taken into account.

Made this 21st day of June 1985.

R. M. HUNT,
Civil Commissioner.

Ref. LEG/10/54.



THE
FALKLAND ISLANDS GAZETTE
(Extraordinary)
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Vol. XCIV

16 JULY 1985

No. 9

Legislative Council Elections Ordinance Cap 37

REGISTERS OF ELECTORS

In accordance with the Legislative Council Elections Ordinance Cap 37 and the Constitutional (Registration of Electors) Regulations 1985 the Registers of Electors for the Stanley Constituency and the Camp Constituency are published in this Gazette. Any person who wishes to apply to have his name inserted in or have a name removed from the register of electors for a Constituency must apply to the registration officer of that Constituency within 10 days of the date hereof.

The Registration Officers are —

STANLEY CONSTITUENCY

Sharon Halford

CAMP CONSTITUENCY

Kenneth William Halliday or his deputy Adrian Henry Frederick Newman.

STANLEY ELECTORAL AREA

REGISTER OF ELECTORS

1	Adams, Marjorie Rose	59	Betts, Shirley Rose
2	Alazia, Albert Faulkner *	60	" Terence Severine
3	" Charles	61	Biggs, Alastair Gordon
4	" Eva Rose	62	" Basil William *
5	" Freda	63	" Betty Josephine
6	" Freda Evelyn	64	" Clarence George *
7	" Hazel	65	" Edith Joan
8	" Henry John	66	" Frances
9	" James Andrew	67	" Hilda Evangeline *
10	" Maggie Ann *	68	" Irene Mary
11	" Thora Lilian *	69	" Kathleen Frances *
12	" Yvonne	70	" Leslie Frederick
13	Aldridge, Caroline Mary	71	" Madge Bridget Frances *
14	" Kenneth John	72	" Michael Elfed
15	Allan, Erwin	73	" Peter Julian Basil
16	" Rosemarie	74	Binnie, Albert Frederick *
17	Almonacid, Gladys Mabel	75	" Malcolm George Stanley
18	Ampuero, Vera Susan	76	Blackley, Candy Joy
19	Anderson, Eddie *	77	" Charles David *
20	" Edward Bernard *	78	" Hilda
21	" Elizabeth Nellie *	79	" Janet Agnes Mary *
22	" Gertrude Maud *	80	" John David
23	" Gloria	81	Blizard, Lawrence Gordon *
24	" Hector Christian *	82	Blyth, Agnes Ruth *
25	" Helen	83	" Alfred John *
26	" John *	84	" Hilary Maud
27	" Ludvick Riley *	85	" John
28	" Mildred Nessie *	86	Bonner, Donald William
29	" Richard Louis	87	" Nicholas
30	Ashley, Nora Phyllis *	88	" Paul Roderick
31	Ashworth, Glennis	89	" Timothy *
32	" Malcolm	90	" Vera Ann
33	Bagnall, Harry *	91	" Vera Joan
34	" Iris	92	" Violet *
35	Barnes, Ernest *	93	Booth, Jessie *
36	" Molly Stella	94	" Joseph Bories *
37	" Sigrid Geraldine Wells	95	" Mary *
38	Baylis, Frances Mary	96	" Myriam Margaret Lucia
39	" Jeremy Peter	97	" Stuart Alfred *
40	Bennett, Harold *	98	Bound, Graham Leslie
41	" Lena Grace Gertrude *	99	" Joan
42	Berntsen, Iain Kenneth	100	Bowles, Haley Trina *
43	" Jeanette	101	" Norma Evangeline
44	" Kathleen Gladys *	102	" William Edward
45	" Lavina Maud *	103	Bragger, Edward Laurence
46	" Mary Anne Margaret	104	" Olga
47	" Olaf Christian Alexander	105	Braxton, Thomas Nathaniel John *
48	" Raymond	106	Browning, Althea Maria
49	" William Alexander	107	" Benjamin *
50	" William Blyth *	108	" Edwina
51	Bertrand, Catherine Gladys *	109	" James Samuel *
52	" Cecil William Wickham *	110	" Rex *
53	Betts, Alan Sturdee *	111	" Richard William
54	" Donald William	112	" Trevor Osneth
55	" Ellen Alma *	113	Buckett, Ronald Peter
56	" George Winston Charles	114	" Steven Thomas
57	" Melody Christine	115	Buckland, Charles Ronald
58	" Rosa Magaly	116	Bundes, Robert John Christian *

* NOT LIABLE TO SERVE AS A JUROR.

117	Burns, Iola Winnifred Mary *	182	Clifton, Valerie Ann
118	" Mary Anne *	183	Countts, Carolynne
119	Burston, Jeannie Paulina	184	" Charles
120	Buse, Franz John	185	" Charles Lindsay
121	Butcher, Michael George	186	" John
122	" Trudi	187	" Lindsey Olga *
123	Butler, Elsie Maud *	188	" Malvina Mary
124	" Frederick Lowther Edward Olai *	189	" Olga
125	" George Joseph	190	" Peter
126	" Joan May	191	" Stephanie Ann
127	" Lawrence Jonathan	192	Davies, Anthony Warren
128	" Margaret Orlanda *	193	" Jacqueline Nancy
129	" Orlanda Betty	194	Davis, Dorothy Wilhelmina *
130	Cantlie, Sheila Muriel *	195	" Lena Victoria *
131	Card, Denise	196	Dickson, Caroline Christine Bird *
132	Carey, Anthony Michael	197	Douse, Bronwen Vaughan
133	" Gladys	198	Duncan, Alice Florence *
134	" Mary Ann Margaret *	199	" Doreen
135	" Michael Raymond	200	" Joan Ellen
136	" Terence James *	201	" William *
137	" Trudi Ann	202	Edwards, Norma
138	Cartmell, Frederick James	203	Emsley, David Smith
139	" Sarah Matilda *	204	Etheridge, Alice Mary
140	Castle, David	205	" Georgina Bond *
141	" Isobel	206	" William Arthur
142	Chater, Annie	207	Evans, Derek Stanley
143	" Anthony Richard	208	" Gladys Alberta
144	Cheek, Frederick John *	209	" Griffith Owen *
145	" Gerald Winston	210	" Michael David *
146	" Janet Linda	211	Eynon, Carol
147	" John Edward *	212	" David John
148	" Marie	213	Fairfield, Bonita Doreen
149	Clarke, Andrew Joseph	214	" James Steven
150	" Camilla Marie	215	Faria, Mary Ann
151	" David James	216	" Paul *
152	" Derek Simon	217	Felton, Isabella Violet
153	" Doreen	218	" Roy
154	" Frederick Thomas	219	" Violet Regina Margaret
155	" Gwynne Edwina	220	" Walter Arthur *
156	" Ian	221	Ferguson, Ethel Mary *
157	" Jane Lucacia *	222	Finlayson, Charles John *
158	" Jeanette	223	" Hugh *
159	" Kathleen Gay	224	" Iris Dwenda Margaret
160	" Martin James	225	" Peter
161	" Marvin Thomas	226	" Phyllis
162	" Michael Jan	227	" Robert Hugh
163	" Ronald John	228	" Teresa Rose
164	" Rudy Thomas	229	Fleuret, Kathleen Mary *
165	" Trudi Ann	230	" Theodore Clovis *
166	Clasen, Mally	231	Ford, Arthur Henry
167	Clausen, Frederick James *	232	" Cherry Rose
168	Clement, Dorothy Maise *	233	" David
169	" James Turner *	234	" Dorothy Minnie *
170	Cletheroe, Albert Richard *	235	" Elizabeth Harriet
171	" Daphne Harriet *	236	" James Edward *
172	" Emily Ellen *	237	" Marilyn Christina
173	" Lily Catherine *	238	" Michael
174	" Stanley William *	239	" Robert
175	" William Harold *	240	Freeman, Carl Francis
176	Clifton, Charles *	241	" Dianne May
177	" Darwin Lewis	242	Fullerton, Mary Ellen *
178	" Jessie Emily Jane *	243	Gilbert, Judith Elizabeth
179	" Leonard	244	" Robert Ernest
180	" Stephen Peter	245	Gilding, Jacqueline
181	" Thora Janeene	246	" Peter Bernard
		247	Gooch, Cecilia Ines Millard Bennett *

248	Gooch, Dudley Frederick *	313	Jacobsen, Alistair
249	Goodwin, Colin Valentine	314	Jaffray, Angus
250	" Dorothy Idina *	315	" Estell Anita
251	" June Elizabeth	316	" Helen Rose
252	" June Rose Elizabeth	317	" Stephen James
253	" Kathleen Edith Marguerite *	318	" Tony
254	" Laurence Henry	319	" William *
255	" Lena Isobella Helena *	320	Johnson, Howard William *
256	" Margaret Ann	321	" Kenneth John
257	" Michael Sturdee	322	" Stanley Howard *
258	" Robin Christopher	323	" Stanley Peter
259	" Una	324	" Violet Alberta *
260	" William Andrew Nutt	325	Jones, Albert Charles *
261	Goss, Elizabeth Rose	326	" John Hugh
262	" Grace Elizabeth *	327	" Michael David
263	" Simon Peter Miller	328	" Michelle *
264	" William Henry (Snr.) *	329	" Sheila Janice
265	Gould, Arthur William	330	Keenleyside, Charles Desmond (Snr.) *
266	Grant, Leonard John *	331	" Charles Desmond (Jnr.)
267	" Mildred *	332	" Dorothy Maud *
268	Hadden, Alexander Burnett	333	" Manfred Michael Ian
269	" Sheila Peggy	334	" Nanette Barbara
270	Halford, Rodney John	335	" Susan Noreen
271	" Sharon *	336	Kenny, Erling
272	Halliday, Evelyn Edna	337	Kiddle, Malvina Thelma
273	" Jane Christina *	338	" Peter *
274	" John Arthur Leslie *	339	" Robert Karl
275	" John Henry *	340	King, Anna Constance Eve
276	" Leslie John *	341	" Desmond George Buckley *
277	" Mabel *	342	" Gladys Evelyn *
278	" Margaret Mary	343	" Nanette
279	" Raynor	344	" Peter Thomas *
280	Hansen, Douglas John	345	" Robert John
281	" Keva Elizabeth	346	" Vernon Thomas *
282	" Terence Darwin	347	Kryszczak, Stanislaw *
283	Hardy, Douglas Morgan	348	Laffi, Kathleen Mary
284	Harris, Christopher James *	349	Lang, James
285	" Heather	350	" May Malvina
286	" Jill Yolanda Miller	351	" William Frank
287	" Leslie Sidney	352	Larsen, Ellen
288	" Michael Ronald	353	" Margaret Anne *
289	" Ralph Aaron *	354	Lee, Alfred Leslie *
290	Harvey, James Claude *	355	" Derek William
291	" Muriel Elsie Elizabeth	356	" Elsie Adelaide *
292	Hatch, Albert John	357	" Gladys
293	Heathman, Albert Stanley Kenneth *	358	" James Leslie
294	" Malcolm Keith	359	" Trudi Dale
295	" Violet *	360	Livermore, Anton *
296	Hewitt, Rachel Catherine Orissa *	361	" Marie Ann *
297	" Robert John David *	362	" Shelley
298	" Sharon Marie	363	Loftus, Colleen
299	Hills, Heather Margaret *	364	Luxton, Ernest Falkland *
300	" Richard William *	365	" Michael
301	Hirtle, Leonard Lloyd	366	" Nicola
302	" Mary Ann *	367	" Sybil Grace *
303	" Rose Ann Shirley	368	" Winifred Ellen
304	" Sandra May Winifred	369	Lyse, Ethel Malvina
305	" Shirley	370	" George Walter *
306	" Wallace Carlinden *	371	" Linda Margaret
307	Hobman, Anilda Marilu	372	" Reginald Sturdee
308	" Jose *	373	" Sydney Russell *
309	Howatt, Derek Frank *	374	Macaskill, Jeannette May
310	" Enid	375	" John
311	Howe, Alison Delia	376	" Robert John
312	Humphreys, Winnifred *	377	McBain, Arthur

* NOT LIABLE TO SERVE AS A JUROR

378	McBain, Rhoda Margaret	443	McKay, Neil
379	MacDonald, Vanda Joan	444	" Peter John
380	Malcolm, George *	445	" Shelley Jane
381	" Velma	446	" Stephen John
382	Maitland, Elizabeth Eve	447	McKee, John *
383	" Thomas Peter	448	McKenzie, Alice Maude
384	May, Christopher *	449	" Charles Alexander
385	" Heather		Albert John
386	" James John	450	McLeod, Archibald *
387	" William Albert	451	" David
388	Mercer, Christel	452	" Ellen May *
389	Middleton, Brian	453	" Margaret Anne
390	" Caroline *	454	" Michael William
391	" Ellen *	455	McPhee, Grace Darling *
392	" James (2) *	456	" Marjorie May
393	" James (3) *	457	" Natalie Marianne *
394	" Joan Eliza	458	" Owen Horace *
395	" Leonard	459	" Patrick
396	" Margaret Wilhelmina *	460	Neal, Richard John
397	" Phillip John	461	Neilson, Barry Marwood
398	" Shirley	462	" Margaret
399	Miller, Betty Lois *	463	Newman, Joyce Noreen
400	" Florence Roberta *	464	" Marlene
401	" Gaile Marie	465	" Raymond Winston
402	" Philip Charles	466	" Wilfred Lawrence *
403	" Sidney *	467	Newell, Joseph Orr
404	" Stanley Frank *	468	" Trudi Malvina
405	Milne, Henry Millar *	469	Nutter, Arthur Albert
406	" Madeline Marie Irma *	470	" Josephine Leslie
407	Minto, Graham Stewart *	471	Paul, Sonia Ellen
408	" Patrick Andrew	472	Pauloni, Romolo Victorio *
409	Miranda, Augusto *	473	Peake, Arthur
410	" Ramon *	474	" Clair Linda
411	" Winifred Dorothy	475	Peart, Robert Ernest
412	Monaghan, Augustine *	476	" Rose Louisa
413	Morris, Alana Marie	477	Peck, Beatrice Ena *
414	Morrison, Donald Ewen *	478	" Burned Brian
415	" Fayon	479	" Desmond Douglas Bernard *
416	" Graham Stewart	480	" Elsie Grace *
417	" Hyacinth Emily	481	" Evelyn Elizabeth
418	" John Murdo	482	" Mary *
419	" Mary Ann *	483	" Maureen Heather
420	" Mary Ellen *	484	" Patrick William
421	" William Roderick Halliday	485	" Shirley
422	Mozley, Claudette	486	" Terence John
423	Murphy, Bessie *	487	" Tracy
424	" Michael James *	488	Perkins, Vivienne Esther Mary
425	McAskill, Susan Blanche *	489	Perry, Augustave Walter *
426	McBeth, Phyllis Elizabeth Grace	490	" Beatrice Annie Jane *
427	McCallum, Bettina Kay	491	" Christopher *
428	" Christopher John	492	" Hilda Blanche
429	" Elaine Michele	493	" Robert Juan Carlos
430	" Ellen *	494	" Stella Margeory *
431	" Jack	495	" Thomas George
432	" Timothy Andrew	496	" Thora Virginia *
433	McCormick, Ronald *	497	Pettersson, Eileen Heather
434	" Suzanne	498	" Tony
435	McGill, Doris Mary *	499	Phillips, David Dawson
436	" Glenda	500	" Jessie Catherine *
437	" Ian Peter	501	Place, Denis
438	" Len Stanford	502	" Irene
439	" Lorraine Iris	503	Pole-Evans, Amy Rose
440	McKay, James John *	504	" Michael Anthony
441	" Jane Elizabeth *	505	Poole, Charles Lawrence *
442	" Michael John	506	" Evelyn May

507	Poole, Isabella Jane *	572	Smith, Martyn James
508	" Nancy Margaret	573	" Paulette Rose
509	" Raymond John	574	" Peter Lars
510	" William John	575	" Sidney Frederick
511	Porter, Brian Charles	576	" Terence George
512	" Charles	577	" Violet Catherine *
513	" Diana Anita Patricia	578	Sollis, Sarah Emma Maude *
514	" Jean Lavinia	579	Sornsen, George Albert *
515	" William Kenneth	580	" James Winston
516	Reeves, Cheryl Rose	581	Spall, Christopher Richard *
517	" Ronald James	582	Spinks, Alexander
518	Reid, Colleen Rose	583	" Malvina Ellen
519	" Reynold Gus	584	Spraggon, Daniel Martin *
520	Reive, Ernest *	585	Spruce, Helena Joan
521	" Roma Endora Mary *	586	" Terence George
522	" Terence	587	Stacey, Lilian Clara *
523	Rendell, Phyllis Mary	588	Steen, Emma Jane *
524	Roberts, Laura May	589	" Gail
525	" Peter James *	590	" Vernon Robert
526	" William Henry *	591	Stephenson, James
527	Robson, Gerard Michael	592	" Joan Margaret
528	" Miranda Gay	593	" Zachary *
529	" Phyllis Ann	594	Stewart, Carol Ellen Eve *
530	" Raymond Nigel	595	" David William *
531	" Violet Malvina Emily *	596	" George Alexander *
532	Ross, Carol Wendy	597	" Hulda Fraser
533	" Glenn Stephen *	598	" Jacqueline Mary *
534	" Janet *	599	" John
535	" Lachlan Neil	600	" Keith Gordon *
536	Rowlands, Catherine Anne	601	" Phyllis Marjorie
537	" Daisy Malvina	602	" Robert
538	" Harold Theodore *	603	" Robert William
539	" John Richard	604	" Sylvia Rose
540	" Neil *	605	" Yvonne Malvina
541	Rozee, Betty	606	Strange, Ian John
542	" Derek Robert Thomas *	607	" Maria Marta
543	" Philip Henry	608	Summers, Brian
544	Sarney, Harry *	609	" Dennis David
545	Shedden, James Alexander	610	" Derek Raymond
546	Short, Andrez Peter	611	" Edith Catherine
547	" Celia Soledad	612	" Gloria Jane
548	" Charles William	613	" Iris Blanche
549	" Emily Christina	614	" Irvin Gerard
550	" Florence Mary *	615	" Judith Orissa
551	" Frederick John *	616	" Michael Kenneth
552	" Gavin Phillip	617	" Nigel Clive
553	" John George Archibald *	618	" Owen William
554	" Lisa *	619	" Pam Ellen
555	" Montana Tyrone	620	" Pamela Rosemary Cheek
556	" Peter Robert	621	" Rowena Elsie
557	" Philip Stanley *	622	" Sheila
558	" Rose Stella	623	" Sylvia Jean
559	" Vilma	624	" Sybella Catherine Ann
560	Smith, Andrew John *	625	" Terence
561	" Anya *	626	" Tony
562	" Colin David	627	" Veronica
563	" Derek	628	" William Edward *
564	" Eric	629	Thain, John *
565	" Hannah Caroline *	630	Thom, Alison *
566	" Ileen Rose	631	" David Anderson
567	" Janice	632	" Dorothy Irene
568	" James Stanley *	633	" Norma Ann
569	" Jeremy Gordon	634	Thompson, William John *
570	" Joan Lucy Ann	635	Turner, Alva Ynonne
571	" John	636	" Celia Joyce

637	Turner, Melvyn George	647	Watts, Ada Mabel *
638	Vidal, Eileen Nora	648	„ Patrick James
639	Wallace, Fraser Barrett	649	White, John Wright *
640	„ Lillian	650	„ Kathleen Elizabeth *
641	„ Stuart Barrett	651	Whitney, Catherine Margaret
642	Watson, Catherine Wilhelmina		Rebecca *
	Jessie *	652	„ Frederick William
643	„ Hannah Maude *	653	„ Susan Joan
644	„ Louis James *	654	Williams, Charlotte Agnes *
645	„ Paul *	655	„ Eugene
646	„ Robert Muir	656	„ Marlene Rose Elizabeth

* NOT LIABLE TO SERVE AS A JUROR

STANLEY POSTAL VOTERS

22	Anderson, Gertrude Maude	255	Goodwin, Lena Isobella Helena
30	Ashley, Nora Phyllis	273	Halliday, Jane Christina
52	Bertrand, Cecil William Wickham	274	„ John Arthur Leslie
68	Biggs, Irene Mary	324	Johnson, Violet Alberta
71	„ Madge Bridget Frances	430	McCallum, Ellen
170	Cletheroe, Albert Richard	482	Peck, Mary
171	„ Daphne Harriet	565	Smith, Hannah Caroline
172	„ Emily Ellen	587	Stacey, Lilian Clara
174	„ Stanley William	634	Thompson, William John

CAMP ELECTORAL AREA

REGISTER OF ELECTORS

1001	Alazia, Anthony Henry	1061	Clarke, Terence John
1002	" Dorothy Fay	1062	Clasen, Clarvis Edward
1003	" George Robert	1063	Clausen, Denzil
1004	" Michael Robert	1064	" Henry Edward
1005	" Stuart John	1065	Cletheroe, Kenneth Stanley
1006	Aldridge Brian George	1066	Clifton, Doreen
1007	" Olive Elizabeth	1067	" Terence Charles
1008	" Thomas George †	1068	Cockwell, Grizelda Susan
1009	Anderson, Jenny	1069	" John Richard †
1010	" Margaret Catherine	1070	Coutts, Alexander †
1011	" Marina Rose	1071	" Frederick George
1012	" Nigel	1072	Davis, Aase
1013	" Reginald Stanford	1073	" Albert Henry
1014	" Ronald	1074	" Elsie Gladys Margaret †
1015	" Tony James	1075	" Nicholas †
1016	Barnes, Deirdre	1076	" Raymond †
1017	" Marie	1077	" Reginald John
1018	" Marshall	1078	" Violet
1019	" Trevor Marshall †	1079	" William James
1020	Barton, John David †	1080	" William John †
1021	Beattie, Betty	1081	" Yona
1022	" Thomas George	1082	Dearling, Leo Alexander †
1023	Berntsen, Arena Janice	1083	Dickson, Doreen
1024	" Benjamin John †	1084	" Gerald William
1025	" Diana Mary †	1085	" Iris
1026	" Ellen Rose	1086	" Ronald Edward
1027	" John Alexander	1087	Dobbys, Jeannie Lilian Mary
1028	" Kenneth Frederick	1088	" Timothy John
1029	" Leon	1089	Donnelly, Daniel
1030	" Pamela Margaret	1090	" Joyce Elizabeth
1031	Betts, Arthur John †	1091	Duncan, Avis Marion †
1032	" Bernard Keith	1092	" James Alexander †
1033	" Cyril Severine †	1093	" Peter Ree Howard
1034	" Hyacinth Emily †	1094	Dunford, David Philip
1035	" Irene Marion	1095	Evans, Olwyn Carol
1036	Billett, Leslie William	1096	" Raymond
1037	Binnie, Horace James †	1097	Fairley, John
1038	" Linda Rose	1098	Felton, Anthony Terence
1039	" Ronald Eric †	1099	Ferguson, Finlay James
1040	" Rose Helen †	1100	" Robert John
1041	Birmingham, John	1101	" Rose
1042	" Susan Jane	1102	" Thelma
1043	Blackley, Maurice	1103	Findlay, Carrie Madeline Helen
1044	Blake, Anthony Thomas †	1104	" Gerald
1045	" Lionel Geoffrey †	1105	Finlayson, Barry Donald
1046	" Lyndsay Rae	1106	" Iris Heather
1047	" Sally Gwynfa	1107	" Neil Roderick
1048	Bonner, Avril Margaret Rose	1108	Ford, Charles David
1049	" Keith James	1109	" Colin Stewart
1050	" Simon	1110	" Colleen Mary
1051	" Susan Anne	1111	" David
1052	Browning, Gavin	1112	" Fanny Davidson
1053	" Kelvin	1113	" Frederick James
1054	Buckett, Roy Peter †	1114	" Hazel
1055	Cartmell, Andrew Nutt	1115	" John
1056	Chandler, Ann Beatrice	1116	" Leonard †
1057	" Edward	1117	" Marilyn Christine
1058	Clarke, Fiona Alison	1118	" Neil Fraser †
1059	" Hector	1119	" Penelope Rose
1060	" Kathleen Joyce	1120	Forster, Gwyneth May

† NOT LIABLE TO SERVE AS A JUROR

1121	Forster, James	1184	Jennings, Mary Ann Helen
1122	Giles, Gilbert	1185	" Neil
1123	Gleadell, Ian Keith	1186	Johnson, Michael Neil
1124	" Marklin John †	1187	" Carl
1125	" Mavis Marie	1188	Kilmartin, Kevin Seaton
1126	Goodwin, Bert Samuel †	1189	" Dinah May
1127	" Douglas Sturdee †	1190	Knight, Nigel Arthur
1128	" Emily Rose	1191	" Shirley Patricia Louvaine
1129	" Hazel Rose	1192	Lang, Patrick Andrew
1130	" Mandy Hazel †	1193	" Sandra Shirleen
1131	" Neil Alexander William †	1194	" Velma Emily
1132	" Robin	1195	Larsen, Josephine Mary †
1133	" William John Maurice	1196	" Ronald Ivan
1134	" Sarah Margaret Rose	1197	" Yvonne
1135	Goss, Dorothy Ellen	1198	Lee, Carole
1136	" Eric Miller	1199	" Elizabeth
1137	" Errol Barry Gordon †	1200	" John Alfred
1138	" Ian Ernest Earl	1201	" Mandy John †
1139	" Margaret Rose	1202	" Robin Myles
1140	" Peter	1203	" Rodney William
1141	" Roderick Jacob	1204	" Susan Mary
1142	" Shirley Ann	1205	Livermore, Darren
1143	" William Henry (Jnr.)	1206	Lloyd, John Moelwyn
1144	Gray, David Edward	1207	" Melvyn John
1145	" Patricia May	1208	" Valery Ann †
1146	Halliday, Joyce Isabella Patience	1209	Luxton, Patricia Maureen
1147	" Kenneth William	1210	" William Robert †
1148	Hansen, Ian	1211	MacBeth, Raymond John
1149	" Lionel Raymond	1212	Maddocks, Robert Charles
1150	" Rose Idina	1213	Marsh, Alastair Roy
1151	" Susan Ann †	1214	" Anna Deirdre
1152	Hardcastle, Brook †	1215	" Arlette Sharon †
1153	" Eileen Beryl	1216	" Elizabeth Margaret
1154	" Gavin	1217	" Frank
1155	Harvey, Beatrice Louisa Catherine	1218	" Gavin Nicholas
1156	" Jen	1219	" June Helen
1157	" Valerie Ann	1220	" Leon Peter
1158	Hayward, Marjorie	1221	" Marlane Rose
1159	" Peter Dennis	1222	" Robin Frank
1160	Heathman, Ailsa	1223	May, Brian Roy
1161	" Ewart Tony	1224	" Bruce Raymond
1162	Hewitt, David George	1225	" Corenne Norma
1163	" Frances Agnes	1226	" Monica
1164	" Gary George	1227	Middleton, Dennis Michael
1165	" Margaret Ann †	1228	" Sharon Elizabeth
1166	Hirtle, Anthony	1229	Miller, Betty
1167	" Doris Linda	1230	" Carol
1168	" Fenton	1231	" James Albert
1169	Hughes, Albert	1232	" Simon Roy
1170	" Eileen Mary	1233	" Timothy John Durose
1171	Hutton, Elizabeth Isabella	1234	Minnell, Benjamin James
1172	" Philip	1235	" Donna Maria
1173	Jaffray, Alexander	1236	" Hazel Eileen
1174	" Brian	1237	" Michael Robert
1175	" Eileen	1238	Minto, Alistair Daen
1176	" Elliott Jessie	1239	Molkenbuhr, Claudio Eugenio
1177	" Ian	1240	Morrison, Doreen
1178	" Janet †	1241	" Eric George
1179	" John	1242	" Gerald
1180	" John Willie	1243	" Jacqueline Denise Anita
1181	" Kenneth Ian †	1244	" Joan Margaret
1182	" Phyllis	1245	" Kathleen Iris
1183	" Robin George	1246	" Kenneth

† NOT LIABLE TO SERVE AS A JUROR.

1247	Morrison, Lena	1309	Peck, Paul
1248	" Leslie Theodore Norman	1310	Phillips, Albert James
1249	" Lewis Ronald	1311	" Carol Joan
1250	" Michael John	1312	" Lynda
1251	" Muriel Eliza Ivy †	1313	" Terence
1252	" Nanette Rose	1314	Pitaluga, Jene Ellen
1253	" Nigel Peter	1315	" Nicholas Alexander Robinson
1254	" Ronald Terence		
1255	" Stewart	1316	" Robin Andreas McIntosh
1256	" Susan Margaret	1317	Pole-Evans, Anthony Reginald †
1257	" Violet Sarah	1318	" David Llewellyn
1258	McCallum, James	1319	" Shirley Helen
1259	McCormick, Pauline Margaret Ruth	1320	" Suzan
1260	McDonald, Colin George	1321	" William Reginald
1261	" Irene	1322	Poole, Ella Josephine †
1262	McGhie, Roy	1323	" Steven Charles
1263	McGill, Gary	1324	Porter, George
1264	" Robin Perry	1325	" Joan
1265	McKay, Christine †	1326	Robertson, Ann
1266	" Clara Mary †	1327	" Peter Charles
1267	" Ellen Rose	1328	Robson, Gladys Mary
1268	" Frazer Roderick	1329	" Louis Michael
1269	" Heather Valerie	1330	Ross, Odette Ellen May
1270	" Ian Roderick	1331	" Marie
1271	" Isabella Alice	1332	" Roy
1272	" John Roderick	1333	" William Henry
1273	" Josephine Ann	1334	Rozee, Ronald David
1274	" Kenneth Andrew	1335	Sackett, Jacqueline †
1275	" Paul Anthony	1336	" Michael John Carlos
1276	" Rex	1337	Shepherd, Ramsey
1277	" Richard	1338	Short, Arthur Richard †
1278	" Rosie Louisa Grace †	1339	" Christina Ethel
1279	" William Robert †	1340	" Donald Robert Gordon
1280	McLeod, Albert John	1341	" Ellen Mary †
1281	" Donald Henry	1342	" Isobel Rose
1282	" Isabella Diana Frances	1343	" Joseph Leslie
1283	" Janet Wensley	1344	" Patrick Warburton
1284	" John	1345	" Robert Charles
1285	" Madeleine Jean	1346	" Robert George
1286	" Robert	1347	Sinclair, Simon Keith
1287	" Sarah Rose	1348	Smith, Andrew John †
1288	McMullen, June	1349	" Anna †
1289	" Tony	1350	" Anthony David
1290	McPhee, Kenneth John †	1351	" David
1291	" June Iris	1352	" Francis David
1292	McRae, David Michael	1353	" Frederick George Peter
1293	" Gloria Linda	1354	" George Patterson
1294	" Marlaine	1355	" Gerard Alexander
1295	" Richard Winston	1356	" Gwenifer May
1296	" Robert George Hector	1357	" Heather
1297	Napier, Lily	1358	" Jenny Lorraine
1298	" Roderick Bertrand	1359	" Margaret Mary †
1299	Newman, Adrian Henry Frederick	1360	" Michael Edmund
1300	" Clive Alexander	1361	" Norah Kathleen
1301	" Dorothy Elizabeth †	1362	" Osmond Raymond †
1302	" Dwenda Rose	1363	" Robert William
1303	" Rebecca Dickson	1364	" Robin Charles
1304	Nightingale, Charlene	1365	Stephens, Richard James
1305	" Peter Richard	1366	" Toni Donna
1306	Parrin, Norman George †	1367	Stewart, George Nathaniel
1307	Peck, Christine †	1368	" Robert William †
1308	" Davina Margaret	1369	Thompson, George Henry †

† NOT LIABLE TO SERVE AS A JUROR.

1370	Thorsen, David Moller †	1378	Whitney, Dennis
1371	" Gloria Penelope	1379	" Henry Leslie †
1372	Turner, Arthur Leonard Pitaluga †	1380	" Keith
1373	" Diana Jane	1381	" Lana Rose
1374	" Ronald	1382	" Leona Ann
1375	Watson, Glenda Joyce	1383	" Patrick George
1376	" Neil	1384	Wilkinson, David Clive Walter
1377	Whitney, Agnes Katherine †	1385	" Rosemary

† NOT LIABLE TO SERVE AS A JUROR.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCIV

29 JULY 1985

No. 10

Appointments

Eric Smith, Clerk, Public Service, 1.5.85.

Alex Gordon Smith, Roads Superintendent, Public Works Department, 19.7.85.

Mrs Jean Waddell Smith, Head Teacher, Infant/Junior School, Education Department, 19.7.85.

Acting Appointments

Dr David John Edwards-Moss, M.B., B.S., Acting Chief Medical Officer, Medical Department, 18.6.85-22.7.85.

David Robson, Acting Director of Public Works, Public Works Department, 26.7.85.

Resignations

Mrs Sandra Clifton, Secretary, Justice Department, 10.7.85.

Miss Kathy Patric, Assistant Teacher, Education Department, 11.7.85.

Robert Michael Pomfret, Assistant Teacher, Education Department, 17.7.85.

NOTICES

No. 23. 24th July 1985.

The findings of the Cost of Living Committee for the quarter ended 30th June 1985 are published for general information —

<i>Quarter ended</i>	<i>Percentage Increase over 1971 prices</i>
30th June 1985	383.42%

2. Hourly paid employees in Stanley qualify for an increase of 3p per hour with effect from 1st July 1985.

Ref. INT/2/2.

Notice of Publication

THE FALKLAND ISLANDS CONSTITUTION ORDER 1985

S.I. 1985 No. 444

(Supplement, Falkland Islands Only)

Overseas subscribers may obtain copies from

HER MAJESTY'S STATIONERY OFFICE,
49 HIGH HOLBORN,
LONDON WC1V 6HB (Price £4.50)

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint —

CORPORAL JOHN PHILIP MORRIS, R.A.F.,
to be a temporary Customs Officer with effect from the 11th April 1985 until 12th August 1985.

L. J. HALLIDAY,
Collector of Customs.

Notice is hereby given that MR. ATILIO SUGUNDO LAFFI of Stanley, Falkland Islands, is applying to the Civil Commissioner for naturalisation, and that any person who knows any reason why naturalisation should not be granted should send a written and signed statement of the facts to the Government Secretary at the Secretariat, Stanley, Falkland Islands.

Ref. LEG/10/19H.

In the Supreme Court of the Falkland Islands NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER OF Betty Marie Molkenbuhr, deceased of Murrell Farm, Falkland Islands, who died at London, United Kingdom on the 30th day of May 1985, intestate.

WHEREAS Claudio Eugenio Molkenbuhr 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 twenty-one days of the publication hereof.

S. HALFORD,
Stanley,
Falkland Islands.
5th July 1985.
PRO/4/85.

S. HALFORD,
Acting Registrar.

PROCLAMATION

No. 2 of 1985

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY SIR REX MASTERMAN HUNT, Companion of the Most Distinguished Order of Saint Michael and Saint George, Civil Commissioner for the Colony of the Falkland Islands and its Dependencies.

WHEREAS by Section 26 (1) of the Falkland Islands Legislative Council Orders 1948 to 1977 it is provided that the Governor may at any time prorogue or dissolve the Legislative Council.

AND WHEREAS Section 7 (1) (b) of the Falkland Islands and Dependencies (Interim Administration) Order 1982 provides that the functions of the office of Governor shall vest in and be exercisable by the Civil Commissioner.

NOW, THEREFORE, I, SIR REX MASTERMAN HUNT, do HEREBY DISSOLVE the Legislative Council on the 6th day of September 1985.

GIVEN under my hand and the Public Seal this 19th day of July in the year of Our Lord One Thousand Nine Hundred and Eighty Five.



R. M. HUNT,
Civil Commissioner.

GOD SAVE THE QUEEN

CUSTOMS ORDINANCE

(Chapter 16)

Resolution of the Legislative Council

No. 8 of 1985.

RESOLVED by the Legislative Council under Section 5 of the Customs Ordinance, on the 3rd day of July 1985, as follows —

1. That the Customs Order No. 6 of 1948 be amended by the substitution for paragraph 2 thereof of the following —

“2. The following import duties of customs shall be payable —

Item	Article	Rate of Duty.
1. Beer, ale, perry, porter, spruce, cider and stouts of all kinds	... .. per litre	.13
2. SPIRITS —		
Whisky, gin, rum, brandy, vodka and other spirituous liquors and liqueurs	... .. per litre	£5.28
3. WINES —		
Still wines, sparkling wines and champagne ...	per litre	.34
4. Vermouth, sherry and port ...	per litre	.41
5. TOBACCO —		
(a) Cigars	... .. per kilo	£20.27
(b) Cigarettes	... .. per kilo	£14.66
(c) Tobacco	... .. per kilo	£13.33”.

2. This Resolution may be cited as the Customs (Amendment of Import Duties) Resolution 1985 and shall come into force on the 3rd day of July 1985.

P. T. KING,

Clerk of Councils.

Ref. CUS/10/1.

ROAD TRAFFIC ORDINANCE

(Chapter 60)

Resolution of the Legislative Council

No. 9 of 1985.

RESOLVED by the Legislative Council under Section 4 of the Road Traffic Ordinance on the 3rd day of July 1985, as follows —

1. That Section 4 of the said Ordinance be amended by the substitution in that Section of the sums £6, £15, £24 and £1.50 for the sums £4, £10, £16 and £1 respectively.

2. This Resolution may be cited as the Road Traffic (Increase of Road Duties) Resolution 1985 and shall come into force on the 8th day of July 1985.

P. T. KING,

Clerk of Councils.

Ref. POL/10/5.

Assented to in Her Majesty's name this 20th day of July 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 4



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.

Civil Commissioner.

An Ordinance

To provide for the service of the year 1985-86.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation.

1. This Ordinance may be cited for all purposes as the Appropriation (1985-86) Ordinance 1985.

Appropriation of
£6,679,640 for the service
of the year 1985/86.

2. The Civil Commissioner may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the period 1st July 1985 to 30th June 1986, a sum not exceeding Six Million, six hundred and seventy-nine thousand, six hundred and forty pounds, 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 which will come in course of payment during the year 1985/86.

SCHEDULE

Number	HEAD OF SERVICE	£
100	Aviation	470,750
150	Posts and Telecommunications	527,020
200	Medical and Dental	400,090
250	Education and Training	485,290
300	Customs and Harbour	124,320
350	Public Works	2,319,460
390	Fox Bay Village	26,560
400	Agriculture	56,630
450	Justice	59,040
500	Military	47,050
550	Police and Prisons	81,850
600	Secretariat, Treasury and Central Store	380,470
650	Pensions and Gratuities	92,610
700	Social Welfare	146,600
750	Civil Commissioner	74,180
800	Legislature	25,810
850	Falkland Islands Government Office	84,240
860	Agricultural Research Centre	66,520
870	Transfer to Development Fund	100,000
900	Income Tax Refunds	20,000
TOTAL ORDINARY EXPENDITURE ...		5,588,490
950	DEVELOPMENT	
951	Expenditure to be met from Local Funds ...	616,150
952	Expenditure to be met from U.K. Aid ...	475,000
TOTAL EXPENDITURE ...		£ 6,679,640

Ref. TRE/14/22.

Passed by the Legislature of the Colony of the Falkland Islands
this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

The Supplementary Appropriation (1980-1984) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Appropriation of excess expenditure for the years 1980-1981, 1981-1982, 1982-1983 and 1983-1984.

Schedule

Assented to in Her Majesty's name this 20th day of July 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 5



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.
Civil Commissioner.

An Ordinance

To allow and confirm certain expenditure incurred in the years 1980-81, 1981-82, 1982-83 and 1983-1984.

WHEREAS expenditure was necessarily incurred during the financial years 1980-81, 1981-82, 1982-83 and 1983-84 on certain services although not provided for in the relevant Appropriation Ordinances for the said financial years.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited for all purposes as the *Citation.*
Supplementary Appropriation (1980-1984) Ordinance 1985.

2. (1) The expenditure referred to in subsection (2) and not provided for or fully provided for by the —

- (a) Appropriation (1980-81) Ordinance 1980;
- (b) Appropriation (1981-82) Ordinance 1981;
- (c) Appropriation (1982-83) Ordinance 1982;
- (d) Appropriation (1983-84) Ordinance 1983;

Appropriation of excess expenditure for the years 1980-1981, 1981-1982, 1982-1983 and 1983-1984.

is hereby allowed and confirmed.

(2) The expenditure referred to in subsection (1) is —

- (a) the expenditure during the financial year 1980-1981 on the services and for the sums in respect thereof amounting in all to £398,606 set out in Part 1 of the Schedule;
- (b) the expenditure during the financial year 1981-1982 on the services and for the sums in respect thereof amounting to £3,808 set out in Part 2 of the Schedule;
- (c) the expenditure during the financial year 1982-1983 on the services and for the sums in respect thereof amounting to £837,416 set out in Part 3 of the Schedule;

- (d) the expenditure during the financial year 1983-1984 on the services and for the sums in respect thereof amounting to £1,327,614 set out in Part 4 of the Schedule.

SCHEDULE

PART 1

1980-1981

NUMBER	HEAD OF SERVICE					AMOUNT
FALKLAND ISLANDS						£
I.	The Governor ...	...	...	...	...	118
III.	Aviation ...	...	...	...	...	58,624
IV.	Customs & Harbour ...	...	...	...	...	994
VI.	Medical ...	...	...	...	...	29,945
IX.	Miscellaneous ...	...	...	...	...	20,660
X.	Pensions ...	...	...	...	...	29,025
XII.	Posts & Telecommunications ...	...	...	...	...	31,732
XIII.	Public Works ...	...	...	...	...	23,954
XIV.	Public Works Recurrent ...	...	...	...	...	2,698
XVI.	Secretariat, Treasury & Central Store ...	...	...	...	...	33,693
XIX.	Supreme Court & Legal ...	...	...	...	...	10,624
	Ordinary Expenditure ...	...	...	...	...	<u>£242,067</u>
DEVELOPMENT 'A'						
	Expenditure to be met from local funds ...	...	...	...	...	156,539
TOTAL					...	<u>£398,606</u>

PART 2

1981-1982

NUMBER	HEAD OF SERVICE					AMOUNT
FALKLAND ISLANDS						£
IX.	Miscellaneous ...	...	...	...	...	746
XII.	Posts & Telecommunications	...	...	...	...	3,062
						<u>£3,808</u>

PART 3

1982-1983

NUMBER	HEAD OF SERVICE					AMOUNT
FALKLAND ISLANDS						£
I.	The Governor ...	...	...	...	...	2,696
III.	Aviation ...	...	...	...	...	83,610
X.	Pensions & Gratuities ...	...	...	...	...	10,105
XII.	Posts & Telecommunications ...	...	...	...	...	35,845
XIV.	Public Works Recurrent ...	...	...	...	...	158,450
XV.	Public Works Special ...	...	...	...	...	42,304
XVIII.	Social Welfare ...	...	...	...	...	2,042
XIX.	Justice ...	...	...	...	...	4,175
	Ordinary Expenditure ...	...	...	...	...	£339,227
DEVELOPMENT 'B'						
	Expenditure to be met from United Kingdom Aid ...	...	...	...	...	498,189
TOTAL					...	£837,416

PART 4
1983-1984

NUMBER	HEAD OF SERVICE	AMOUNT
FALKLAND ISLANDS		
		£
III.	Civil Commissioner	845
IV.	Customs & Harbour	1,252
V.	Education	13,062
VI.	Falkland Islands Government Office	9,914
X.	Miscellaneous	3,154
XIII.	Posts & Telecommunications	20,912
XV.	Public Works Recurrent	47,888
XVI.	Public Works Special	244,775
XX.	Training	110
XXI.	Transfer to Oil Stocks Replacement Fund	322,000
XXII.	Public Debt Charges	208,680
	Ordinary Expenditure	£872,592
	DEVELOPMENT 'B'	
	Expenditure to be met from United Kingdom Aid	455,022
	Total	£1,327,614

Passed by the Legislature of the Colony of the Falkland Islands
this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref: TRE/14/15, 14/16, 14/18 & 14/19.

The Old Age Pensions (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 3 of 1952.

Assented to in Her Majesty's name this 4th day of July 1985

R. M. HUNT,
Civil Commissioner.

LS

No. 6



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.
Civil Commissioner.

An Ordinance

To amend the Old Age Pensions Ordinance 1952.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1985 and shall come into force on the 1st day of July 1985. Citation and commencement.

2. The Old Age Pensions Ordinance 1952 is amended — Amendment of Ordinance No. 3 of 1952.
- (a) in Section 6 (2) by substituting —
 - (i) £2.25 for £2.00 in paragraph (a);
 - (ii) £3.35 for £3.00 in paragraph (b);
 - (iii) £5.60 for £5.00 in paragraph (c);
 - (b) in Section 6A (2) by substituting £5.60 for £5.00;
 - (c) in Section 6B by substituting the sums £2000 and £500 for the sums £800 and £250 wherever they occur; and
 - (d) in the Schedule by substituting the sums £28.50 and £19.00 respectively for the sums £25.50 and £17.00.

Passed by the Legislature of the Colony of the Falkland Islands this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

The Non-Contributory Old Age Pensions (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Schedule to Ordinance No. 6 of 1961.

Assented to in Her Majesty's name this 20th day of July 1985.

R. M. HUNT,
Civil Commissioner.



No. 7



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.
Civil Commissioner.

An Ordinance

To amend the Non-Contributory Old Age Pensions Ordinance 1961.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Non-Contributory Old Age Pensions (Amendment) Ordinance 1985 and shall come into force on the 1st day of July 1985.

Citation and commencement.

2. The Schedule to the Non-Contributory Old Age Pensions Ordinance 1961 is amended by substituting the sums "£24.50" and "£18" respectively for the sums "£21.50" and "£16" where they occur.

Amendment of Schedule to Ordinance No. 6 of 1961.

Passed by the Legislature of the Colony of the Falkland Islands this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. TRE/2/2.

The Labour (Minimum Wage) (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance Cap 35.

Assented to in Her Majesty's name this 20th day of July 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 8



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.

Civil Commissioner.

An Ordinance

To amend the Labour (Minimum Wage) Ordinance Cap. 35.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Labour (Minimum Wage) (Amendment) Ordinance 1985. Citation.

2. The Labour (Minimum Wage) (Amendment) Ordinance 1942 shall be amended by — Amendment of Ordinance Cap. 35.

(a) the repeal of Section 2 and the substitution therefor of —

"Minimum wage.

2. (1) The Civil Commissioner may by Order in Council fix the minimum wage for any occupation.

(2) An Order made in accordance with subsection (1) may fix different minimum wages for the same occupation by reason of —

- (a) the part of the Falkland Islands in which persons are working in such occupation;
- (b) the number of years in which a worker has been working in such occupation; and
- (c) the qualifications whether by test or examination (written or otherwise) or completion of apprenticeship of persons working in such occupation.

(3) An Order made under subsection (1) shall be lawful if it fixes a minimum wage for occupations in general.

(4) An Order made under subsection (1) may except certain occupations or classes of persons within an occupation from such Order."

- (b) the substitution in Section 4 of —
 - (i) £500 and £100 for £20 and £5 respectively in subsection (1); and
 - (ii) £100 and £50 for £2 and £1 respectively in subsection (5).
- (c) the substitution in Section 5 (3) of £100 and £500 for £5 and £20 respectively.

Passed by the Legislature of the Colony of the Falkland Islands
this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. LEG/10/59.

The Education (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 14 of 1967.

Assented to in Her Majesty's name this 20th day of July 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 9



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.

Civil Commissioner.

**An Ordinance
To amend the Education Ordinance 1967.**

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation and commencement.

1. This Ordinance may be cited as the Education (Amendment) Ordinance 1985 and shall come into force on the 1st day of September 1985.

Amendment of Ordinance No. 14 of 1967.

2. The Education Ordinance 1967 is amended —

(a) in Section 6 by the substitution of the words "full time education at" for the words "education by attending regularly either" in the second line;

(b) by the insertion of the following section after Section 7 —

"Duty of parents to secure regular attendance of children.

7A. (1) If any child fails to attend regularly at a recognised school or classes held by a recognised teacher the parent of the child shall be guilty of an offence against this section.

(2) In any proceedings for an offence against this section a child shall not be deemed to have failed to attend regularly at the school or classes by reason of his absence therefrom with leave or—

(a) at any time when he was prevented from attending by reason of sickness or any unavoidable cause; or

(b) on any day exclusively set apart for religious observance by the religious body to which his parent belongs.

(3) In this section the expression "leave" means leave granted by any person authorised in that behalf by the Superintendent either specifically or generally."

- (c) in Section 15 by the substitution for "five pounds", "twenty-five pounds" and "fifty pounds" of "twenty-five pounds", "one hundred and twenty-five pounds" and "two hundred and fifty pounds" respectively.
-

Passed by the Legislature of the Colony of the Falkland Islands
this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. POL/10/5.

Road Traffic (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Cap. 60.

Schedule.

Assented to in Her Majesty's name this 20th day of July 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 10



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.
Civil Commissioner.

An Ordinance To amend the Road Traffic Ordinance Cap. 60

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Road Traffic (Amendment) Ordinance 1985 and shall come into force on such day as the Civil Commissioner shall declare by Order published in the Gazette.

Citation and commencement.

2. The Road Traffic Ordinance Cap 60 is amended by —

Amendment of Cap. 60.

- (a) (i) the removal of the full stop at the end of the definition of "Drivers Licence" in Section 2 and the addition of the following to that definition —

"and such other licence as may be recognised under the provisions of this Ordinance or Regulations made hereunder as permitting a person to drive a motor vehicle.";

- (ii) the deletion of the words "the Stanley to Darwin Road" from the definition of "Road" in the same section and the substitution for those words of the following —

"any other street, thoroughfare, highway, lane, court, alley, passage or open place declared by the Civil Commissioner by Order in Council to be a road for the purposes of this Ordinance.";

- (b) the repeal of subsections (4), (5), (6) and (7) of Section 3;
(c) the repeal of subsections (3A) and (3B) of Section 5;
(d) the substitution in Section 6 (1) of the words "such risks as may be prescribed" for the words "third party risks";

(e) the substitution for Section 8 (3) of the following —

“(3) drives a motor vehicle,

- (a) on a road within the boundaries of Stanley or on any other road designated by the Civil Commissioner by Order in Council as an urban road at a speed greater than twenty-five miles an hour, or
- (b) on any other road designated by the Civil Commissioner in Council as a restricted road at a speed greater than forty miles an hour or greater than such lower speed as the Civil Commissioner may by Order in Council prescribe for that road;

(f) the repeal of Section 8 (5);

(g) the repeal of Section 16;

(h) the substitution of the following section for Section 18 thereof —

“Regulations.

18. (1) The Civil Commissioner by Order in Council may make Regulations providing for —

- (a) the registration of motor vehicles and the division of vehicles into classes for that purpose;
- (b) the exemption from registration, conditional or otherwise, of any vehicle or class of vehicle;
- (c) the display on vehicles of —
 - (i) prescribed identification marks,
 - (ii) vehicle licences,
 - (iii) any other means of identification of vehicles or the owners thereof;
- (d) controlling restricting or specifying —
 - (i) the colours of motor vehicles or any specified class thereof, and
 - (ii) special markings to be displayed or carried on motor vehicles or on any class of motor vehicle;
- (e) the licensing of drivers of motor vehicles;
- (f) the classes of motor vehicles for which persons may be licensed to drive;
- (g) the grant of temporary and provisional licences to drive;
- (h) the testing of persons applying for or holding driving licences;
- (i) the specification of any countries the holders of driving licences or driver's certificates of which are exempt from the requirements to take a test;
- (j) controlling or restricting traffic, whether vehicular or pedestrian, including the imposition of one way traffic systems;
- (k) controlling the driving of motor vehicles and the use of motor vehicles, their equipment and apparatus, including the testing, inspection and weighing thereof for the purpose of ascertaining whether there is or has been a contravention of any provision of this Ordinance;
- (l) controlling the conduct of persons using motor vehicles and drivers, conductors and passengers including intending passengers on motor vehicles;

- (m) controlling the user of roads and in particular prohibiting either absolutely or during specified hours in the day —
 - (i) the driving of any specified type or class of motor vehicle on a road,
 - (ii) the manner in which a motor vehicle of any specified type or class may be used on a road, or
 - (iii) the parking of motor vehicles on a road;
- (n) the arrest of persons who commit offences under this Ordinance;
- (o) controlling charges for the hire of motor vehicles and fares payable by passengers carried therein;
- (p) restricting the number of passengers who may be carried in or on any motor vehicle;
- (q) the granting and cancellation by the Chief Police Officer of permits authorising the use of public service vehicles and other motor vehicles for the carriage of passengers for hire or reward;
- (r) the designation of car parks and their administration;
- (s) the removal from roads, car parks and parking places of motor vehicles, without notice to the owners thereof, which contravene any provision of this Ordinance, and the fees payable in respect of such removal;
- (t) the seizure, impounding and detention for a period not exceeding 2 months of any motor vehicle which has been driven or used in contravention of this Ordinance;
- (u) the disposal by way of sale or otherwise or the destruction of unclaimed motor vehicles which have been seized, impounded or detained pursuant to regulations made under this section;
- (v) road signs and markings and including the observance thereof;
- (w) forms and other documents;
- (x) fees payable for any licence or on any application made under this Ordinance or Regulations made thereunder;
- (y) risks against which insurance shall be taken out;
- (z) the general carrying into effect of the provisions of this Ordinance.

(2) Any regulations made under subsection (1) may provide that contravention thereof shall be an offence and may provide a penalty thereof not exceeding a fine of £1000 or imprisonment for six months or both."

- (i) the repeal of the fine or fines provided for in each section set out in column A of the Schedule hereto and shown against each such section in column B and the substitution therefor of the fine shown against each such fine in column C of the said Schedule.

SCHEDULE

A		B		C	
		Existing Fine		Substituted Fine	
		£		£	
Section 3 (3)	...	25	...	100	...
Section 4 (4)	...	50	...	200	...
Section 4A (5)	...	20	...	200	...
		50	...	1000	...
Section 5 (7)	...	50	...	200	...
Section 5 (11)	...	50	...	1000	...
Section 6 (1)	...	50	...	1000	...
Section 8 (2) (a)	...	50	...	1000	...
		100	...	1000	...
Section 8 (3)	...	5	...	200	...
(4)	...	10	...	1000	...
(6)	...		...		...
Section 9 (1)	...	50	...	1000	...
		100	...	1000	...
Section 12 (b)	...	5	...	50	...
		10	...	200	...
Section 13	...	2	...	50	...
Section 13A (2)	...	5	...	50	...
		10	...	200	...
Section 14	...	2	...	50	...
Section 17	...	20	...	200	...
		50	...	1000	...

Passed by the Legislature of the Colony of the Falkland Islands
this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. POL/10/5.

The Land (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Cap. 36.

Assented to in Her Majesty's name this 20th day of July 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 11



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.
Civil Commissioner.

An Ordinance To amend the Land Ordinance Cap 36

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation and commencement.

1. This Ordinance may be cited as the Land (Amendment) Ordinance 1985 and shall come into force on the 1st August 1985.

Amendment of Cap 36.

2. The Land Ordinance Cap 36 shall be amended by —

(a) in Section 2, the substitution of the following for the definition of "public purpose" —

"Public purpose" means —

(a) any purpose connected with —

- (1) exclusive government use;
- (2) general public use;
- (3) or ancillary to the public interest or utility;
- (4) or to town planning;
- (5) the defence of the Falkland Islands;
- (6) or ancillary to naval, military or air force requirements;
- (7) the promotion or creation of healthy and sanitary surroundings and the prevention or abatement of what the Civil Commissioner in Council shall consider to be a nuisance dangerous to health or limb;

- (b) any purpose intended to result in a benefit or advantage to the community and without prejudice to its generality to include the development, utilisation or disposal of property (in whole or in part) for the promotion of the physical, economic, social or aesthetic well-being of the community;
- (c) any other purpose specified as public by any Ordinance or which the Civil Commissioner in Council may declare to be a public purpose."
- (b) in Section 35 (2) by the substitution of the sum £1,000 for the sum £50;
- (c) the deletion of the certificate as to value in the First Schedule;
- (d) the substitution in the Third Schedule for the part headed CONVEYANCE of the following —
 "CONVEYANCE
 50p for every £50 or part of £50 of the consideration for the sale or transaction.
 ASSENT
 £1 on any assent or transfer for vesting title to land in a trustee or beneficiary of the estate of a deceased person."

Passed by the Legislature of the Colony of the Falkland Islands
 this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. LND/10/1.

The Application of Enactments (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 13 of 1954.
3. References to "a master".

Assented to in Her Majesty's name this 20th day of July 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 12



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.
Civil Commissioner.

An Ordinance
To amend the Application of Enactments
Ordinance 1954.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Application of Enactments (Amendment) Ordinance 1985 and shall come into force on the 1st day of July 1985. Citation and commencement.
2. The Schedule to the Application of Enactments Ordinance 1954 is amended by the addition of the Act set out in the Schedule hereto. Amendment of Ordinance No. 13 of 1954.
3. Any reference in the Lunacy Act 1890 and the Act set out in the Schedule hereto to "a master" shall be construed in the application of those Acts to the Falkland Islands as a reference to the Senior Magistrate or not less than two Justices of the Peace. References to "a master".

SCHEDULE

The Lunacy Act 1908 (8 Edw. 7.c.47)

Passed by the Legislature of the Colony of the Falkland Islands this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

The Public Health (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Cap 54.

Assented to in Her Majesty's name this 20th day of July 1985.

R. M. HUNT,
Civil Commissioner.

LS

No. 13



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.
Civil Commissioner.

An Ordinance

To amend the Public Health Ordinance Cap 54.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Public Health (Amendment) Ordinance 1985 and shall come into force on the 1st day of July 1985.

Citation and commencement.

2. The Public Health Ordinance Cap 54 is amended by —

Amendment of Cap 54.

(a) the substitution for Section 2 of the following —

"Board of Health.

2. (1) There shall be a Board of Health which shall consist of the Chief Medical Officer who shall be chairman and such other members not exceeding five in number as shall be appointed by the Civil Commissioner.

(2) The appointed members shall serve for a period of two years.

(3) The Civil Commissioner may appoint persons to fill any vacancies on the Board."

(b) the deletion of the words "in any town or settlement" from Section 18 (1) (ii).

Passed by the Legislature of the Colony of the Falkland Islands this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

The Immigration (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 10 of 1965.

Assented to in Her Majesty's name this 20th day of July 1985.

R. M. HUNT,
Civil Commissioner.



No. 14



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

SIR REX MASTERMAN HUNT, C.M.G.
Civil Commissioner.

An Ordinance To amend the Immigration Ordinance 1965.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Immigration (Amendment) Ordinance 1985 and shall come into force on the 15th day of July 1985.

Citation and commencement.

2. The Immigration Ordinance 1965 is amended by —

Amendment of Ordinance No. 10 of 1965.

- (a) in Section 2, the deletion of all the words after the word "passed" in paragraph (h) of the definition of "Prohibited Immigrant";
- (b) the addition after paragraph (b) in Section 11 (3) of the following paragraph —
 - "(c) becomes or is found after entry into the Colony to be a prohibited immigrant.";
- (c) the repeal of Section 7.

Passed by the Legislature of the Colony of the Falkland Islands this 3rd day of July 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. IMM/10/1.

STANLEY ELECTORAL AREA

REGISTER OF ELECTORS

1	Adams, Marjorie Rose	59	Betts, Rosa Magaly
2	Alazia, Albert Faulkner *	60	" Shirley Rose
3	" Charles	61	" Terence Severine
4	" Eva Rose	62	Biggs, Alastair Gordon
5	" Freda	63	" Basil William *
6	" Freda Evelyn	64	" Betty Josephine
7	" Hazel	65	" Clarence George *
8	" Henry John	66	" Edith Joan
9	" James Andrew	67	" Frances
10	" Maggie Ann *	68	" Hilda Evangeline *
11	" Thora Lilian *	69	" Irene Mary
12	" Yvonne	70	" Kathleen Frances *
13	Aldridge, Caroline Mary	71	" Leslie Frederick
14	" Kenneth John	72	" Madge Bridget Frances *
15	Allan, Erwin	73	" Michael Elfed
16	" Rosemarie	74	" Peter Julian Basil
17	Almonacid, Gladys Mabel	75	Binnie, Albert Frederick *
18	Ampuero, Vera Susan	76	" Malcolm George Stanley
19	Anderson, Eddie *	77	Blackley, Candy Joy
20	" Edward Bernard *	78	" Charles David *
21	" Elizabeth Nellie *	79	" Hilda
22	" Gertrude Maud *	80	" Janet Agnes Mary *
23	" Gloria	81	" John David
24	" Hector Christian *	82	Blizard, Lawrence Gordon *
25	" Helen	83	Blyth, Agnes Ruth *
26	" John *	84	" Alfred John *
27	" Ludvick Riley *	85	" Hilary Maud
28	" Mildred Nessie *	86	" John
29	" Richard Louis	87	Bonner, Donald William
30	Ashley, Nora Phyllis *	88	" Nicholas
31	Ashworth, Glennis	89	" Paul Roderick
32	" Malcolm	90	" Timothy *
33	Bagnall, Harry *	91	" Vera Ann
34	" Iris	92	" Vera Joan
35	Barnes, Ernest *	93	" Violet *
36	" Molly Stella	94	Booth, Jessie *
37	" Sigrid Geraldine Wells	95	" Joseph Bories *
38	Baylis, Frances Mary	96	" Mary *
39	" Jeremy Peter	97	" Myriam Margaret Lucia
40	Bennett, Harold *	98	" Stuart Alfred *
41	" Lena Grace Gertrude *	99	Bound, Graham Leslie
42	Berntsen, Diana Mary *	100	" Joan
43	" Iain Kenneth *	101	Bowles, Haley Trina *
44	" Jeanette	102	" Norma Evangeline
45	" Kathleen Gladys *	103	" William Edward
46	" Lavina Maud *	104	Bragger, Edward Laurence
47	" Mary Anne Margaret	105	" Olga
48	" Olaf Christian Alexander	106	Braxton, Thomas Nathaniel John *
49	" Raymond	107	Browning, Althea Maria
50	" William Alexander	108	" Benjamin *
51	" William Blyth *	109	" Edwina
52	Bertrand, Catherine Gladys *	110	" James Samuel *
53	" Cecil William Wickham *	111	" Rex *
54	Betts, Alan Sturdee *	112	" Richard William
55	" Donald William	113	" Trevor Osneht
56	" Ellen Alma *	114	Buckett, Ronald Peter
57	" George Winston Charles	115	" Steven Thomas
58	" Melody Christine	116	Buckland, Charles Ronald

* NOT LIABLE TO SERVE AS A JUROR.

117	Bundes, Robert John Christian *	182	Clifton, Thora Janeene
118	Burns, Iola Winnifred Mary *	183	" Valerie Ann
119	" Mary Anne *	184	Coutts, Charles
120	Burston, Jeannie Paulina	185	" Charles Lindsay
121	Buse, Franz John	186	" John
122	Butcher, Michael George	187	" Lindsey Olga *
123	" Trudi	188	" Malvina Mary
124	Butler, Elsie Maud *	189	" Olga
125	" Frederick Lowther Edward Olai *	190	" Peter
126	" George Joseph	191	" Stephanie Ann
127	" Joan May	192	Davies, Anthony Warren
128	" Lawrence Jonathan	193	" Jacqueline Nancy
129	" Margaret Orlanda *	194	Davis, Dorothy Wilhelmina *
130	" Orlanda Betty	195	" Lena Victoria *
131	Cantlie, Sheila Muriel *	196	Dickson, Caroline Christine Bird *
132	Card, Denise	197	Duncan, Alice Florence *
133	Carey, Anthony Michael	198	" Doreen
134	" Gladys	199	" Joan Ellen
135	" Mary Ann Margaret *	200	" William *
136	" Michael Raymond	201	Edwards, Norma
137	" Terence James *	202	Emsley, David Smith
138	" Trudi Ann	203	Etheridge, Alice Mary
139	Cartmell, Frederick James	204	" Georgina Bond *
140	" Sarah Matilda *	205	" William Arthur
141	Castle, David	206	Evans, Derek Stanley
142	" Isobel	207	" Gladys Alberta
143	Chater, Annie	208	" Griffith Owen *
144	" Anthony Richard	209	" Michael David *
145	Cheek, Frederick John *	210	Eynon, Carol
146	" Gerald Winston	211	" David John
147	" Janet Linda	212	Fairfield, Bonita Doreen
148	" John Edward *	213	" James Steven
149	" Marie	214	Faria, Mary Ann
150	Clarke, Andrew Joseph	215	" Paul *
151	" Camilla Marie	216	Felton, Isabella Violet
152	" David James	217	" Roy
153	" Derek Simon	218	" Violet Regina Margaret
154	" Doreen	219	" Walter Arthur *
155	" Frederick Thomas	220	Ferguson, Ethel Mary *
156	" Gwynne Edwina	221	Finlayson, Charles John *
157	" Ian *	222	" Hugh *
158	" Jane Lucacia *	223	" Iris Dwenda Margaret
159	" Jeanette	224	" Peter
160	" Kathleen Gay	225	" Phyllis
161	" Martin James	226	" Robert Hugh
162	" Marvin Thomas	227	" Teresa Rose
163	" Michael Jan	228	Fleuret, Kathleen Mary *
164	" Ronald John	229	" Theodore Clovis *
165	" Rudy Thomas	230	Ford, Arthur Henry
166	" Trudi Ann	231	" Cherry Rose
167	Clasen, Mally	232	" David
168	Clausen, Frederick James *	233	" Dorothy Minnie *
169	Clement, Dorothy Maise *	234	" Elizabeth Harriet
170	" James Turner *	235	" James Edward *
171	Cletheroe, Albert Richard *	236	" Marilyn Christina
172	" Daphne Harriet *	237	" Michael
173	" Emily Ellen *	238	" Robert
174	" Lily Catherine *	239	Freeman, Carl Francis
175	" Stanley William *	240	" Dianne May
176	" William Harold *	241	Fullerton, Mary Ellen *
177	Clifton, Charles *	242	Gilbert, Judith Elizabeth
178	" Darwin Lewis	243	" Robert Ernest
179	" Jessie Emily Jane *	244	Gilding, Jacqueline
180	" Leonard	245	" Peter Bernard
181	" Stephen Peter	246	Gooch, Cecilia Ines Millard Bennett *
		247	" Dudley Frederick *

248	Goodwin, Colin Valentine	313	Jacobsen, Alistair
249	" Dorothy Idina *	314	Jaffray, Angus
250	" June Elizabeth	315	" Estell Anita
251	" June Rose Elizabeth	316	" Helen Rose
252	" Kathleen Edith Marguerite *	317	" Stephen James
253	" Laurence Henry	318	" Tony
254	" Lena Isobella Helena *	319	" William *
255	" Margaret Ann	320	Johnson, Howard William *
256	" Michael Sturdee *	321	" Kenneth John
257	" Robin Christopher	322	" Stanley Howard *
258	" Una	323	" Stanley Peter
259	" William Andrew Nutt	324	" Violet Alberta *
260	Goss, Elizabeth Rose	325	Jones, Albert Charles *
261	" Grace Elizabeth *	326	" John Hugh
262	" Simon Peter Miller	327	" Michael David
263	" William Henry (Snr.) *	328	" Michelle *
264	Gould, Arthur William	329	" Sheila Janice
265	Grant, Leonard John *	330	Keenleyside, Charles Desmond (Snr.) *
266	" Mildred *	331	" Charles Desmond (Jnr.)
267	Hadden, Alexander Burnett	332	" Dorothy Maud *
268	" Sheila Peggy	333	" Manfred Michael Ian
269	Halford, Rodney John	334	" Nanette Barbara
270	" Sharon *	335	" Susan Noreen
271	Halliday, Evelyn Edna	336	Kenny, Erling
272	" Gerald	337	Kiddle, Malvina Thelma
273	" Jane Christina *	338	" Peter *
274	" John Arthur Leslie *	339	" Robert Karl
275	" John Henry *	340	King, Anna Constance Eve
276	" Leslie John *	341	" Desmond George Buckley *
277	" Mabel *	342	" Gladys Evelyn *
278	" Margaret Mary	343	" Nanette
279	" Raynor	344	" Peter Thomas *
280	Hansen, Douglas John	345	" Robert John *
281	" Keva Elizabeth	346	" Vernon Thomas *
282	" Terence Darwin	347	Laffi, Kathleen Mary
283	Hardy, Douglas Morgan	348	Lang, James
284	Harris, Christopher James *	349	" May Malvina
285	" Heather	350	" William Frank
286	" Jill Yolanda Miller	351	Larsen, Ellen
287	" Leslie Sidney	352	" Margaret Anne *
288	" Michael Ronald	353	Lee, Alfred Leslie *
289	" Ralph Aaron *	354	" Derek William
290	Harvey, James Claude *	355	" Elsie Adelaide *
291	" Muriel Elsie Elizabeth	356	" Gladys
292	Hatch, Albert John	357	" Leslie James
293	Heathman, Albert Stanley Kenneth *	358	" Trudi Dale
294	" Malcolm Keith	359	Livernmore, Anton *
295	" Violet *	360	" Marie Ann *
296	Hewitt, Rachel Catherine Orissa *	361	" Shelley
297	" Robert John David *	362	Loftus, Colleen
298	" Sharon Marie	363	Lowe, Adrian Stewart
299	Hills, Heather Margaret *	364	Luxton, Ernest Falkland *
300	" Richard William *	365	" Michael
301	Hirtle, Leonard Lloyd	366	" Nicola
302	" Mary Ann *	367	" Sybil Grace *
303	" Rose Ann Shirley	368	" Winifred Ellen
304	" Sandra May Winifred	369	Lyse, Ethel Malvina
305	" Shirley	370	" George Walter *
306	" Wallace Carlinden *	371	" Linda Margaret
307	Hobman, Anilda Marilu	372	" Reginald Sturdee
308	" Jose *	373	" Sydney Russell *
309	Howatt, Derek Frank *	374	Macaskill, Jeannette May
310	" Enid	375	" John
311	Howe, Alison Delia	376	" Robert John
312	Humphreys, Winnifred *	377	McBain, Arthur

- 378 McBain, Rhoda Margaret
 379 Malcolm, George *
 380 " Velma
 381 Maitland, Elizabeth Eve
 382 " Thomas Peter
 383 May, Christopher *
 384 " Heather
 385 " James John *
 386 " William Albert
 387 Mercer, Christel
 388 Middleton, Brian
 389 " Caroline *
 390 " Ellen *
 391 " James (2) *
 392 " James (3) *
 393 " Joan Eliza
 394 " Leonard
 395 " Margaret Wilhelmina *
 396 " Phillip John
 397 " Shirley
 398 Miller, Betty Lois *
 399 " Florence Roberta *
 400 " Sidney *
 401 " Stanley Frank *
 402 Milne, Henry Millar *
 403 " Madeline Marie Irma *
 404 Minto, Graham Stewart *
 405 " Patrick Andrew
 406 Miranda, Augusto *
 407 " Ramon *
 408 " Winifred Dorothy
 409 Monaghan, Augustine *
 410 Morris, Alana Marie
 411 Morrison, Donald Ewen *
 412 " Fayan
 413 " Graham Stewart
 414 " Hyacinth Emily
 415 " John Murdo
 416 " Mary Ann *
 417 " Mary Ellen *
 418 " William Roderick Halliday
 419 Mozley, Claudette
 420 Murphy, Bessie *
 421 " Michael James *
 422 McAskill, Susan Blanche *
 423 McBeth, Phyllis Elizabeth Grace
 424 McCallum, Bettina Kay
 425 " Christopher John
 426 " Elaine Michele
 427 " Ellen *
 428 " Jack
 429 " Timothy Andrew
 430 McCormick, Ronald *
 431 " Suzanne
 432 McGill, Doris Mary *
 433 " Gary
 434 " Glenda
 435 " Ian Peter
 436 " Len Stanford
 437 " Lorraine Iris
 438 McKay, James John *
 439 " Jane Elizabeth *
 440 " Michael John
 441 " Neil
 442 " Peter John
 443 McKay, Shelley Jane
 444 " Stephen John
 445 McKee, John *
 446 McKenzie, Alice Maude
 447 " Charles Alexander
 " Albert John
 448 McLeod, Archibald *
 449 " David
 450 " Ellen May *
 451 " Margaret Anne
 452 " Michael William
 453 " Robert John
 454 McPhee, Grace Darling *
 455 " Marjorie May
 456 " Natalie Marianne *
 457 " Owen Horace *
 458 " Patrick
 459 Neal, Richard John
 460 Neilson, Barry Marwood
 461 " Margaret
 462 Newman, Joyce Noreen
 463 " Marlene
 464 " Raymond Winston
 465 " Wilfred Lawrence *
 466 Newell, Joseph Orr
 467 " Trudi Malvina
 468 Nutter, Arthur Albert
 469 " Josephine Leslie
 470 Paul, Sonia Ellen
 471 Pauloni, Romolo Victorio *
 472 Peake, Arthur
 473 " Clair Linda
 474 Peart, Robert Ernest
 475 " Rose Louisa
 476 Peck, Beatrice Ena *
 477 " Burned Brian
 478 " Desmond Douglas Bernard *
 479 " Elsie Grace *
 480 " Evelyn Elizabeth
 481 " Mary *
 482 " Maureen Heather
 483 " Patrick William
 484 " Shirley
 485 " Terence John
 486 " Tracy
 487 Perkins, Vivienne Esther Mary
 488 Perry, Augustave Walter *
 489 " Beatrice Annie Jane *
 490 " Christopher *
 491 " Hilda Blanche
 492 " Robert Juan Carlos
 493 " Stella Margeory *
 494 " Thomas George
 495 " Thora Virginia *
 496 Pettersson, Eileen Heather
 497 " Tony
 498 Phillips, David Dawson
 499 " Jessie Catherine *
 500 Place, Denis
 501 " Irene
 502 Pole-Evans, Amy Rose
 503 " Michael Anthony
 504 Poole, Charles Lawrence *
 505 " Evelyn May
 506 " Isabella Jane *

507	Poole, Nancy Margaret	572	Smith, Peter Lars
508	" Raymond John	573	" Sidney Frederick
509	" William John	574	" Terence George
510	Porter, Brian Charles	575	" Violet Catherine *
511	" Charles	576	Sollis, Sarah Emma Maude *
512	" Diana Anita Patricia	577	Sornsen, George Albert *
513	" Jean Lavinia	578	" James Winston
514	" William Kenneth	579	Spall, Christopher Richard *
515	Reeves, Cheryl Rose	580	Spinks, Alexander
516	" Ronald James	581	" Malvina Ellen
517	Reid, Colleen Rose	582	Spraggon, Daniel Martin *
518	" Reynold Gus	583	Spruce, Helena Joan
519	Reive, Ernest *	584	" Terence George
520	" Roma Endora Mary *	585	Stacey, Lilian Clara *
521	" Terence	586	Steen, Emma Jane *
522	Rendell, Phyllis Mary	587	" Gail
523	Roberts, Laura May	588	" Vernon Robert
524	" Peter James	589	Stephenson, James
525	" William Henry *	590	" Joan Margaret
526	Robson, Gerard Michael	591	" Zachary *
527	" Miranda Gay	592	Stewart, Carol Ellen Eve *
528	" Phyllis Ann	593	" David William *
529	" Raymond Nigel	594	" George Alexander *
530	" Violet Malvina Emily *	595	" Hulda Fraser
531	Ross, Carol Wendy	596	" Jacqueline Mary *
532	" Glenn Stephen *	597	" John
533	" Janet *	598	" Keith Gordon *
534	" Lachlan Neil	599	" Phyllis Marjorie
535	Rowlands, Catherine Anne	600	" Robert
536	" Daisy Malvina	601	" Robert William
537	" Harold Theodore *	602	" Sylvia Rose
538	" John Richard	603	" Yvonne Malvina
539	" Neil *	604	Strange, Ian John
540	Rozee, Betty	605	" Maria Marta
541	" Derek Robert Thomas *	606	Summers, Brian
542	" Philip Henry	607	" Dennis David
543	Sarney, Harry *	608	" Derek Raymond
544	Shedden, James Alexander	609	" Edith Catherine
545	Short, Andrez Peter	610	" Gloria Jane
546	" Celia Soledad	611	" Iris Blanche
547	" Charles William	612	" Irvin Gerard
548	" Emily Christina	613	" Judith Orissa
549	" Florence Mary *	614	" Michael Kenneth
550	" Frederick John *	615	" Nigel Clive
551	" Gavin Phillip	616	" Owen William
552	" John George Archibald *	617	" Pam Ellen
553	" Lisa *	618	" Pamela Rosemary Cheek
554	" Montana Tyrone	619	" Rowena Elsie
555	" Peter Robert	620	" Sheila
556	" Philip Stanley *	621	" Sylvia Jean
557	" Rose Stella	622	" Sybella Catherine Ann
558	" Vilma	623	" Terence
559	Smith, Anya *	624	" Tony
560	" Colin David	625	" Veronica
561	" Derek	626	" William Edward *
562	" Eric	627	Thain, John *
563	" Hannah Caroline *	628	Thom, Alison *
564	" Ileen Rose	629	" David Anderson
565	" Janice	630	" Dorothy Irene
566	" James Stanley *	631	" Norma Ann
567	" Jeremy Gordon	632	Thompson, William John *
568	" Joan Lucy Ann	633	Turner, Alva Yvonne
569	" John	634	" Celia Joyce
570	" Martyn James	635	" Melvyn George
571	" Paulette Rose	636	Vidal, Eileen Nora

637	Wallace, Fraser Barrett	647	White, John Wright *
638	" Lillian	648	" Kathleen Elizabeth *
639	" Stuart Barrett	649	Whitney, Catherine Margaret
640	Watson, Catherine Wilhelmina		Rebecca *
	Jessie *	650	" Frederick William
641	" Hannah Maude *	651	" Robert Michael *
642	" Louis James *	652	" Susan Joan
643	" Paul *	653	Williams, Charlotte Agnes *
644	" Robert Muir	654	" Eugene
645	Watts, Ada Mabel *	655	" Marlene Rose Elizabeth
646	" Patrick James		

* NOT LIABLE TO SERVE AS A JUROR

STANLEY POSTAL VOTERS

22	Anderson, Gertrude Maude	274	Halliday, John Arthur Leslie
30	Ashley, Nora Phyllis	324	Johnson, Violet Alberta
53	Bertrand, Cecil William Wickham	427	McCallum, Ellen
171	Cletheroe, Albert Richard	481	Peck, Mary
172	" Daphne Harriet	563	Smith, Hannah Caroline
173	" Emily Ellen	585	Stacey, Lilian Clara
254	Goodwin, Lena Isobella Helena	632	Thompson, William John
273	Halliday, Jane Christina		

CAMP ELECTORAL AREA

REGISTER OF ELECTORS

1001	Alazia, Anthony Henry	1061	Clarke, Terence John
1002	" Dorothy Fay	1062	Clasen, Clarvis Edward
1003	" George Robert	1063	Clausen, Denzil
1004	" Michael Robert	1064	" Henry Edward
1005	" Stuart John	1065	Cletheroe, Kenneth Stanley
1006	Aldridge Brian George	1066	Clifton, Doreen
1007	" Olive Elizabeth	1067	" Terence Charles
1008	" Thomas George †	1068	Cockwell, Grizelda Susan
1009	Anderson, Jenny	1069	" John Richard †
1010	" Margaret Catherine	1070	Coutts, Alexander †
1011	" Marina Rose	1071	" Frederick George
1012	" Nigel	1072	Davis, Aase
1013	" Reginald Stanford	1073	" Albert Henry
1014	" Ronald	1074	" Elsie Gladys Margaret †
1015	" Tony James	1075	" Nick †
1016	Barnes, Deirdre	1076	" Raymond †
1017	" Marie	1077	" Reginald John
1018	" Marshall	1078	" Violet
1019	" Trevor Marshall †	1079	" William James
1020	Barton, John David †	1080	" William John †
1021	Beattie, Betty	1081	" Yona
1022	" Thomas George	1082	Dearling, Leo Alexander †
1023	Berntsen, Arena Janice	1083	Dickson, Doreen
1024	" Benjamin John †	1084	" Gerald William
1025	" Ellen Rose	1085	" Iris
1026	" John Alexander	1086	" Ronald Edward
1027	" Kenneth Frederick	1087	Dobbys, Jeannie Lilian Mary
1028	" Leon	1088	" Timothy John
1029	" Pamela Margaret	1089	Donnelly, Daniel
1030	Betts, Arthur John †	1090	" Joyce Elizabeth
1031	" Bernard Keith	1091	Duncan, Avis Marion †
1032	" Cyril Severine †	1092	" James Alexander †
1033	" Diane Joan †	1093	" Peter Ree Howard
1034	" Hyacinth Emily †	1094	Dunford, David Philip
1035	" Irene Marion	1095	Evans, Olwyn Carol
1036	Billett, Leslie William	1096	" Raymond
1037	Binnie, Horace James †	1097	Fairley, John
1038	" Linda Rose	1098	Felton, Anthony Terence
1039	" Ronald Eric †	1099	" Jennifer Hilary
1040	" Rose Helen †	1100	" Peter Durose
1041	Birmingham, John	1101	Ferguson, Finlay James
1042	" Susan Jane	1102	" Robert John
1043	Blackley, Maurice	1103	" Rose
1044	Blake, Anthony Thomas †	1104	" Thelma
1045	" Lionel Geoffrey †	1105	Findlay, Carrie Madeline Helen
1046	" Lyndsay Rae	1106	" Gerald
1047	" Sally Gwynfa	1107	Finlayson, Barry Donald
1048	Bonner, Avril Margaret Rose	1108	" Iris Heather
1049	" Keith James	1109	" Neil Roderick
1050	" Simon	1110	Ford, Charles David †
1051	" Susan Anne	1111	" Colin Stewart †
1052	Browning, Gavin	1112	" Colleen Mary
1053	" Kelvin	1113	" David
1054	Buckett, Roy Peter †	1114	" Fanny Davidson
1055	Cartmell, Andrew Nutt	1115	" Frederick James
1056	Chandler, Ann Beatrice	1116	" Hazel
1057	" Edward	1117	" John
1058	Clarke, Fiona Alison	1118	" Leonard
1059	" Hector	1119	" Marilyn Christine
1060	" Kathleen Joyce	1120	" Neil Fraser †

† NOT LIABLE TO SERVE AS A JUROR

1121	Ford, Penelope Rose	1184	Jaffray, Phyllis
1122	Forster, Gwyneth May	1185	" Robin George
1123	" James	1186	Jennings, Mary Ann Helen
1124	Giles, Gilbert	1187	" Neil
1125	Gleadell, Ian Keith	1188	Johnson, Michael Neil
1126	" Marklin John †	1189	" Carl
1127	" Mavis Marie	1190	Kilmartin, Kevin Seaton
1128	Goodwin, Bert Samuel †	1191	" Dinah May
1129	" Douglas Sturdee †	1192	Knight, Nigel Arthur
1130	" Emily Rose	1193	" Shirley Patricia Louvaine
1131	" Hazel Rose	1194	Lang, Patrick Andrew
1132	" Mandy Hazel †	1195	" Sandra Shirleen
1133	" Neil Alexander William †	1196	" Velma Emily
1134	" Robin	1197	Larsen, Josephine Mary †
1135	" William John Maurice	1198	" Ronald Ivan
1136	" Sarah Margaret Rose	1199	" Yvonne
1137	Goss, Dorothy Ellen	1200	Lee, Carole
1138	" Eric Miller	1201	" Elizabeth
1139	" Errol Barry Gordon †	1202	" John Alfred
1140	" Ian Ernest Earl	1203	" Mandy John †
1141	" Margaret Rose	1204	" Robin Myles
1142	" Peter	1205	" Rodney William
1143	" Roderick Jacob	1206	" Susan Mary
1144	" Shirley Ann	1207	Livermore, Darren
1145	" William Henry (Jnr.)	1208	Lloyd, John Moelwyn
1146	Gray, David Edward	1209	" Melvyn John
1147	" Patricia May	1210	" Valery Ann †
1148	Halliday, Joyce Isabella Patience	1211	Luxton, Patricia Maureen
1149	" Kenneth William	1212	" William Robert †
1150	Hansen, Ian	1213	MacBeth, Raymond John
1151	" Lionel Raymond	1214	Maddocks, Robert Charles
1152	" Rose Idina	1215	Marsh, Alastair Roy
1153	" Susan Ann †	1216	" Anna Deirdre
1154	Hardcastle, Brook †	1217	" Arlette Sharon †
1155	" Eileen Beryl	1218	" Elizabeth Margaret
1156	" Gavin	1219	" Frank
1157	Harvey, Beatrice Louisa Catherine	1220	" Gavin Nicholas
1158	" Jen	1221	" June Helen
1159	" Valerie Ann	1222	" Leon Peter
1160	Hayward, Marjorie	1223	" Marlane Rose
1161	" Peter Dennis	1224	" Robin Frank
1162	Heathman, Ailsa	1225	May, Brian Roy
1163	" Ewart Tony	1226	" Bruce Raymond
1164	Hewitt, David George	1227	" Corenne Norma
1165	" Frances Agnes	1228	" Monica
1166	" Gary George	1229	Middleton, Dennis Michael
1167	" Margaret Ann	1230	" Sharon Elizabeth
1168	Hirtle, Anthony	1231	Miller, Betty
1169	" Doris Linda	1232	" Carol
1170	" Fenton	1233	" Gaile Marie
1171	Hughes, Albert	1234	" James Albert
1172	" Eileen Mary	1235	" Philip Charles
1173	Hutton, Elizabeth Isabella	1236	" Simon Roy
1174	" Philip	1237	" Timothy John Durose
1175	Jaffray, Alexander	1238	Minnell, Benjamin James
1176	" Brian	1239	" Donna Maria
1177	" Eileen	1240	" Hazel Eileen
1178	" Elliott Jessie	1241	" Michael Robert
1179	" Ian	1242	Minto, Alistair Daen
1180	" Janet †	1243	Molkenbuhr, Claudio Eugenio
1181	" John	1244	Morrison, Doreen
1182	" John Willie	1245	" Eric George
1183	" Kenneth Ian †	1246	" Gerald

† NOT LIABLE TO SERVE AS A JUROR.

1247	Morrison, Jacqueline Denise Anita	1309	Parrin, Norman George †
1248	" Joan Margaret	1310	Peck, Christine †
1249	" Kathleen Iris	1311	" Davina Margaret
1250	" Kenneth	1312	" Paul
1251	" Lena	1313	Phillips, Albert James
1252	" Leslie Theodore Norman	1314	" Carol Joan
1253	" Lewis Ronald	1315	" Lynda
1254	" Michael John	1316	" Terence
1255	" Muriel Eliza Ivy †	1317	Pitaluga, Jene Ellen
1256	" Nanette Rose	1318	" Nicholas Alexander Robinson
1257	" Nigel Peter		
1258	" Ronald Terence	1319	" Robin Andreas McIntosh
1259	" Stewart	1320	Pole-Evans, Anthony Reginald †
1260	" Susan Margaret	1321	" David Llewellyn
1261	" Violet Sarah	1322	" Shirley Helen
1262	McCallum, James	1323	" Suzan
1263	McCormick, Pauline Margaret Ruth	1324	" William Reginald
1264	McDonald, Colin George	1325	Poole, Ella Josephine †
1265	" Irene	1326	" Steven Charles
1266	McGhie, Roy	1327	Porter, George
1267	McGill, Robin Perry	1328	" Joan
1268	McKay, Christine †	1329	Robertson, Ann
1269	" Clara Mary †	1330	" Peter Charles
1270	" Ellen Rose	1331	Robson, Gladys Mary
1271	" Frazer Roderick	1332	" Louis Michael
1272	" Heather Valerie	1333	Ross, Odette Ellen May
1273	" Ian Roderick	1334	" Marie
1274	" Isabella Alice	1335	" Roy
1275	" Rodrick John	1336	" William Henry
1276	" Josephine Ann	1337	Rozee, Ronald David
1277	" Kenneth Andrew	1338	Sackett, Jacqueline †
1278	" Paul Anthony	1339	" Michael John Carlos
1279	" Rex	1340	Shepherd, Ramsey
1280	" Richard	1341	Short, Arthur Richard †
1281	" Rosie Louisa Grace †	1342	" Christina Ethel
1282	" William Robert †	1343	" Donald Robert Gordon
1283	McLeod, Albert John	1344	" Ellen Mary †
1284	" Donald Henry	1345	" Isobel Rose
1285	" Isabella Diana Frances	1346	" Joseph Leslie
1286	" Janet Wensley	1347	" Patrick Warburton
1287	" John	1348	" Robert Charles
1288	" Madeleine Jean	1349	" Robert George
1289	" Robert	1350	Sinclair, Simon Keith
1290	" Sarah Rose	1351	Smith, Andrew John †
1291	McMullen, June	1352	" Anna †
1292	" Tony	1353	" Anthony David
1293	McPhee, Kenneth John †	1354	" David
1294	" June Iris	1355	" Francis David
1295	McRae, David Michael	1356	" Frederick George Peter
1296	" Gloria Linda	1357	" George Patterson
1297	" Marlaine	1358	" Gerard Alexander
1298	" Richard Winston	1359	" Gwenifer May
1299	" Robert George Hector	1360	" Heather
1300	Napier, Lily	1361	" Jenny Lorraine
1301	" Roderick Bertrand	1362	" Margaret Mary †
1302	Newman, Adrian Henry Frederick	1363	" Michael Edmund
1303	" Clive Alexander	1364	" Norah Kathleen
1304	" Dorothy Elizabeth †	1365	" Osmond Raymond †
1305	" Dwenda Rose	1366	" Robert William
1306	" Rebecca Dickson	1367	" Robin Charles
1307	Nightingale, Charlene	1368	Stevens, Richard James
1308	" Peter Richard	1369	" Toni Donna

† NOT LIABLE TO SERVE AS A JUROR.

1370	Stewart, George Nathaniel	1379	Whitney, Agnes Katherine †
1371	Thompson, George Henry †	1380	„ Dennis
1372	Thorsen, David Moller †	1381	„ Henry Leslie †
1373	„ Gloria Penelope	1382	„ Keith
1374	Turner, Arthur Leonard Pitaluga †	1383	„ Lana Rose
1375	„ Diana Jane	1384	„ Leona Ann
1376	„ Ronald	1385	„ Patrick George
1377	Watson, Glenda Joyce	1386	Wilkinson, David Clive Walter
1378	„ Neil	1387	„ Rosemary

† NOT LIABLE TO SERVE AS A JUROR.

Application for licences under the provisions of the Licensing Ordinance

[Vol. I. Cap. 38]

In accordance with the provisions of the Licensing Ordinance an application has been made by —

MR. FRED CLARK

STANLEY

FALKLAND ISLANDS

for the following licences for the premises to be known as THE GREAT BRITAIN HOTEL on the Stanley/Mount Pleasant Road in the Fitzroy camp area

PUBLICAN'S RETAIL LICENCE

RESIDENTIAL LICENCE

provided that no objection be taken to the granting of the licences before 31st July 1985 the same will be granted.

H. T. ROWLANDS,
Financial Secretary.

The Treasury
Stanley
9th July 1985.

Printed at the Government Printing Office, Stanley, Falkland Islands.
PRICE: One Pound and Fifty pence.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCIV

26 AUGUST 1985

No. 11

PROCLAMATION

No. 3 of 1985

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY SIR REX MASTERMAN HUNT, Companion of the Most Distinguished Order of Saint Michael and Saint George, Civil Commissioner for the Colony of the Falkland Islands and its Dependencies.

WHEREAS by Section 26 (2) of the Falkland Islands Legislative Council Orders 1948 to 1977 it is provided that the Legislative Council shall within three months of its dissolution be reconstituted by election and appointment at such time within three months of every dissolution as the Governor shall by Proclamation in the Gazette appoint.

AND WHEREAS the Legislative Council has been dissolved on the 6th day of September 1985.

AND WHEREAS Section 7 (1) (b) of the Falkland Islands and Dependencies (Interim Administration) Order 1982 provides that the functions of the office of Governor shall vest in and be exercisable by the Civil Commissioner.

NOW, THEREFORE, I, SIR REX MASTERMAN HUNT do HEREBY APPOINT the 3rd day of October 1985 as the day on which the election of members of the Legislative Council shall take place.

Given under my hand and the Public Seal this 8th day of August in the year of Our Lord One Thousand Nine Hundred and Eighty Five.



R. M. HUNT,
Civil Commissioner.

GOD SAVE THE QUEEN

The Constitutional (Qualification, nomination and election of candidates) Regulations 1985

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement.
2. Interpretation.
3. Regulations to be read as one with the Ordinance.
4. Elected Members of Legislative Council.
5. Qualifications of candidates.
6. Public officers who may be elected to Legislative Council.
7. Unopposed candidates.
8. Lack of candidates.
9. Votes and manner of voting.
10. Proxy vote.
11. Declaration of poll.
12. Amendment of the Ordinance.
13. Repeals.

Schedule Rules for voting by proxy

- PART 1 -
1. Application to vote by proxy.
 2. Decision of Registration Officer.
 3. Revocation of proxies and further applications.
 4. Elector who has obtained issue of proxies may vote in person.
 5. Proxy nullified on death or cessation of eligibility of his proxy.
 6. Limitations on voting by proxy.
 7. Manner of voting by proxy and casting own vote.
- PART 2 -
- Form A - Application to vote by proxy.
 - Form B - Statutory Declaration.
 - Form C - Notification to applicant to vote by proxy.
 - Form D - Proxy form.

The Falkland Islands Constitution Order 1985

The Constitutional (Qualification, nomination and election of candidates) Regulations 1985

No. 3 of 1985.

In accordance with paragraph 2 of Schedule 3 to the Falkland Islands Constitution Order 1985 the Civil Commissioner makes the following Regulations —

1. These Regulations may be cited as the Constitutional (Qualification, nomination and election of candidates) Regulations 1985 and shall come into force on the 24th day of June 1985. Citation and commencement.

2. In these Regulations unless the context otherwise requires - Interpretation.
 - “Stanley Constituency” and “Camp Constituency” shall mean the constituencies provided for in Regulation 4 of the Constitutional (Registration of Electors) Regulations 1985 and “constituency” shall mean either of those constituencies;
 - “the Constitution” shall mean the Constitution set out in Schedule 1 to the Falkland Islands Constitution Order 1985;
 - “the Ordinance” shall mean the Legislative Council (Elections) Ordinance, Cap 37;
 - “the qualifying day” shall mean in respect of the General Election taking place next after the coming into force of these Regulations the 15th day of May 1985;
 - “qualifying period” shall mean the twelve months immediately preceding the qualifying day;
 - “resident” shall have the same meaning as given to “ordinarily resident” in Section 2 of the Ordinance.

3. These Regulations shall be read as one with the Ordinance except that where there is a conflict between these Regulations and the Ordinance these Regulations shall prevail. Regulations to be read as one with the Ordinance.

4. There shall be eight elected members of Legislative Council four of whom shall represent Stanley Constituency and four of whom shall represent Camp Constituency. Elected Members of Legislative Council.

5. Subject to the disqualifications contained in Section 24 of the Constitution any citizen of a Commonwealth country who is of the age of twenty one years or more and is registered as an elector in the constituency in which he wishes to seek election and is not prohibited by the Ordinance or any other law from so voting shall be qualified to be elected as a member of Legislative Council. Qualifications of candidates.

6. (1) Any person who holds or is acting in a public office as defined by the Constitution and who is otherwise qualified to be elected as a member of the Legislative Council shall be qualified to be so elected except, subject to sub-regulation (2), any person who holds or is acting in the office of — Public officers who may be elected to Legislative Council.
 - (a) Agricultural Officer;
 - (b) Attorney General;
 - (c) Broadcasting Officer;
 - (d) Chief Executive;
 - (e) Chief Medical Officer;
 - (f) Civil Commissioner;
 - (g) Clerk of Councils;
 - (h) Collector of Customs and Harbour Master;
 - (i) Commissioner for Elections;

- (j) Crown Solicitor;
- (k) Development Officer;
- (l) Director of Civil Aviation;
- (m) Director of Public Works and his deputy;
- (n) Financial Secretary and his deputy;
- (o) General Manager of the Development Corporation whose office is hereby prescribed as a public office in accordance with Section 24 (4) (a) of the Constitution;
- (p) Government Secretary and his deputy;
- (q) Members of Her Majesty's Diplomatic Service whose offices are hereby prescribed as public offices in accordance with Section 24 (4) (a) of the Constitution;
- (r) Members of the Judiciary excluding Justices of the Peace who do not hold or act in the office of magistrate or higher judicial office;
- (s) Members of the police force;
- (t) Principal Auditor;
- (u) Registrar General;
- (v) Superintendent of Education;
- (w) Superintendent of Posts and Telecommunications.

(2) A person holding or acting in any office referred to in subregulation (1) except those referred to in paragraphs (f) and (q) thereof may stand as a candidate for election to Legislative Council if prior to his nomination as a candidate he serves on the Civil Commissioner an undertaking in writing to relinquish or, as the case may be, to cease to act in the said office if he is elected as a member of Legislative Council.

(3) If a person to whom sub-regulation (2) applies is elected to Legislative Council he shall not take his seat until he has fulfilled his undertaking and if he has not fulfilled his undertaking within thirty days of being so elected his seat shall fall vacant.

Unopposed candidates.

7. Where four candidates and no more are nominated for a constituency in accordance with the Ordinance the returning officer shall declare the candidates to be elected and shall forthwith endorse such election on the writ of election and return it to the Civil Commissioner who shall cause a notice of such election to be published in the Gazette.

Lack of candidates.

8. (1) Where less than four candidates are nominated for a constituency in accordance with the Ordinance the returning officer shall declare the election for that constituency void and the Civil Commissioner shall forthwith issue a new writ of election in accordance with Section 13 of the Ordinance which shall specify a day for nomination of candidates not later than thirty days from the issue of the writ.

(2) Where less than four candidates are nominated after the issue of a new writ of election under subregulation (1) the returning officer shall declare the candidates to be elected and shall forthwith endorse such election on the writ of election and return it to the Civil Commissioner who shall cause a notice of such election to be published in the Gazette.

(3) Where candidates are declared elected unopposed under subregulation (2) the Civil Commissioner shall issue a further writ or writs of election in accordance with Section 13 of the Ordinance and subregulation (1) until the vacant seats are filled.

Votes and manner of voting.

9. (1) Each elector may vote for such number of candidates as there are vacant seats in the constituency in which he is entitled to vote and no more.

(2) If an elector votes for less candidates than there are vacant seats his vote or votes shall be validly cast.

(3) If an elector votes for more candidates than there are vacant seats his votes shall not be validly cast and shall not be counted.

(4) The elector shall mark the ballot paper at the place provided for voting by placing the mark "X" and no other mark, writing or signature opposite the name of each candidate whom he selects.

(5) The elector shall fold the ballot paper so as to conceal his vote and place it so folded in the ballot box.

(6) The elector shall vote without undue delay and leave the polling station as soon as he has cast his vote.

10. A person may vote by proxy in the manner provided for in the Schedule to these Regulations. Proxy vote.

11. (1) The returning officer shall immediately upon completion of the counting of votes declare the number of candidates who equal the number of vacant seats counting down from the candidate who obtains the highest number of votes to be elected. Declaration of poll.

(2) If two or more candidates receive the same number of votes and if one candidate only had received those votes he would have been declared elected but because of the equality of votes it is not possible to declare a person elected to one or more seats as there would be more persons elected than seats the returning officer shall declare that seat or seats to be vacant and the persons with an equality of votes shall not be elected.

(3) When the returning officer makes a declaration under sub-regulation (2) the Civil Commissioner shall issue a further writ or writs of election in accordance with Section 13 of the Ordinance until the vacant seats are filled.

(4) The returning officer shall endorse the name of each successful candidate on the writ of election and forthwith return the writ to the Civil Commissioner who shall cause a notice of such election to be published in the Gazette.

12. The Ordinance is amended by —

(a) in Section 16 (3), the substitution of £50 for £25 and the addition before the full stop at the end of that subsection of the words "or shall be delivered by post on or before 12 noon on the same day and at the same place";

(b) the renumbering of Section 32 as "32 (1)" and the addition of the following subsection to that section —

"(2) A candidate or his agent may apply to have one recount as of right and as many other recounts as the returning officer may consider reasonable before he declares the result of the poll.";

(c) the addition to Section 38 of the following subsection —

"(3) The returning officer and the Chief Executive shall, as appropriate, give notice of the sealing of ballot papers and their destruction to each candidate and his agent who shall be entitled to be present at the sealing and destruction thereof.";

(d) the substitution in Section 39 of the words "one twentieth" for the words "one tenth" where they occur;

(e) in Section 40,

(i) the addition at the end of subsection (1) of "(d) the Attorney General";

(ii) the insertion in subsection (3) after the word "petitioner" of the words "unless he be the Attorney General".

Amendment of the
Ordinance.

Repeals.

13. Sections 15, 18, 26, 36 and 37 of the Ordinance are repealed.

SCHEDULE

RULES FOR VOTING BY PROXY

PART 1

Application to vote by proxy.

1. (1) A person may only vote by proxy if he can demonstrate that by reason of —

- (a) occupation,
- (b) health,
- (c) religion, or
- (d) temporary absence overseas

he is unable to vote in person in his constituency.

(2) A person to whom sub-rule (1) applies and who wishes to vote by proxy may apply to a Registration Officer for the constituency in which he is entitled to vote by the completion and submission of Form A in Part 2.

(3) A person who is prevented from voting in person by reason of his occupation shall accompany his application with, if self employed, a statutory declaration in Form B in Part 2, or if not self employed, with a certificate signed by his head of department, superior officer, manager or other person to whom he is responsible dealing or certifying as the case may be as to his inability to vote in person and the reason therefor.

(4) A person who is prevented from voting in person by reason of health shall accompany his application with a certificate by a recognised medical practitioner or nurse or on the unavailability of any such person of standing certifying as to his inability to vote in person and the reason therefor.

(5) A person who professes to be prevented from voting in person by reason of religious obligations shall accompany his application by a certificate of a Minister of his religion that confirms that he cannot vote for reasons of religion.

(6) A person who is prevented from voting in person by reason of temporary absence overseas shall accompany his application with a statutory declaration in Form B in Part 2.

(7) Every application under sub-rule (2) shall reach the Registration Officer not less than seven days before polling. The Registration Officer may in his absolute discretion accept a later application.

Decision of Registration Officer.

2. (1) If the Registration Officer who receives such application under Rule 1 (2) is satisfied that —

- (a) the applicant is entitled to vote by proxy, and
- (b) the person named as proxy is registered in the same register of electors as the applicant

he shall so inform the applicant in Form C in Part 2 and deliver by post or other means the completed proxy form in Form D in Part 2 to the proxy named by the applicant.

(2) For the purpose of sub-rule (1) the Registration Officer shall be deemed to have delivered the proxy form if he makes known to the proxy that the form is available for collection at the polling station on polling day.

(3) If a Registration Officer who receives an application under Rule 1 (2) is not satisfied that the applicant is entitled to vote by proxy he shall so inform the applicant in Form C in Part 2.

(4) If a Registration Officer although being satisfied that an applicant under Rule 1 (2) is entitled to vote by proxy but that the person nominated as proxy is not eligible to be a proxy for the

applicant he shall so inform the applicant in Form C in Part 2 and invite him to nominate another person provided that in his opinion the applicant will be able to make such nomination not less than 72 hours before polling.

3. (1) An elector may revoke a proxy by notice in writing to a Registration Officer.

Revocation of proxies and further applications.

(2) An elector who has revoked a proxy may apply for the issue of another.

4. An elector who has obtained the issue of a proxy may vote in person provided he does so before his proxy votes on his behalf.

Elector who has obtained issue of proxy may vote in person.

5. (1) Where the elector or his proxy dies or ceases to be eligible to vote a proxy shall become null and void.

Proxy nullified on death or cessation of eligibility of his proxy.

(2) The Registration Officer shall recover the proxy form.

6. (1) No elector may cast a proxy vote for more than two other electors.

Limitations on voting by proxy.

(2) If more than two proxies are made out in the name of the same elector the two earliest in time shall be valid.

(3) If more than two proxies issued to an elector bear the same date the elector shall be required by the returning officer at his polling station to choose those two under which he will cast votes and surrender any others.

(4) The returning officer shall cause any elector whose proxy is invalid to be so informed without undue delay.

7. (1) An elector voting as a proxy voter shall vote for the person for whom he is proxy in the same manner as he casts his own vote.

Manner of voting by proxy and casting of own vote.

(2) If an elector voting as a proxy wishes to cast his own vote he must do it at the same time as he votes as proxy.

(3) When a person votes as proxy he must produce the proxy form authorising him to vote as proxy.

PART 2

FORM A

The Constitutional (Qualification, nomination and election of candidates)
Regulations 1985

APPLICATION TO VOTE BY PROXY

To the Registration Officer for the Constituency of

1. I, of
being registered to vote in the Constituency hereby apply for
the issue of a proxy to..... of
who is entitled to vote in the same constituency.

2. I cannot attend at the Polling Station on polling day by reason of —

- * (a) my occupation
- (b) my health
- (c) my religion
- (d) my absence overseas

* (Delete whichever is not applicable and give particulars and details stating how your attendance is prevented)

3. I enclose —

- * (a) a certificate from my Head of Department
- (b) a certificate from my superior officer
- (c) a certificate from my manager
- (d) a certificate from a medical officer
- (e) a certificate from a nurse
- (f) a certificate from a Minister of religion
- (g) a certificate from another responsible person
- (h) a statutory declaration.

* (Delete whichever is not applicable)

Dated this..... day of198

.....
Signature of Applicant.

FORM B

The Constitutional (Qualification, nomination and election of candidates)
Regulations 1985

STATUTORY DECLARATION

(In support of application to vote by proxy)

I, of
do solemnly and sincerely declare as follows —

(1) (2)
I shall be absent from the Falkland Islands from about the day of
(2) (3)
198... to about the day of 198... for
.....

(1) (3)
I am self-employed and shall be unable to vote in person because
.....

And I make this solemn declaration conscientiously believing the same to be true and by virtue
of the provisions of the Statutory Declaration Act 1835.

Declared at

.....

this day of.....

Before me

.....

(1)
Commissioner for Oaths /
Justice of the Peace

(1) Delete whichever is inapplicable.

(2) Put dates

(3) Insert reason, e.g., holiday, medical treatment, business, educational purposes, carrying out urgent work at
committed to working at

FORM C

The Constitutional (Qualification, nomination and election of candidates)
Regulations 1985

NOTIFICATION TO APPLICANT TO VOTE BY PROXY

To

- * 1. Your application to vote by proxy has been rejected because
- * 2. Your application to vote by proxy has been accepted but the person named is not named on the Electoral List for Constituency and you are requested to nominate another person who is on that List.
- * 3. Your application to vote by proxy has been approved and the proxy form has been delivered to, or made available for collection by,
- * (Delete whichever is not applicable)

Date: Signed:

Registration Officer.

FORM D

The Constitutional (Qualification, nomination and election of candidates)
Regulations 1985

PROXY FORM

..... Constituency

Name

First name(s)

Sex

Date of birth or age

Address

* Registered as an elector in the Constituency is hereby authorised to
vote as proxy on behalf of —

Name

First name(s)

Sex

Date of birth or age

Address

Registered as an elector in the Constituency.

Given at Date By

Signature of

Registration Officer.

* The proxy must be qualified as an elector and registered on the same electoral list as the elector giving the proxy.

Made at Stanley this 5th day of July 1985.

R. M. HUNT,
Civil Commissioner.

THE FALKLAND ISLANDS CONSTITUTION ORDER 1985

The Constitutional (Registration of Electors) (Amendment) Regulations 1985

No. 4 of 1985.

In accordance with paragraph 2 of Schedule 3 to the Falkland Islands Constitution Order 1985 the Civil Commissioner makes the following Regulations —

1. These Regulations may be cited as the Constitutional (Registration of Electors) (Amendment) Regulations 1985 and shall come into force on the 9th day of July 1985.

Citation and commencement.

2. Regulation 7 of the Constitutional (Registration of Electors) Order 1985 is amended by the substitution of the date 16th day of July for the date 2nd day of July therein.

Amendment of Constitutional Order No. 1 of 1985.

Made the 8th day of July 1985.

R. M. HUNT,
Civil Commissioner.

Ref LEG/10/54.

The Constitutional (Qualification, nomination and election of candidates)
(No. 2) Regulations 1985

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement.
2. Amendment of the Legislative Council (Elections) Ordinance Cap 37.

THE FALKLAND ISLANDS CONSTITUTION ORDER 1985

The Constitutional (Qualification, nomination and election of candidates)
(No. 2) Regulations 1985

No. 5 of 1985.

In accordance with paragraph 2 of Schedule 3 to the Falkland Islands Constitution Order 1985 the Civil Commissioner makes the following Regulations —

Citation and commencement.

1. These Regulations may be cited as the Constitutional (Qualification, nomination and election of candidates) (No. 2) Regulations 1985 and shall come into force on the 16th day of August 1985.

Amendment of the Legislative Council (Elections) Ordinance Cap 37.

2. The Legislative Council (Elections) Ordinance, Cap 37, is amended in Section 16 by the substitution for subsection (7) of the following —

“(7) Any objection to a nomination paper shall be made to the Returning Officer before 1 p. m. on nomination day.

(8) The Returning Officer shall either disallow or allow an objection made under subsection (7).

(9) Subject to subsection (10) the decision to allow or disallow an objection shall be final and shall not be questioned in any proceedings whatsoever.

(10) Nothing contained in subsections (8) or (9) shall prevent the Supreme Court declaring that a candidate was not validly elected.”

Made this 16th day of August 1985.

R. M. HUNT,
Civil Commissioner.

The Legislative Council (Nomination and Election of Candidates Forms)
Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Nomination and election of candidates forms.

Schedule

THE CONSTITUTIONAL (REGISTRATION OF ELECTORS) REGULATIONS 1985
 The Legislative Council (Nomination and Election of Candidates Forms)
 Order 1985

No. 10 of 1985.

In accordance with Regulation 8 of the Constitutional (Registration of Electors) Regulations 1985 the Civil Commissioner makes the following Order —

Citation and commencement.

1. This Order may be cited as the Legislative Council (Nomination and Election of Candidates Forms) Order 1985 and shall come into force on the 5th day of August 1985.

Nomination and election of candidates forms.

2. The forms set out in the Schedule hereto shall be substituted for the forms set out in the First and Third Schedules to the Ordinance.

SCHEDULE

1. (FORM B - First Schedule)

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37
 AND
 THE CONSTITUTIONAL (REGISTRATION OF ELECTORS) REGULATIONS 1985
 NOMINATION FORM

Name of candidate (in full)
 Signature of candidate
 Address
 Name of proposer (in full)
 Signature of proposer
 Signed by the above named (proposer)
 in my presence the day of 198...

.....
 * Justice of the Peace
 * Commissioner for Oaths

Name of seconder (in full)
 Signature of seconder
 Signed by the above named seconder
 in my presence the day of 198...

.....
 * Justice of the Peace
 * Commissioner for Oaths

WE the undersigned being electors do hereby support the foregoing nomination —

SUPPORTERS
 Names and Signatures

WITNESSES
 Names and Signatures

1. ....	.....
2. ....	.....
3. ....	.....
4. ....	.....
5. ....	.....
6. ....	.....
7. ....	.....

* Handed in at a.m. on the day of 1985.
 * Received

.....
 Returning Officer

* Delete whichever is inapplicable

2. (FORM C - First Schedule)

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37
AND
THE CONSTITUTIONAL (REGISTRATION OF ELECTORS) REGULATIONS 1985

BALLOT PAPER

No.....

FALKLAND ISLANDS
LEGISLATIVE COUNCIL ELECTIONS

FALKLAND ISLANDS
LEGISLATIVE COUNCIL ELECTIONS

- * STANLEY CONSTITUENCY
- * CAMP CONSTITUENCY

BALLOT PAPER - COUNTERFOIL

BALLOT PAPER

ELECTOR'S SERIAL NUMBER

.....
.....
.....

* Delete whichever is inapplicable.

OFFICIAL MARK

REVERSE

No.....

(Corresponding with that on Counterfoil)

- * Stanley Constituency
- * Camp Constituency

Date

* Delete whichever is inapplicable.

3. (FORM D - First Schedule)

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37
AND
THE CONSTITUTIONAL (REGISTRATION OF ELECTORS) REGULATIONS 1985

DECLARATION

I, of

solemnly and sincerely declare that I am the same person whose name appears as

.....

No..... in the registers of electors in force for the * Camp/Stanley Constituency.

Declaration made in the presence of

(Signed)

Presiding Officer * Stanley
 * Camp

* Delete whichever is inapplicable.

4. (FORM G - Third Schedule)

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37
AND
THE CONSTITUTIONAL (REGISTRATION OF ELECTORS) REGULATIONS 1985
POSTAL BALLOT PAPER

No.....

FALKLAND ISLANDS

LEGISLATIVE COUNCIL ELECTIONS

FALKLAND ISLANDS

LEGISLATIVE COUNCIL ELECTIONS

* STANLEY CONSTITUENCY

* CAMP CONSTITUENCY

BALLOT PAPER - COUNTERFOIL

BALLOT PAPER

ELECTOR'S SERIAL NUMBER

* Delete whichever is inapplicable.

OFFICIAL MARK

REVERSE

No.....

(Corresponding with that on Counterfoil)

* Stanley Constituency

* Camp Constituency

Date

* Delete whichever is inapplicable

5. (FORM H - Third Schedule)

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37
AND
THE CONSTITUTIONAL (REGISTRATION OF ELECTORS) REGULATIONS 1985
POSTAL VOTER'S DECLARATION

I, of

solemnly and sincerely declare that I am the same person whose name appears as

.....

No..... in the register of electors (postal voters list) in force for the Constituency of

.....

(Signed)

* Stanley

* Camp

* Delete whichever is inapplicable.

6. (FORM I - Third Schedule)

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37
AND
THE CONSTITUTIONAL (REGISTRATION OF ELECTORS) REGULATIONS 1985
POSTAL VOTER'S CERTIFICATE

ELECTION IN THE CONSTITUENCY OF STANLEY
CONSTITUENCY OF CAMP

I certify that (name) who is numbered
in the register of electors (postal voters list) for the Constituency of named
above, is likely to be unable to go in person to the polling station at the election on (date of
poll) by reason on that date of —

- * illness.
- * incapacity of travelling to the voting area.
- * absence at sea, or
- * temporary absence from the Colony.
- * residing in a remote area.

Date

Signature
Doctor/Justice of the Peace/Minister of
Religion/Police Officer.

* Delete whichever is inapplicable.

Made this 8th day of August 1985.

R. M. HUNT,
Civil Commissioner.

Ref. LEC/20/8.

WRIT OF ELECTION

To the Returning Officer Stanley Constituency

WHEREAS Section 13 (1) of the Legislative Council (Elections) Ordinance provides that the Governor shall for the purpose of every general election of members of the Legislative Council issue writs of election.

AND WHEREAS Section 7 (1) (b) of the Falkland Islands and Dependencies (Interim Administration) Order 1982 provides that the functions of the office of Governor shall vest in and be exercisable by the Civil Commissioner.

NOW, THEREFORE, I, SIR REX MASTERMAN HUNT, Companion of the Most Distinguished Order of Saint Michael and Saint George, Civil Commissioner of the Falkland Islands and its Dependencies, do direct that

- (a) you receive nominations of duly qualified candidates for election to the Legislative Council at the office of the Registrar General, Stanley, on the 10th day of September 1985;
- (b) should you receive nominations for more than four candidates take a poll of electors for the election of candidates at the Town Hall, Stanley, on the 3rd day of October 1985;
- (c) you return this writ endorsed as provided by law on the 4th day of October 1985.

Given under my hand and the Public Seal this 8th day of August 1985.

R. M. HUNT,
Civil Commissioner.

Ref. LEC/20/8.

WRIT OF ELECTION

To the Returning Officer Camp Constituency

WHEREAS Section 13 (1) of the Legislative Council (Elections) Ordinance provides that the Governor shall for the purpose of every general election of members of the Legislative Council issue writs of election.

AND WHEREAS Section 7 (1) (b) of the Falkland Islands and Dependencies (Interim Administration) Order 1982 provides that the functions of the office of Governor shall vest in and be exercisable by the Civil Commissioner.

NOW, THEREFORE, I, SIR REX MASTERMAN HUNT, Companion of the Most Distinguished Order of Saint Michael and Saint George, Civil Commissioner of the Falkland Islands and its Dependencies, do direct that

- (a) you receive nominations of duly qualified candidates for election to the Legislative Council at Fox Bay East on the 10th day of September 1985;
- (b) should you receive nominations for more than four candidates take a poll of electors for the election of candidates on the 3rd day of October 1985 at the places set out in the Appendix to this Writ and such other places as may be necessary and practicable;
- (c) you return this writ endorsed as provided by law on or before the 5th day of October 1985.

Given under my hand and the Public Seal this 8th day of August 1985.

R. M. HUNT,
Civil Commissioner.

APPENDIX

Darwin	Rincon Grande
Goose Green	Douglas Station
Lively Island	Teal Inlet
Walker Creek	Salvador
North Arm	Bluff Cove
Fitzroy	Port Stephens
Speedwell Island	New Island
Fox Bay West	West Point Island
Weddell Island	Carcass Island
Beaver Island	Saunders Island
Fox Bay East	Hill Cove
Port Howard (Packes)	Chartres
Golding Island	Port Howard
Dunnose Head	Sea Lion Island
Pebble Island	Port Louis
Keppel Island	Swan Island
San Carlos	Great Island
Port San Carlos	Green Patch old settlement
Johnsons Harbour	Roy Cove old settlement.

Supplementary
WRIT OF ELECTION

To the Returning Officer Camp Constituency

WHEREAS by a Writ of Election given under my hand and the Public Seal on the 8th day of August 1985 I directed you to take a poll of electors for the election of candidates to the Legislative Council on the 3rd October 1985.

Now, I, SIR REX MASTERMAN HUNT, Companion of the Most Distinguished Order of Saint Michael and Saint George, Civil Commissioner of the Falkland Islands and its Dependencies, do direct that you may extend such poll to the 4th day of October 1985 if that shall prove necessary.

Given under my hand and the Public Seal this 23rd day of August 1985.

R. M. HUNT,
Civil Commissioner.

Ref. LEC/20/8.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCIV

26 SEPTEMBER 1985

No. 12

Appointments

Miss Janette Mary Barton, SRN, Nursing Sister, Medical Department, 29.7.85.

Mrs. Elizabeth Anne Corgnati, Clerk/Secretary, Public Service, 12.8.85.

Ronald Clifton, Houseparent, Education Department, 16.8.85.

Desmond O'Shea, Teacher, Education Department, 6.9.85.

Confirmation of Appointment

Peter Thomas King, Assistant Secretary/Clerk of Councils, Secretariat, 1.9.83.

Acting Appointments

Owen Horace McPhee, Acting Superintendent Posts & Telecommunications Department, 9.8.85.

Derek Frank Howatt, Acting Financial Secretary, Treasury Department, 9.8.85.

Mrs. Kathleen Gay Clarke, Acting Deputy Financial Secretary, Treasury Department, 9.8.85.

Patrick McPhee, Acting Superintendent of Fire Services, Public Works Department, 27.8.85.

Owen Horace McPhee, Acting Superintendent Posts & Telecommunications Department, 9.8.85 - 26.8.85.

Completion of Contract

Miss Phyllis Garner, SRN, SCM, Nursing Sister, Medical Department, 18.8.85.

Mrs. Beryl Burgess, SRN, SCM, Nursing Sister, Medical Department, 26.8.85.

Resignation

Fraser Barrett Wallace, Assistant Customs Officer, Customs & Harbour Department, 17.8.85.

NOTICES

No. 24. 12th August 1985.

The Electricity Supply Regulations 1969 (REGULATION 10)

Notice is hereby given that the rate charged for the supply of electrical energy by the Stanley Power Station has been reviewed in accordance with the Regulations and will be 16.2p per unit with effect from 1st July 1985.

Until further notice consumers liable to tax under the provisions of the Income Tax Ordinance (Cap. 32) will qualify for a rebate of 5.2p per unit with effect from 1st July 1985.

It should be noted that consumers who receive the rebate will pay 11p per unit.

Ref. ELE/2/1.

No. 25. 29th August 1985.

Air Navigation (Overseas Territories) Order 1977

With reference to Gazette Notice No. 6 dated 17th February 1984 His Excellency the Civil Commissioner has issued aerodrome licences to —

Mr. D. Hawkesworth	Sedge Island	23.8.85
Mr. P. Short	San Carlos	23.8.85

2. The aerodrome licences issued to —

Mr. W. MacBeth	Sedge Island	20.1.84.
San Carlos Sheep Farming Co., Ltd.	San Carlos	20.1.84.
Laing Mowlem ARC Joint Venture	East Cove	20.1.84.

have been terminated.

Ref. AIR/1/4c.

No. 26. 27th August 1985.

In accordance with Royal Instructions His Excellency the Civil Commissioner has appointed

WILLIAM ROBERT LUXTON

to be an unofficial member of Executive Council from the 7th day of September 1985 until the 3rd day of October 1985.

Ref EXC/19/1.

No. 27. 30th August 1985.

General Election 1985

In accordance with Section 22 of the Legislative Council (Elections) Ordinance His Excellency the Civil Commissioner has approved the following hours of polling —

Stanley Constituency — 9 a.m. to 6 p.m.

Camp Constituency — 8 a.m. to 8 p.m.

Ref. LEC/20/8.

No. 28. 17th September 1985.

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE (CAP 37) AND THE CONSTITUTIONAL (QUALIFICATION, NOMINATION AND ELECTION OF CANDIDATES) REGULATIONS 1985

Notice of Election

In accordance with Regulation 7 of the Constitutional (Qualification, Nomination and Election of Candidates) Regulations 1985 I give notice that —

ANTHONY THOMAS BLAKE

LIONEL GEOFFREY BLAKE

ROBIN MYLES LEE

TIMOTHY JOHN DUROSE MILLER

have been elected unopposed as members of the Legislative Council for Camp Constituency.

Ref. LEC/20/8.

No. 29. 17th September 1985.

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE (CAP 37) AND THE CONSTITUTIONAL (QUALIFICATION, NOMINATION AND ELECTION OF CANDIDATES) REGULATIONS 1985

Notice of Election

In accordance with Section 19 of the Legislative Council (Elections) Ordinance, Cap 37, I give notice that a Poll will be taken on Thursday, 3rd October 1985, at the Town Hall, Stanley, for the election of members to Legislative Council for Stanley Constituency.

2. The candidates for election are as follows —

Candidate : TERENCE SEVERINE BETTS

Proposer : Gavin Phillip Short

Seconder : Wallace Carlinden Hirtle

Supporters : William Roderick Halliday Morrison

Barry Marwood Neilson

Arthur McBain

Trevor Osnetti Browning

Malcolm George Stanley Binnie

Martin James Clarke

Keith Gordon Stewart.

Candidate : WILLIAM EDWARD BOWLES

Proposer : Angus Jaffray

Seconder : Joan Eliza Middleton

Supporters : Tony Pettersson

Alison Thom

Ernest Falkland Luxton

John Thain

Caroline Middleton

Violet Malvina Emily Robson

Eugene Williams.

Candidate : JOHN EDWARD CHEEK

Proposer : Brian Summers

Seconder : Velma Malcolm

Supporters : Anthony Richard Chater

Jessie Booth

Caroline Mary Aldridge

Angus Jaffray

Cecil William Wickham Bertrand

Michael Anthony Pole-Evans

Teresa Rose Finlayson.

Candidate : DARWIN LEWIS CLIFTON

Proposer : Eugene Williams

Seconder : Marjorie May McPhee

Supporters : William Albert May

James Steven Fairfield

Claudette Mozley

Violet Malvina Emily Robson

Theodore Clovis Fleuret

Ernest Falkland Luxton

Vernon Thomas King.

Candidate : NORMA EDWARDS

Proposer : Alice Mary Etheridge

Seconder : Arthur Henry Ford

Supporters : Iris Blanche Summers

Edith Catherine Summers

Carol Eynon

Vivienne Esther Mary Perkins

Hazel Alazia

William John Poole

Candy Joy Blackley.

Candidate : DEREK STANLEY EVANS

Proposer : Lena Grace Gertrude Bennett

Seconder : Dorothy Maise Clement

Supporters : Dorothy Irene Thom

Norma Ann Thom

Margaret Wilhelmina Middleton

Fraser Barrett Wallace

Alice Mary Etheridge

Mary Ann Morrison

James Claude Harvey.

Candidate : CHARLES DESMOND KEENLEYSIDE
Junior

Proposer : William Henry Roberts

Seconder : Kathleen Gladys Berntsen

Supporters : Alva Ynonne Turner

John Smith

Elsie Maud Butler

Owen Horace McPhee

Betty Lois Miller

James Andrew Alazia

Sybil Grace Luxton.

Candidate : PHILLIP JOHN MIDDLETON

Proposer : James Turner Clement

Seconder : Isabella Violet Felton

Supporters : Henry Millar Milne

Fayan Morrison

Charles Ronald Buckland

Jeremy Peter Baylis

Derek Stanley Evans

John Smith

Alva Ynonne Turner.

Candidate : TERENCE JOHN PECK
Proposer : Patrick William Peck
Seconder : Martin James Clarke
Supporters : Freda Alazia
 Robert John King
 Ernest Reive
 Michael James Murphy
 Rowena Elsie Summers
 Albert John Hatch
 Robert Stewart.

Ref. LEC/20/8.

No. 30. 19th September 1985.

The following Orders in Council came into operation on the 3rd October 1985 —

The Falkland Islands (Appeals to Privy Council) Order 1985 (SI 1985/445)

The South Georgia and South Sandwich Islands Order 1985 (SI 1985/449)

The South Georgia and South Sandwich Islands (Appeals to Privy Council) Order 1985 (SI 1985/450)

Copies may be inspected at The Secretariat, Stanley, Falkland Islands, or obtained from Her Majesty's Stationery Office, price £1.30.

Ref. CSO/7/1.

No. 31. 19th September 1985.

1. His Excellency the Civil Commissioner has appointed Michael James Elks as Deputy Registrar of the Supreme Court with effect from 12th July 1985.

2. His Excellency the Civil Commissioner has appointed Anthony Ivall Aust as Crown Counsel of the Colony with effect from 12th July 1985.

Ref. STF/11.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint —

CORPORAL NIGEL ROBERT DICKENS, R.A.F.,
 to be a temporary Customs Officer with effect from the 9th August 1985 to the 10th December 1985.

L. J. HALLIDAY,
Collector of Customs.

In the Supreme Court of the Falkland Islands NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER OF Coral Inez Barton, deceased of Teal Inlet, Falkland Islands, who died at Stanley, Falkland Islands on the 10th day of October 1984, intestate.

WHEREAS John David Barton 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 twenty-one days of the publication hereof.

S. HALFORD,
Acting Registrar.

Stanley,
 Falkland Islands,
 21st August 1985.
 PRO/13/84.

By His Excellency the Civil Commissioner

R. M. Hunt,
Civil Commissioner.

WHEREAS on the 30th day of July 1985 the Civil Commissioner in Council by resolution declared that the following land, namely —

ALL that piece of land comprising 1917 square yards or thereabouts situate in the town of Stanley being parts of Lots 6, 7 and 8 in Section E comprised in Crown Grant number 330 and located opposite to the King Edward Memorial Hospital and having frontages both to St. Mary's Walk and to Allardyce Street,
 should be acquired for public purposes.

THEREFORE I do hereby direct that the said land shall be acquired for a public purpose under and in accordance with the Land Ordinance.

Given under the Public Seal this 24th day of September 1985.

LS

By Command

D. G. P. TAYLOR,
Chief Executive.

The Defence Force (Hair) Regulations Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Moustaches.
3. Beards.
4. Discontinuance of use of razor or shaver.
5. Trimming of hair, beards, moustaches and whiskers.
6. Hair of female members of the Force.

THE DEFENCE FORCE ORDINANCE 1985

The Defence Force (Hair) Regulations Order 1985

No. 11 of 1985.

In accordance with Section 46 of the Defence Force Ordinance 1985 the Civil Commissioner in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Defence Force (Hair) Regulations Order 1985 and shall come into force on the 13th of August 1985.

Moustaches.

2. Members of the Force may wear moustaches without permission.

Beards.

3. (1) Members of the Force may wear beards if so permitted in writing by the Staff Officer.

(2) Members of the Force who wish to grow beards shall apply in writing to the Staff Officer prior to discontinuing the use of the razor or shaver.

(3) It shall be a disciplinary offence for a member of the Force to appear on any parade with facial hair unshaven except on the upper lip unless permission has been granted under Regulation 3 or the member produces to the parade commander a certificate signed by a Government medical officer that the member may not shave for medical reasons.

Discontinuance of use of razor or shaver.

4. When permission has been granted under Regulation 3 the use of the razor or shaver shall be discontinued entirely.

Trimming of hair, beards, moustaches and whiskers.

5. Hair, beards, moustaches and whiskers are to be neatly trimmed and so far as is practicable uniformity in length is to be observed.

Hair of female members of the Force.

6. Female members of the Force whose hair is not worn short shall put their hair up in a style or manner suitable for wearing with uniform.

Made this 8th day of August 1985.

R. M. HUNT,
Civil Commissioner.

Ref. SEC/1/1.

The Wireless Telegraphy Regulations (Amendment) Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Amendment of Wireless Telegraphy Regulations.

THE WIRELESS TELEGRAPHY ORDINANCE Cap 78

The Wireless Telegraphy Regulations (Amendment) Order 1985

No. 12 of 1985.

In accordance with Section 4 of the Wireless Telegraphy Ordinance Cap 78 the Civil Commissioner in Council makes the following Order —

- | | |
|---|--|
| <p>1. This Order may be cited as the Wireless Telegraphy Regulations (Amendment) Order 1985 and shall come into force on the 1st day of April 1986.</p> | <p>Citation and commencement.</p> |
| <p>2. The Wireless Telegraphy Regulations are amended by the revocation of Regulation 11 (v).</p> | <p>Amendment of Wireless Telegraphy Regulations.</p> |

Made this 8th day of August 1985.

R. M. HUNT,
Civil Commissioner.

Ref./10/4.

The Immigration Regulations (Amendment) (No. 2) Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Amendment of Regulations No. 1 of 1965.

Schedule

THE IMMIGRATION ORDINANCE 1965

The Immigration Regulations (Amendment) (No. 2) Order 1985

No. 13 of 1985.

In accordance with Section 26 of the Immigration Ordinance 1965, the Civil Commissioner in Council makes the following Order —

1. This Order may be cited as the Immigration Regulations (Amendment) (No. 2) Order 1985 and shall come into force on the date hereof.

Citation and commencement.

2. The Immigration Regulations 1965 are amended by —

Amendment of Regulations No. 1 of 1965.

(a) the addition to Regulation 4 of the following sub-regulation

“(3) An entry permit or employment permit may be entered or stamped in the passport of the person to whom it is granted.”;

(b) the substitution of Forms A and B in the Schedule hereto respectively for Forms 3 and 8 in the Schedule to the Regulations.

SCHEDULE

FORM A

FALKLAND ISLANDS

Employment Permit

Immigration Ordinance 1965

The holder of this passport is permitted to enter the Colony and to remain therein for a period not exceeding months from the date of such entry for the purpose of taking up employment with

Dated

.....
Immigration Officer

FORM B

FALKLAND ISLANDS

Notice to Prohibited Immigrant

Immigration Ordinance 1965

To

In accordance with Section 6 (1) of the Immigration Ordinance 1965 and other provisions thereof I have decided that you are a prohibited immigrant by reason that you are :

.....
.....

I order you (a) to leave the Falkland Islands by the vessel/aircraft on which you arrived

or (b) to leave the Falkland Islands within from the date hereof

Dated this day of 198....

.....
Immigration Officer

N.B. RIGHT OF APPEAL

Under Section 6 (2) of the Immigration Ordinance 1965 you have a right of appeal to the Governor in Council against the decision of the Immigration Officer contained in the above written notice.

Made this 8th day of August 1985.

R. M. HUNT,
Civil Commissioner.

Ref. IMM/10/1.

The Harbour Regulations (Amendment) (No. 3) Order 1985

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Amendment of Harbour Regulations.

THE HARBOUR ORDINANCE Cap 30

The Harbour Regulations (Amendment) (No. 3) Order 1985

No. 14 of 1985.

In accordance with Section 3 of the Harbour Ordinance Cap 30 the Civil Commissioner in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Harbour Regulations (Amendment) No 3 Order 1985 and shall come into force with effect from the 1st day of September 1985.

Amendment of Harbour Regulations.

2. The Harbour Regulations are amended by the substitution of the following for Item 1 in Schedule III —

"1. HARBOUR DUES

(1) The following harbour dues shall be payable on all vessels arriving in the Colony —

	£
Yachts ...	30
Vessels under 15 tons ...	30
Vessels of 15 tons and up to 50 tons ...	128
Vessels of over 50 tons and up to 800 tons ...	168
Vessels of over 800 tons and up to 1,000 tons ...	214
Vessels of over 1,000 tons and up to 1,500 tons ...	248
Vessels of over 1,500 tons and up to 2,000 tons ...	306
Vessels of over 2,000 tons and up to 5,000 tons ...	368
Vessels of over 5,000 tons and up to 7,000 tons ...	460
Vessels of over 7,000 tons and up to 10,000 tons ...	686
Vessels of over 10,000 tons and up to 15,000 tons ...	840
Vessels of over 15,000 tons and up to 20,000 tons ...	990
Vessels of over 20,000 tons ...	1,140
Locally registered vessels normally employed in trading ...	Free.

(2) Double the harbour dues prescribed under (1) above shall be payable on every passenger vessel carrying more than 12 passengers arriving in the Colony.

(3) An additional charge shall be made in respect of vessels, other than yachts and vessels under 15 tons, which remain in the harbour for a period of more than 24 hours, for every additional and consecutive period of 24 hours or part thereof at the rate of one half of the harbour dues prescribed in (1) or (2) above."

Made this 23rd day of August 1985.

R. M. HUNT,
Civil Commissioner.

Ref. CUS/10/3.



THE FALKLAND ISLANDS GAZETTE

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No. 13

Promotion

Anton Livermore, from Constable, Falkland Islands Police Force to Station Sergeant, Falkland Islands Police Force, 1.10.85.

Appointments

Mrs. Candy Joy Blackley, Clerk, Public Service, 2.1.85.

Mrs. Sharon Halford, Registrar General, Justice Department, 1.7.85.

Miss Karen Anne McMaster, Assistant Teacher, Education Department, 20.9.85.

Miss Alison Harrod, Administrative Assistant/Office Manager, Agricultural Research Centre, 23.9.85.

Mrs. Maria Lilian Wallace, Secretary / Typist, Agricultural Research Centre, 23.9.85.

Major B. Summers, Staff Officer, Falkland Islands Defence Force, 27.9.85.

Mrs. Sheena Ross, Clerk, Public Service, 28.9.85.

Dr. Robert James McIlroy, M.B., Ch.B., Medical Officer, Medical Department, 4.10.85.

Acting Appointments

John Coutts, Acting Senior Engineer, Aviation Department, 3.9.85.

James Stephenson, Acting Income Tax Officer, 21.5.85 - 22.9.85.

Jeremy Peter Baylis, Acting Superintendent of Education, Education Department, 27.9.85.

James Mahony, Acting Headmaster, Senior School, Education Department, 27.9.85.

Derek Frank Howatt, Acting Financial Secretary, Treasury Department, 9.8.85 - 30.9.85.

Mrs. Kathleen Gay Clarke, Acting Deputy Financial Secretary, Treasury Department, 9.8.85 - 30.9.85.

Andrew Samuel Brownlee, Assistant Secretary/Clerk of Councils, Secretariat, 24.9.85 - 15.10.85.

Completion of Contract

Ronald Walker, Clerk of Works, Public Works Department, 13.5.85.

Dr. David John Edwards-Moss, M.B., B.S., Medical Officer, Medical Department, 22.9.85.

Transfer

Stephen Leslie Burston from Storeman, Central Store to Police Constable, Falkland Islands Police Force, 1.10.85.

Len Stanford McGill from Office Manager, Public Works Department to Police Constable, Falkland Islands Police Force, 1.10.85.

Resignations

Mrs. Tracy Porter (née Peck) Cashier, Treasury Department, 28.6.85.

Donald William Betts, Engineman, Power Generation Section, Public Works Department, 22.9.85.

Major P. W. Peck, Staff Officer, Falkland Islands Defence Force, 26.9.85.

Miss Alison Thom, Houseparent, Education Department, 12.10.85.

Miss Janette Mary Barton, S.R.N., Nursing Sister, Medical Department, 27.10.85.

NOTICES

No. 32. 9th October 1985.
THE LEGISLATIVE COUNCILS (ELECTIONS) ORDINANCE CAP 37
AND THE CONSTITUTIONAL (QUALIFICATION, NOMINATION AND
ELECTION OF CANDIDATES) REGULATIONS 1985

NOTICE OF ELECTION

In accordance with Regulation 11 of the Constitutional (Qualification, Nomination and Election of Candidates) Regulations 1985 I give notice that

JOHN EDWARD CHEEK
DARWIN LEWIS CLIFTON
NORMA EDWARDS

CHARLES DESMOND KEENLEYSIDE (Junior)

at a poll taken on the 3rd day of October 1985 have been elected as members of the Legislative Council for Stanley Constituency.

R. M. HUNT,
Governor.

Ref. LEC/35/1 Vol. II.

No. 33. 9th October 1985.

On the 8th day of October 1985 the following persons were elected by the elected members of Legislative Council to be members of Executive Council —

THE HONOURABLE A. T. BLAKE
THE HONOURABLE D. L. CLIFTON
THE HONOURABLE C. D. KEENLEYSIDE.

Ref. EXC/19/1c.

No. 34. 10th October 1985.

Promotions

His Excellency the Governor has been pleased to make the following promotions in the Falkland Islands Defence Force with effect from 27th September 1985 —

CAPTAIN B. SUMMERS to the rank of MAJOR
LIEUTENANT M. RENDELL to the rank of CAPTAIN.

Ref. SEC/19/1.

No. 35. 14th October 1985.

DEPARTURE OF SIR REX HUNT, C.M.G.

It is hereby notified for general information that —

SIR REX HUNT, C.M.G.,

left the Colony on retirement on the 13th October 1985.

Ref. P/1508.

No. 36. 16th October 1985.

D. G. P. TAYLOR - ACTING GOVERNOR

It is hereby notified for general information that —

DAVID GEORGE PENDLETON TAYLOR, ESQUIRE,
acted as Governor of the Colony during the period from the 13th October 1985 until the making of the oaths of allegiance and due execution of office by His Excellency the Governor on the 16th October 1985.

Ref. P/1677.

No. 37.

16th October 1985.

Assumption of Administration

GORDON WESLEY JEWKES, Esquire, C.M.G.

It is hereby notified for general information that —

GORDON WESLEY JEWKES, ESQUIRE, C.M.G.,
has this day entered upon the functions of the office of Governor having made the oaths of allegiance and for the due execution of office provided for in Section 18 (3) of the Constitution.

Ref. P/1778.

No. 38.

18th October 1985.

With reference to Gazette Notice No. 6 of 19th February 1985 the following names are hereby added to the list of Medical Practitioners, Midwives and Dentists registered to practise in the Colony in accordance with Section 4 of the Medical Practitioners, Midwives and Dentists Ordinance (Cap. 45) —

<i>Medical Practitioner</i>	<i>Qualifications</i>
HASTINGS, Peter Douglas	BSC. MB. CHB. MRCOG, DCII, DRCOG.
McGREGOR, Ian Alexander	MB, CHB, DTM & H.
McILROY, Robert James	MB, CHB.

Ref. MED/7/3.

No. 39.

21st October 1985.

The findings of the Cost of Living Committee for the quarter ended 30th September 1985 are published for general information —

<i>Quarter ended</i>	<i>Percentage increase over 1971 prices</i>
30th September 1985	422.26%

2. Hourly paid employees in Stanley qualify for an increase of 3½p per hour with effect from 1st October 1985.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

MAJOR R. W. WILBY

to be a temporary Customs Officer, South Georgia, with effect from 24th October 1985.

L. J. HALLIDAY,
Collector of Customs.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of Alfred Francis Lee, deceased of Stanley, Falkland Islands, who died at Stanley on the 18th day of September 1984, intestate.

WHEREAS Alfred Leslie Lee 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.
Stanley,
Falkland Islands.
16th October 1985.

Ref. PRO/13/85.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of William Campbell MacBeth, deceased of Stanley, Falkland Islands, who died at Stanley on the 26th/27th April 1985, intestate.

WHEREAS Rowena Elsie Summers 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
Falkland Islands.
16th October 1985.
Ref. PRO/9/85.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of Stanislaw Kryszczak, deceased of Stanley, Falkland Islands, who died at Stanley on the 21st day of July 1985, intestate.

WHEREAS Sharon Halford as Official Administrator has applied for letters of administration to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to Section 15 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
Falkland Islands.
16th October 1985.
Ref. PRO/6/85.

PROCLAMATION

No. 4 of 1985

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY SIR REX MASTERMAN HUNT, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands.

WHEREAS it is provided by Section 32 (1) of the Constitution that each session of the Legislative Council shall be held at such place and shall begin at such time as the Governor may appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, REX MASTERMAN HUNT, do hereby PROCLAIM that the next session of the Legislative Council of the Falkland Islands shall be held at the Town Hall, Stanley, and shall begin at 11.00 in the forenoon on Tuesday the 8th day of October 1985.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 4th day of October in the year of our Lord One thousand Nine hundred and Eighty-five.

LS

R. M. HUNT,
Governor.

GOD SAVE THE QUEEN

Ref. LEC/35/1 II.

FALKLAND ISLANDS

The following COMMISSION passed under the Royal Sign Manual and Signet, appointing GORDON WESLEY JEWKES, ESQUIRE, C.M.G., to be Governor of the Falkland Islands, is published for general information.

Dated 16 September, 1985

ELIZABETH R.

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.

To Our Trusty and Well-beloved Gordon Wesley Jewkes, Esquire,
Companion of Our Most Distinguished Order of Saint Michael and
Saint George,

GREETING :

Appointment of
G. W. Jewkes, Esquire,
C.M.G., to be Governor.

I. We do, by this Our Commission under Our Sign Manual and Signet, appoint you, the said Gordon Wesley Jewkes, to be, with effect from the time of your disembarkation in Our said Colony, Our Governor of Our Colony of the Falkland Islands during Our pleasure, with all the powers, rights, privileges and advantages to the said Office belonging or appertaining.

Officers and others to
obey.

II. And We do hereby command all and singular Our Officers and loving subjects in Our said Colony, and all others whom it may concern, to take due notice hereof, and to give their ready obedience accordingly.

Termination of this
Commission.

III. And We do hereby direct that this Our Commission shall determine upon signification to that effect being given by Us through one of Our Principal Secretaries of State.

Given at Our Court at Saint James's, this Sixteenth day of September, 1985, in the Thirty-fourth Year of Our Reign.

BY HER MAJESTY'S COMMAND,
GEOFFREY HOWE.

COMMISSION appointing
Gordon Wesley Jewkes, Esquire, C.M.G.,
to be Governor of the
FALKLAND ISLANDS.



BY THE QUEEN
A PROCLAMATION

DETERMINING THE SPECIFICATIONS AND DESIGN FOR, AND GIVING
CURRENCY TO, A SILVER AND CUPRO-NICKEL FIFTY PENCE COIN
IN THE FALKLAND ISLANDS

ELIZABETH R.

We, in exercise of the powers conferred by section 11 of the Coinage Act 1870, section 2 (3) of the Decimal Currency Act 1967, and of all other powers enabling Us in that behalf, do hereby, by and with the advice of Our Privy Council, proclaim, direct and ordain as follows —

1. This Proclamation shall be published in the Official Gazette of the Falkland Islands and shall come into force there on the date of such publication.

2. (1) The following new coins, being coins of the denomination of fifty pence, of a standard weight of 28.2759 grammes, a standard diameter of 38.608 millimetres and a circular shape, shall be made —

- (a) a silver coin of millesimal fineness 925; and
- (b) a cupro-nickel coin of a standard composition of seventy-five per centum copper and twenty-five per centum nickel.

(2) In the making of the said silver coin a remedy (that is, a variation from the standard weight, diameter or millesimal fineness specified above) shall be allowed of an amount not exceeding the following, that is to say —

- (a) a variation from the said standard weight of an amount per coin (measured as the average of a sample of not more than one kilogramme of the coin) of 0.1296 grammes;
- (b) a variation from the said standard diameter of 0.125 millimetres per coin; and
- (c) a variation from the said millesimal fineness of 5.

(3) In the making of the said cupro-nickel coin a remedy (that is a variation from the standard weight, diameter or composition specified above) shall be allowed of an amount not exceeding the following, that is to say —

- (a) a variation from the said standard weight of an amount per coin (measured as the average of a sample of not more than one kilogramme of the coin) of 0.1296 grammes;
- (b) a variation from the said standard diameter of 0.125 millimetres per coin; and
- (c) a variation from the said standard composition of two per centum.

3. The design for each coin shall be as follows —

- (a) For the obverse impression Our effigy with the inscription "QUEEN ELIZABETH II" to the left of the portrait, with "FALKLAND ISLANDS" to the right and at the bottom "50 PENCE".

(b) For the reverse impression a portrait of His Royal Highness The Prince Andrew with the inscription "OPENING OF MOUNT PLEASANT AIRPORT MAY 1985".

(c) Every coin shall have a graining upon the edge.

4. The said coins shall be current within Our Colony of the Falkland Islands.

GIVEN at Our Court at Buckingham Palace, this fifteenth day of May in the year of our Lord One thousand nine hundred and eighty-five and in the thirty-fourth year of Our Reign.

GOD SAVE THE QUEEN



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCIV

29 NOVEMBER 1985

No. 14

Appointments

Miss Susan Elizabeth Keith Cameron, Administrative Assistant, Falkland Islands Government Office, London, 1.10.85.

Miss Glynis Margaret King, Clerk, Public Service, 28.10.85.

John Christopher Rowland, Police Constable, Falkland Islands Police Force, 22.11.85.

James Peck, Storeman, Central Store, Treasury Department, 11.11.85.

Mrs. Joan Margaret Plows, S.R.N., Chief Nursing Officer, Medical Department, 24.11.84.

Acting Appointments

Jeremy Peter Baylis, Acting Superintendent of Education, Education Department, 27.9.85 - 7.11.85.

James Mahony, Acting Headmaster, Senior School, Education Department, 27.9.85 - 7.11.85.

Mrs. Eileen Hughes, Acting Deputy Postmistress, Mount Pleasant Post Office, Posts and Telecommunications Department, 18.11.85.

Mrs. Jane Sherwood, Acting Registrar General, Justice Department, 18.11.85.

Transfers

Rex Browning from Assistant Secretary, Secretariat to Deputy Government Secretary & Establishments Officer, 26.3.83.

Peter Bernard Gilding from Teacher, Education Department to Head of Hostel, Education Department, 8.10.85.

Mrs. Jeannie Paullina Burston from Clerk, Customs & Harbour Department to Assistant Customs Officer 19.11.85.

Resignations

Mrs. Janet Ross (née Ashworth), Clerk, Police & Prisons Department, 11.10.85.

Miss Christine Hirtle, Clerk, Public Service, 13.11.85.

Neil Rogers, Engineman, Power Generation Section, Public Works Department, 23.11.85.

Peter Anthony Collins, Field Assistant, Agricultural Research Centre, 28.11.85.

Abolition of Office

Kenneth William Halliday, Operator/Technician, Fox Bay, 2.11.85.

Dismissal

Eric Smith, Clerk, Public Service, 14.10.85.

NOTICES

No. 40. 28th October 1985.

In accordance with Section 3 of the Administration of Justice Ordinance His Excellency the Governor has appointed

REX BROWNING

a Magistrate for the Colony of the Falkland Islands with effect from 18th October 1985.

Ref. LEG/19/5.

No. 41. 29th October 1985.

In accordance with Section 7B of the Administration of Justice Ordinance His Excellency the Governor has appointed

GERARD CARMEL BYRNE

Senior Magistrate with effect from 29th October 1985.

Ref. LEG/19/5.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint —

SERGEANT ALAN JAMES BELL, R.A.F.,

to be a temporary Customs Officer with effect from the 26th October 1985 to the 26th February 1986.

L. J. HALLIDAY,

Collector of Customs.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER of Ludvick Riley Anderson, deceased of Stanley, Falkland Islands, who died at Stanley on the 24th day of September 1985, intestate.

WHEREAS Linda Margaret Lyse 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
Falkland Islands,
5th November 1985.
Ref. PRO/17/85.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER of Lena Isabella Eleanor Goodwin, deceased of Stanley, Falkland Islands, who died at Stanley on the 1st day of September 1985, intestate.

WHEREAS Gloria Thorsen 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
Falkland Islands.
13th November 1985.
Ref. PRO/14/85.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCIV

31 DECEMBER 1985

No. 15

Appointments

Darren Livermore, Laboratory Assistant, Agricultural Research Centre, 1.10.85.

Gerard Carmel Byrne, Senior Magistrate, Justice Department, 29.10.85.

Acting Appointments

Rudy Thomas Clarke, Acting Mechanical Superintendent, Plant and Vehicle Workshop, Public Works Department, 2.12.85.

Patrick McPhee, Acting Superintendent of Fire Services, Public Works Department, 27.8.85 - 17.12.85.

Completion of Contracts

Colin George Davies, Teacher, Education Department, 18.12.85.

Barry Leonard Chandler, Senior Mechanic, Public Works Department, 24.12.85.

Resignations

Miss Anna Constance Eve King, Cashier, Treasury Department, 1.11.85.

Miss Catherine Ashworth, Clerk, Philatelic Bureau, Posts & Telecommunications Department, 6.12.85.

NOTICES

No. 42. 17th December 1985.

Intimation has been received from the Right Honourable the Secretary of State for Foreign and Commonwealth Affairs to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinance of the Colony.

No.	Title	Ref.
11/85	The Land (Amendment) Ordinance 1985	LND/10/1.

No. 43.

6th December 1985.

In accordance with Section 75 of the Constitution His Excellency the Governor has constituted the offices of Chief Executive, Financial Secretary, Attorney General and Principal Auditor and confirmed —

David George Pendleton Taylor, Esquire, as Chief Executive

Harold Theodore Rowlands, Esquire, O.B.E., as Financial Secretary

Michael Charles Lloyd Gaiger, Esquire, as Attorney General

and appointed —

Colin Dennis Wright, Esquire, as Principal Auditor

Ref. LEG/10/54.

No. 44.

9th December 1985.

In accordance with Section 43 of the Administration of Justice Ordinance His Excellency the Governor has appointed —

ROSE MARY McILROY

a Notary Public with effect from 6th December 1985.

Ref. LEG/19/5.

No. 45.

9th December 1985.

In accordance with Section 29(2) of the Administration of Justice Ordinance His Excellency the Governor has appointed —

GERARD CARMEL BYRNE

Deputy Coroner for a period of six months with effect from 6th December 1985.

Ref. LEG/19/3.

No. 46. 23rd December 1985.

In accordance with the proviso to Section 8 of the Administration of Justice Ordinance (Cap. 3) His Excellency the Governor has appointed —

GERARD CARMEL BYRNE

to act as Judge of the Supreme Court of the Colony in any and all matters relating to the Administration of Estates Ordinance or the Matrimonial Causes Ordinance 1979 for a period of six months with effect from 19th December 1985.

Ref. LEG/19/5.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint —

CORPORAL JOHN WILLIAM WALKER, R.A.F.,

to be a temporary Customs Officer with effect from the 2nd December 1985 to the 2nd April 1986.

L. J. HALLIDAY,
Collector of Customs.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of Albert Richard Cletheroe, deceased of Stanley, Falkland Islands, who died at Stanley on the 20th day of September 1985 leaving a Will dated the 21st day of May 1979.

WHEREAS the executor of the said Will did not survive the deceased.

AND WHEREAS Ellen Emily Cletheroe has applied for Letters of Administration with the Will annexed 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
Falkland Islands.
31st December 1985.
PRO/12/85.

Application for Publican's Retail Licence

In accordance with Section 7 (1) of the Licensing Ordinance an application has been made by Mr. Charles Ronald Buckland, Stanley, for a Publican's Retail Licence in respect of the premises known as the Globe Hotel.

Any objection to the granting of a licence must be made not later than 23rd January 1986.

The Treasury,
Stanley.

31st December 1985.

H. T. ROWLANDS,
Financial Secretary.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE 1983
(Section 2)

Resolution of Legislative Council

No. 10 of 1985.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1983 that—

1. The companies and bodies the names of which are set out in the Schedule hereto and the employees thereof (hereafter together called "the exempted persons") shall be exempt from—

- (a) Taxes imposed under the Income Tax Ordinance Cap 32.
- (b) Contributions imposed under the Old Age Pensions Ordinance 1952.
- (c) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
- (d) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1(c) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical and dental treatment received by them from the Falkland Islands Medical Services.

3. The exemptions provided for in this Resolution shall, subject to the proviso hereafter contained, remain in force for a period of two years from the 1st day of January 1986.

Provided that—

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said companies, bodies and employees in relation to taxes, contributions, levies and dues which but for the exemption would have been imposed on profits, income, imports and use of harbours arising out of or occasioned by or in relation to work undertaken on the maintenance services and construction work for British Forces Falkland Islands and works related thereto;
- (b) an employee for the purposes of this Resolution shall not include—
 - (i) a person recruited by any of the said companies and bodies in the Falkland Islands whether or not such person is a resident thereof;
 - (ii) a person whom the Financial Secretary is satisfied is normally resident in the Falkland Islands in whatever country that person may have been recruited;
- (c) an exemption may at any time be revoked in respect of any of the said companies, bodies or employees;
- (d) (i) if an exemption is revoked in respect of any exempted person, or
 - (ii) an exempted person ceases to carry out maintenance services and construction work for British Forces Falkland Islands or works related thereto

the exemption shall cease to apply to such exempted person.

SCHEDULE

- (a) Property Services Agency
Turner Diesel Limited
Kelvin Catering (Camps) Limited
Bristows Helicopters Limited
ITM Offshore Limited
Amey Roadstone Construction Limited
Trojan Structures Limited
Wallminster Limited
- (b) Such other companies or bodies which the Financial Secretary is satisfied are contractors or sub-contractors for the companies or bodies referred to in paragraph (a) of this Schedule.

4. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 10 of 1985.

P. T. KING,
Clerk of Councils.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE 1983

(Section 2)

Resolution of Legislative Council

No. 11 of 1985.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1983 that —

1. The companies and bodies the names of which are set out in the Schedule hereto and the employees thereof (hereafter together called "the exempted persons") shall be exempt from —

- (a) Taxes imposed under the Income Tax Ordinance Cap 32.
- (b) Duties imposed under the Customs Ordinance Cap 16.
- (c) Contributions imposed under the Old Age Pensions Ordinance 1952.
- (d) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
- (e) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1(b) is subject to the condition that exempted persons do not sell or give any dutiable goods to any body or person who is not exempted from payment of duties under the said Ordinance.

3. The exemption under paragraph 1(d) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical and dental treatment received by them from the Falkland Islands Medical Services.

4. The exemptions provided for in this Resolution shall, subject to the proviso hereafter contained, remain in force for the period from the 1st day of November 1985 to the 30th day of June 1987.

Provided that —

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said companies, bodies and employees in relation to taxes, duties, contributions, levies and dues which but for the exemption would have been imposed on profits, income, imports and use of harbours arising out of or occasioned by or in relation to work undertaken on the construction of Mount Pleasant Airport and the road from that airport to Stanley and works related thereto;
- (b) an employee for the purposes of this Resolution shall not include —
 - (i) a person recruited by any of the said companies and bodies in the Falkland Islands whether or not such person is a resident thereof;
 - (ii) a person whom the Financial Secretary is satisfied is normally resident in the Falkland Islands in whatever country that person may have been recruited;
- (c) an exemption may at any time be revoked in respect of any of the said companies, bodies or employees;
- (d) (i) if an exemption is revoked in respect of any exempted person, or
 - (ii) an exempted person ceases to carry out work on the construction of the Mount Pleasant Airport, the road from that airport or works related thereto

the exemption shall cease to apply to such exempted person.

SCHEDULE

- (a) Property Services Agency
 John Laing Construction Limited
 Mowlem International Limited
 Amey Roadstone Construction Limited
 Wimpey Major Projects Limited
 Taylor Woodrow International Limited
 Kelvin Catering (Camps) Limited
 Cenargo Limited
 McTay Engineering Limited
 GEC Diesels Limited
 Balfour Kilpatrick Limited (International Division)
 British Leyland
 Bowmaker Limited
 Neil and Spencer Limited
 The Brightside Mechanical and Electrical Services Group Limited
 GIS International Site Services Limited
 Wyseplan Limited
 Applied Cladding and Erection Services
 Clanwood Components Limited
 Balfour Beatty Power Construction Limited
 Volvo BM Limited
 Goodwin Barsby Limited
 Imodco Limited
 Wallminster Limited
 Vic Hallam PLC (System Building Division)
 Stott Benham Limited (International Division)
- (b) Such other companies or bodies which the Financial Secretary is satisfied are contractors or sub-contractors for the companies or bodies referred to in paragraph (a) of this Schedule.

5. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 11 of 1985.

P. T. KING,
Clerk of Councils.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE 1983
(Section 2)

Resolution of Legislative Council

No. 12 of 1985.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1983 that —

1. The companies and bodies the names of which are set out in the Schedule hereto and the employees thereof (hereafter together called "the exempted persons") shall be exempt from —

- (a) Taxes imposed under the Income Tax Ordinance Cap 32 .
- (b) Contributions imposed under the Old Age Pensions Ordinance 1952.
- (c) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
- (d) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1(c) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical and dental treatment received by them from the Falkland Islands Medical Services.

3. The exemptions provided for in this Resolution shall, subject to the proviso hereafter contained, remain in force for the period from the 1st day of November 1985 to the 31st day of January 1987

Provided that —

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said companies, bodies and employees in relation to taxes, contributions, levies and dues which but for the exemption would have been imposed on profits, income, imports and use of harbours arising out of or occasioned by or in relation to work undertaken on the construction of a new hospital in Stanley, sheltered housing, staff housing and works related thereto;
- (b) an employee for the purposes of this Resolution shall not include —
 - (i) a person recruited by any of the said companies and bodies in the Falkland Islands whether or not such person is a resident thereof;
 - (ii) a person whom the Financial Secretary is satisfied is normally resident in the Falkland Islands in whatever country that person may have been recruited;
- (c) an exemption may at any time be revoked in respect of any of the said companies, bodies or employees;
- (d) (i) if an exemption is revoked in respect of any exempted person, or
(ii) an exempted person ceases to carry out work on the construction of the new hospital in Stanley, sheltered housing, staff housing and works related thereto

the exemption shall cease to apply to such exempted person.

SCHEDULE

- (a) Building Design Partnership
Kelvin Catering (Camps) Limited
Balfour Kilpatrick Limited (International Division)
Fairclough International Construction Limited
Miller Construction (Northern) Limited
N E I Projects Limited
- (b) Such other companies or bodies which the Financial Secretary is satisfied are contractors or sub-contractors for the companies or bodies referred to in paragraph (a) of this Schedule.

4. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 12 of 1985.

P. T. KING,
Clerk of Councils.

PROCLAMATION

No. 5 of 1985

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY GORDON WESLEY JEWKES, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands.

WHEREAS it is provided by Section 7 of the Wild Animals and Birds Protection Ordinance 1964 that the Governor in Council may by Proclamation remove any wild bird from the First Schedule to the said Ordinance.

AND WHEREAS the Convention on the Conservation of Migratory Species signed at Bonn on the 23rd June 1979 obliges the Falkland Islands to protect the Brent Goose as an endangered species in the manner provided in the Convention.

NOW THEREFORE I, GORDON WESLEY JEWKES, do PROCLAIM that with effect from the date hereof Schedule 1 of the Wild Animals and Birds Protection Ordinance 1964 be amended by the deletion of the words "Brent Goose".

Given under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 6th day of December in the year of Our Lord One thousand Nine hundred and Eighty-five.



G. W. JEWKES,
Governor.

GOD SAVE THE QUEEN

PROCLAMATION

No. 6 of 1985

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY GORDON WESLEY JEWKES, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands.

WHEREAS it is provided by Section 35 of the Customs Ordinance Cap 16 that it shall be lawful for the Governor from time to time by Proclamation to (inter alia) prohibit the importation or exportation of any goods absolutely or except on compliance with conditions which may be specified in the Proclamation.

NOW THEREFORE I, GORDON WESLEY JEWKES, do PROCLAIM as follows —

1. No uncooked meat shall be imported unless it originates —
 - (a) from an abattoir in the United Kingdom that conforms with the Slaughterhouse (Hygiene) Regulations 1977 (S.I. 1977/1805) or
 - (b) from an abattoir within the EEC which conforms with European Council Directive 64/433/EEC or
 - (c) from an abattoir outside the EEC which conforms with European Council Directive 72/462/EEC
or any United Kingdom Regulations or European Council Directives amending or replacing the regulations and directives referred to in paragraphs (a), (b) and (c).
2. No fertile eggs or animal semen shall be imported unless —
 - (a) a licence to import such eggs or semen has been granted by the Government Veterinary Officer and
 - (b) a health certificate in a form prescribed by the Government Veterinary Officer has been issued in respect of such eggs or semen.
3. No used shearing equipment shall be imported unless the same is presented for inspection by the Government Veterinary Officer and is cleaned and disinfected if so required by the Government Veterinary Officer.
4. Proclamations No. 5 of 1971 and No. 3 of 1973 shall be read subject to this Proclamation.
5. Proclamation No. 3 of 1968 is revoked.

Given under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 6th day of December in the year of Our Lord One thousand Nine hundred and Eighty-five.



G. W. JEWKES,
Governor.

GOD SAVE THE QUEEN

The Co-operative Societies Ordinance

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY

Section

1. Citation.
2. Interpretation.

PART 2

REGISTRATION

3. Appointment of Registrar of Co-operative Societies and assistant registrars.
4. Societies that may be registered.
5. Conditions of registration.
6. Application by a society for registration.
7. Registration and appeal from refusal to register.
8. Society to become body corporate upon registration.
9. Evidence of registration.

PART 3

DUTIES AND PRIVILEGES OF SOCIETIES

10. Amendment of by-laws of a registered society.
11. Address of society.
12. Copy of Ordinance, rules and by-laws to be open to inspection.
13. Disposal of produce to or through a registered society.
14. Creation of charge in favour of registered society.
15. Charge and set off in respect of shares or interest of member or past member.
16. Share or interest not liable to attachment or sale.
17. Transfer of share or interest on death of member.
18. Deposits by or on behalf of minors.
19. Register or list of members.
20. Proof of entry in book of registered society.

PART 4

RIGHTS AND LIABILITIES OF MEMBERS

21. Qualifications for membership of registered society.
22. No member to exercise rights until prescribed payment made or interest acquired.
23. Restriction of membership of loan societies.
24. Votes of members.
25. Voting for registered society by proxy.
26. Acts and contracts of members who are minors.
27. Limit on ownership of share capital.
28. Conditions and restrictions on transfer or charge of share or interest.
29. Liability of past member and estate of deceased member for debts of society.

PART 5

PROPERTY AND FUNDS OF REGISTERED SOCIETIES

30. Restriction on loans by registered society.
31. Deposits and loans received by registered society.
32. Transactions of registered society with non members.
33. Investment or deposit of funds of registered society.
34. Disposal of profits.

PART 6

AUDIT, INSPECTION AND INQUIRY

35. Audit.
36. Registrar to have access to books, accounts, papers and securities of registered society.
37. Inquiry and inspection.

PART 7

DISSOLUTION

38. Dissolution.
39. Cancellation of registration for lack of membership.
40. Effect of cancellation of registration.
41. Appointment of liquidators.
42. Powers of liquidator.
43. Powers of Registrar to control liquidation.
44. Enforcement of decision of arbitrator and order by liquidator or Registrar.
45. Limitation of jurisdiction of the civil court.
46. Application of funds on liquidation and closing of liquidation.

PART 8

SURCHARGE AND ATTACHMENT

47. Power of Registrar to make order for payment of money or restoration of property.
48. Appeal to Governor in Council.

PART 9

DISPUTES

49. Settlement of disputes.
50. Case stated on a question of law.

PART 10

RULES

51. Rules.

PART 11

MISCELLANEOUS

52. Recovery of sums due to Government.
53. Exemptions from registration requirements.
54. Exemptions of registered societies from provisions of Ordinance.
55. Exemptions from stamp duties or fees.
56. Prohibition of use of word "co-operative".
57. Certain laws not to apply to registered societies.
58. Offences and penalties.
59. Penalty for fraud or misappropriation.

Assented to in Her Majesty's name this 24th day of December 1985.

G. W. JEWKES,
Governor.

LS

No. 15



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance

To provide for the formation and regulation
of Co-operative Societies.

ENACTED by the Legislature of the Colony of the Falkland
Islands.

PART 1

PRELIMINARY

1. This Ordinance may be cited as the Co-operative Societies
Ordinance and shall come into force on the 1st day of January 1986.

Citation and commence-
ment.

2. In this Ordinance unless the context otherwise requires —

Interpretation.

“bonus” means a share of the profits of a registered society divided
among its members in proportion to the amount of business done
with the society by them from which the profits of the society
were derived;

“by-laws” means the registered by-laws made by a society in the
exercise of any power conferred by this Ordinance, and includes
registered amendments thereto;

“committee” means the governing body of a registered society to
whom the management of its affairs is entrusted;

“dividend” means a share of the profits of a registered society
divided among its members in proportion to the share capital
held by them;

“member” includes a person or registered society joining in the
application for the registration of a society and a person or
registered society admitted to membership after registration in
accordance with the by-laws;

“officer” includes a chairman, secretary, treasurer, member of
committee, or other person empowered under the rules or by-
laws to give directions concerning the business of a registered
society;

“registered society” means a co-operative society registered under this Ordinance;

“Registrar” means the Registrar of co-operative societies appointed under Section 3 and includes a person when exercising such of the powers of the Registrar as may have been conferred upon him under that section;

“rules” means rules made under this Ordinance.

PART 2

REGISTRATION

Appointment of Registrar of Co-operative Societies and assistant registrars.

3. The Governor may appoint a person to be Registrar of Co-operative Societies for the Falkland Islands and may appoint persons to assist such Registrar, and may by notice published in the Gazette confer on any such persons all or any of the powers of the Registrar under this Ordinance.

Societies that may be registered.

4. (1) Subject to the provisions hereinafter contained, a society which has as its object the promotion of the economic interests of its members in accordance with co-operative principles, or a society established with the object of facilitating the operations of such a society, may be registered under this Ordinance with or without limited liability as the Registrar may decide.

(2) The liability of a society which includes at least one registered society among its members shall be limited.

Conditions of registration.

5. (1) No society, other than a society of which a member is a registered society, shall be registered under this Ordinance, which does not consist of at least ten persons each of whom is qualified under Section 21 for membership.

(2) The word “co-operative” shall form part of the name of every registered society.

(3) The word “limited” shall be the last word in the name of every society registered with limited liability under this Ordinance.

(4) When for the purposes of this section any question arises as to age, residence or occupation of land constituting the qualification of any person that question shall be decided by the Registrar whose decision shall be final.

Application by a society for registration.

6. (1) A society which desires to be registered under this Ordinance shall make application to the Registrar.

(2) The application shall be signed —

- (a) in the case of a society of which no member is a registered society, by at least ten persons qualified in accordance with the requirements of Section 21; and
- (b) in the case of a society of which a member is a registered society, by a duly authorised person on behalf of every such registered society, and, where all the members of the society are not registered societies, by ten other members, or, when there are less than ten other members, by all of them.

(3) The application shall be accompanied by copies of the proposed by-laws of the society, and such other information with regard to the society as the Registrar may require.

Registration and appeal from refusal to register.

7. (1) If the Registrar is satisfied that a society has complied with the provisions of this Ordinance and the rules, and that its proposed by-laws are not contrary to this Ordinance or to the rules, he may, if he considers fit, register the society and its by-laws. An appeal shall lie to the Governor in Council against the refusal of the Registrar to register any society within one month from the date of such refusal.

(2) On registration the society shall pay such fee as may be required by the rules.

8. Upon registration a society shall become a body corporate by the name under which it is registered with perpetual succession and with power to hold property, to enter into contracts, to institute and defend suits and other legal proceedings, and to do all things necessary for the purpose of its constitution.

Society to become body corporate upon registration.

9. A certificate of registration signed by the Registrar shall be conclusive evidence that the society therein mentioned is duly registered, unless it is proved that the registration of the society has been cancelled.

Evidence of registration.

PART 3

DUTIES AND PRIVILEGES OF SOCIETIES

10. (1) Any registered society may, subject to this Ordinance and the rules, amend its by-laws, including the by-law which declares the name of the society.

Amendment of by-laws of a registered society.

(2) No amendment of the by-laws of a registered society shall be valid until that amendment has been registered under this Ordinance, for which purpose copies of the amendment shall be forwarded to the Registrar.

(3) If the Registrar is satisfied that an amendment of the by-laws of a registered society is not contrary to this Ordinance or to the rules he may, if he thinks fit, register the amendment. An appeal shall lie to the Governor in Council against the refusal of the Registrar to register any amendment of any by-law.

(4) An amendment which changes the name of a society shall not affect any right or obligation of the society or of any of its members or past members, and any legal proceedings pending may be continued by or against the society under its new name.

(5) When the Registrar registers an amendment of the by-laws of a registered society he shall issue to that society a copy of the amendment certified by him which shall be conclusive evidence of the fact that the amendment has been duly registered.

11. Every registered society shall have an address, registered in accordance with the rules, to which all notices and communications may be sent, and shall send to the Registrar notice of every change of that address.

Address of society.

12. Every registered society shall keep a copy of this Ordinance and of the rules and of its by-laws and a list of its members open to inspection, free of charge, at all reasonable times at the registered address of the society.

Copy of Ordinance, rules and by-laws to be open to inspection.

13. (1) A registered society which has as one of its objects the disposal of any article produced or obtained by the work or industry of its members, whether the produce of agriculture, animal husbandry, forestry, fisheries, handicrafts or otherwise, may provide in its by-laws or may otherwise contract with its members —

Disposal of produce to or through a registered society.

- (a) that every member who produces such article shall dispose of the whole or any specified amount, proportion or description thereof to or through the society; and
- (b) that any member who is proved or adjudged in such manner as may be prescribed by the rules to be guilty of a breach of such by-laws or contract shall pay to the society as liquidated damages a sum ascertained or assessed in the manner prescribed by the by-laws.

(2) No contract entered into under the provisions of this section shall be contested in any court on the ground only that it constitutes a contract in restraint of trade.

Creation of charge in favour of registered society.

14. (1) Subject to any prior claim of the Crown on the property of the debtor and to the lien or claim of a landlord in respect of rent or any money recoverable as rent and in the case of immovable property to any prior registered charge thereon —

- (a) any debt or outstanding demand payable to a registered society by any member or past member shall be a first charge on all crops or other agricultural produce, felled timber or other forest produce, marine produce, fish (fresh-water and salt-water), livestock, fodder, agricultural, industrial and fishing implements, plant, machinery, boats, tackle and nets, raw materials, stock in trade and generally all produce of labour and things used in connection with production raised, purchased or produced in whole or in part from any loan whether in money or in goods given to him by the society:

Provided that nothing therein contained shall affect the claim of any bona fide purchaser or transferee without notice;

- (b) any outstanding demands or dues payable to a registered housing society by any member or past member in respect of rent, shares, loans or purchase money or any other rights or amounts payable to such society shall be a first charge upon his interest in the immovable property of the society.

Charge and set off in respect of shares or interest of member or past member.

15. A registered society shall have a charge upon the shares or interest in the capital and on the deposits of a member or past member or deceased member and upon any dividend, bonus, or profits payable to a member or past member or to the estate of a deceased member in respect of any debt due to the society from such member or past member or estate, and may set off any sum credited or payable to a member or past member or the estate of a deceased member in or towards payment of any such debt.

Share or interest not liable to attachment or sale.

16. Subject to Section 15, the share or interest of a member in the capital of a registered society shall not be liable to attachment or sale under any decree or order of a court in respect of any debt or liability incurred by such member, and neither his assignee in insolvency nor a receiver duly appointed shall be entitled to, or have any claim on, such share or interest.

Transfer of share or interest on death of member.

17. (1) On the death of a member, a registered society may transfer the share or interest of the deceased member to the person nominated in accordance with the rules made in that behalf or, if there is no person so nominated, to such person as may appear to the committee to be the heir or legal representative of the deceased member or may pay to such nominee, heir or legal representative, as the case may be, a sum representing the value of such member's share or interest, as ascertained, in accordance with the rules or by-laws:

Provided that —

- (a) in the case of a society with unlimited liability, such nominee, heir or legal representative, as the case may be, may require payment by the society of the value of the share or interest of the deceased member ascertained as aforesaid;
- (b) in the case of a society with limited liability, the society may transfer the share or interest of the deceased member to such nominee, heir or legal representative, as the case

may be, being qualified in accordance with the rules and by-laws for membership of the society, or on his application within six months of the death of the deceased member to any person specified in the application who is so qualified.

(2) A registered society shall pay all other moneys due to the deceased member from the society to such nominee, heir or legal representative, as the case may be.

(3) All transfers and payments made by a registered society in accordance with the provisions of this section shall be valid and effectual against any demand made upon the society by any other person.

18. (1) A registered society may receive deposits from or for the benefit of minors and it shall be lawful for a registered society to pay such minors the interest which may become due on such deposits. Any deposits made by a minor may, together with the interest accrued thereon, be paid to that minor; and any deposit made on behalf of a minor may, together with the interest accrued thereon, be paid to the guardian of that minor for the use of the minor.

Deposits by or on behalf of minors.

(2) The receipt of any minor or guardian for money paid to him under this section shall be a sufficient discharge of the liability of the society in respect of that money.

19. Any register or list of members kept by any registered society shall be prima facie evidence of any of the following particulars entered therein —

Register or list of members.

- (a) the date at which the name of any person was entered in such register or list as a member;
- (b) the date at which any such person ceased to be a member.

20. (1) A copy of any entry in a book of a registered society regularly kept in the course of business shall, if certified in such manner as may be prescribed by the rules, be received in any legal proceeding, civil or criminal, as prima facie evidence of the existence of such entry and shall be admitted as evidence of the matter, transactions and accounts therein recorded in every case where, and to the same extent as, the original entry itself is admissible.

Proof of entry in book of registered society.

(2) No officer of any such society shall, in any legal proceedings to which the society is not a party, be compelled to produce any of the society's books, the contents of which can be proved under subsection (1) or to appear as a witness to prove any matters, transactions or accounts therein recorded, unless the court for special reason so directs.

PART 4

RIGHTS AND LIABILITIES OF MEMBERS

21. In order to be qualified for membership of a registered society, a person, other than a registered society, must —

Qualifications for membership of registered society.

- (a) have attained the age of 18 years;
- (b) be resident within or in occupation of land within the society's area of operation as described by the by-laws.

22. No member of a registered society shall exercise the rights of a member unless or until he has made such payment to the society in respect of membership or acquired such interest in the society, as may be prescribed by the rules or by-laws.

No member to exercise rights until prescribed payment made or interest acquired.

23. Except with the sanction of the Registrar, no person shall be a member of more than one registered society whose primary object is to grant loans to its members.

Restriction of membership of loan societies.

Votes of members.

24. No member of any registered society shall have more than one vote in the conduct of the affairs of the society:

Provided that —

- (a) in the case of an equality of votes the chairman shall have a casting vote;
- (b) in the case of societies of which a registered society is a member that society may have such voting powers as are provided in the rules.

Voting for registered society by proxy.

25. A registered society which is a member of any other registered society may appoint any one of its members as its proxy for the purpose of voting in the conduct of the affairs of such other registered society.

Acts and contracts of members who are minors.

26. The minority of any member of a registered society shall not debar that person from executing any instrument or giving any acquittance necessary to be executed or given under this Ordinance or the rules made hereunder, and shall not be a ground for invalidating or avoiding any contract entered into by any such person with the society; and any such contract entered into by any such person with the society, whether as principal or as surety, shall be enforceable at law or against such person notwithstanding his minority.

Limit on ownership of share capital.

27. No member, other than a registered society, shall hold more than one-fifth of the share capital of any registered society.

Conditions and restrictions on transfer or charge of share or interest.

28. (1) The transfer or charge of the share or interest of a member or past member or deceased member in the capital of a registered society shall be subject to such conditions as to maximum holding as may be prescribed by this Ordinance or by the rules.

(2) In the case of a society registered with unlimited liability, a member shall not transfer any share held by him or his interest in the capital of the society or any part thereof, unless —

- (a) he has held such share or interest for not less than one year; and
- (b) the transfer or charge is made to the society, or to a member of the society, or to a person whose application for membership has been accepted by the committee.

Liability of past member and estate of deceased member for debts of society.

29. (1) The liability of a past member for the debts of a registered society as they existed on the date on which he ceased to be a member shall not continue for a period of more than two years reckoned from that date.

(2) The estate of a deceased member shall not be liable for the debts of a registered society as they existed on the date of his death for a period that is longer than the liability of his estate for any other debt.

PART 5**PROPERTY AND FUNDS OF REGISTERED SOCIETIES****Restriction on loans by registered society.**

30. (1) A registered society shall not, except as provided in Section 33, make any loan to any person other than a member.

(2) Except with the permission of the Registrar a registered society shall not lend money on the security of any movable property other than produce or goods in which the society is authorised to deal.

(3) The Governor may by Order prohibit or restrict the lending of money on mortgage of any description of immovable property of any registered society.

31. A registered society shall receive deposits and loans from persons who are not members only to such extent and under such conditions as may be prescribed by the rules or by-laws.

Deposits and loans received by registered society.

32. Save as provided in Sections 30 and 31, the transactions of a registered society with persons other than members shall be subject to such prohibitions and restrictions as may be prescribed by the rules.

Transactions of registered society with non-members.

33. A registered society may invest or deposit its funds —

Investment or deposit of funds of registered society.

- (a) in a savings bank, or with any bank or person carrying on the business of banking approved for this purpose by the Registrar; or
- (b) in any securities issued or guaranteed by a Government within the Commonwealth; or
- (c) with any other registered society approved for this purpose by the Registrar; or
- (d) in any other mode allowed by the rules.

34. (1) The Financial Secretary shall from time to time prescribe by Order in the Gazette the fraction of the net profits of every registered society, as ascertained by the audit prescribed by Section 35, that shall be carried to a fund to be called the reserve fund, which shall be employed as prescribed by the rules. After deduction of any tax which may have been charged on a registered society in accordance with the provisions of the Income Tax Ordinance, the remainder of such profits and any profits of past years available for distribution may be divided among the members by way of dividend or bonus, or allocated to any funds constituted by the society, to such extent or under such conditions as may be prescribed by the rules or by-laws:

Disposal of profits.

Provided that, in the case of a society with unlimited liability, no distribution of profits shall be made except by authority given by the Governor by Order in Council.

(2) Any registered society may, with the sanction of the Registrar, after the fraction of the net profits provided for in subsection (1) has been carried to a reserve fund, contribute an amount not exceeding ten per cent of the remaining net profits to any charitable purpose or to a common-good fund.

PART 6.

AUDIT, INSPECTION AND INQUIRY

35. (1) The Registrar shall audit or cause to be audited by some person authorised by him in writing the accounts of every registered society once at least in every year.

Audit.

(2) The audit under subsection (1) shall include an examination of overdue debts, if any, and a valuation of the assets and liabilities of the registered society.

(3) The Registrar and every other person appointed to audit the accounts of a society shall have power when necessary —

- (a) to summon at the time of his audit any officer, agent, servant or member of the society who he has reason to believe can give material information about any transactions of the society or the management of its affairs; or
- (b) to require the production of any book or document relating to the affairs of, or any cash or securities belonging to the society by the officer, agent, servant or member in possession of such book or document, cash or securities.

Registrar to have access to books, accounts, papers and securities of registered society.

36. The Registrar, or any person authorised in writing by the Registrar, shall at all times have access to all the books, accounts, papers and securities of a registered society, and shall be entitled to inspect the cash in hand; and every officer of the society shall furnish such information concerning the transactions and working of the society as the person making such inspection may require.

Inquiry and inspection.

37. (1) The Registrar may of his own motion, and shall on the application of a majority of the committee, or of not less than one-third of the members of a registered society, hold an inquiry or direct that some person appointed by him by order in writing published in the Gazette, hold an inquiry into the constitution, working, and financial condition of a registered society; and all officers and members of the society shall furnish such information concerning the affairs of the society and produce the cash in hand and such books, accounts, papers and securities of the society as the Registrar or the person appointed by him may require.

(2) The Registrar shall, on the application of a creditor of a registered society, inspect or direct that some person appointed by him in writing inspect the books of the society, if the applicant —

- (a) proves that an ascertained sum of money is then due to him and that he has demanded payment thereof and has not received satisfaction within a reasonable time; and
- (b) deposits with the Registrar such sum as security for the costs of the proposed inspection as the Registrar may require.

(3) The Registrar shall communicate the results of any such inspection to the creditor and to the society into whose affairs inquiry has been made.

(4) Where an inquiry is held under subsection (1) or an inspection is made under subsection (2) the Registrar may apportion the costs or such part of the costs, as he may consider right between the registered society, the members demanding an inquiry, the officers or former officers of the society, and the creditor, if any, on whose application the inquiry was made.

(5) Any sum awarded by way of costs against any society or person under this section may be recovered on application to the Magistrate's Court in like manner as a fine imposed by such court.

PART 7

DISSOLUTION

Dissolution.

38. (1) If the Registrar, after holding an inquiry or making an inspection under Section 37 or on receipt of an application made by three-fourths of the members of a registered society, is of opinion that the society ought to be dissolved, he may make an order for the cancellation of the registration of the society.

(2) Any member of a registered society may, within two months from the date of an order under subsection (1), appeal from such order to the Governor in Council.

(3) Where no appeal is presented within two months from the making of an order cancelling the registration of a society, the order shall take effect on the expiry of that period. Where an appeal is presented within two months, the order shall not take effect until it is confirmed.

(4) Where the Registrar makes an order for the cancellation of the registration of a society under subsection (1) he may make such further order as he may think fit for the custody of the books and documents and the protection of the assets of the society until the order cancelling registration takes effect.

(5) No registered society shall be wound up save by an order of the Registrar.

39. The Registrar may, by order in writing, cancel the registration of any registered society other than a society which includes among its members one or more registered societies, if at any time it is proved to his satisfaction that the number of the members has been reduced to less than ten. Every such order shall take effect from the date thereof.

Cancellation of registration for lack of membership.

40. Where the registration of a society is cancelled by an order under Section 38 or 39 the society shall cease to exist as a corporate body from the date on which the order takes effect, hereinafter referred to as the date of dissolution:

Effect of cancellation of registration.

Provided that any privileges conferred on the society by or under Sections 14, 15, 16 and 17 shall be deemed to be vested in any liquidator appointed for the society by the Registrar.

41. Where the registration of a society is cancelled under Sections 38 and 39 the Registrar may appoint one or more persons to be, subject to his direction and control, the liquidator or liquidators of the society.

Appointment of liquidators.

42. (1) A liquidator appointed under Section 41 shall, subject to the guidance and control of the Registrar and to any limitations imposed by the Registrar by order under Section 43, have power to —

Powers of liquidator.

- (a) determine from time to time the contribution to be made by members and past members or by the estate of deceased members of the society to its assets;
- (b) appoint a day by notice before which creditors whose claims are not already recorded in the books of the society shall state their claims for admission or to be excluded from any distribution made before they have proved them;
- (c) decide any question of priority which arises between creditors;
- (d) refer disputes to arbitration and institute and defend suits and other legal proceedings on behalf of the society by his name or office;
- (e) decide by what persons and in what proportions the costs of liquidation are to be borne;
- (f) give such directions concerning the collection and distribution of assets as may be necessary in the course of winding up the society;
- (g) compromise any claim by or against the society provided that the sanction of the Registrar has first been obtained;
- (h) call such general meetings of members as may be necessary for the proper conduct of the liquidation;
- (i) take possession of the books, documents and assets of the society;
- (j) sell the property of the society;
- (k) carry on the business of the society so far as may be necessary for winding it up beneficially:

Provided the liquidator of a credit society may not issue any loan; and

- (l) arrange for the distribution of the assets of the society in a convenient manner after a scheme of distribution has been approved by the Registrar.

(2) Subject to the rules, any liquidator appointed under this Ordinance shall so far as such powers are necessary for carrying out the purposes of this section have power to summon and enforce the

attendance of persons and witnesses and to compel the production of documents by the same means in the manner as is provided in the case of a senior magistrate.

Powers of Registrar to control liquidation.

43. A liquidator shall exercise his powers subject to the control and revision of the Registrar who may —

- (a) rescind or vary any order made by a liquidator and make whatever new order is required;
- (b) call for all books, documents and assets of the society;
- (c) remove a liquidator from office;
- (d) by order in writing limit the powers of a liquidator under Section 42;
- (e) require accounts to be rendered to him by the liquidator;
- (f) procure the auditing of the liquidator's accounts and authorise the distribution of the assets of the society;
- (g) make an order for the remuneration of the liquidator; or
- (h) refer any dispute between a liquidator and a third party to arbitration if that party shall have consented in writing to be bound by the decision of the arbitrator.

Enforcement of decision of arbitrator and order by liquidator or Registrar.

44. (1) The decision of an arbitrator on any matter referred to him under Section 43 shall be binding upon the parties and shall be enforceable in like manner as an order made by the Registrar under that section.

(2) An order made by a liquidator or by the Registrar under Section 42 or 43 shall be enforced by the Senior Magistrate's court in like manner as a decree of that court.

Limitation of jurisdiction of the civil court.

45. Save as is hereinbefore expressly provided no court shall have any jurisdiction in respect of any matter concerned with the dissolution of a registered society under this Ordinance.

Application of funds on liquidation and closing of liquidation.

46. (1) In the liquidation of a society whose registration has been cancelled, the funds, including the reserve fund, shall be applied first to the costs of liquidation, then to the discharge of the liabilities of the society, then to the payment of the share capital and then, provided the by-laws of the society permit, to the payment of a dividend at a rate not exceeding ten per cent per annum for any period for which no disposal of profits was made.

(2) When the liquidation of a society has been closed and any creditor of the society has not claimed or received what is due to him under the scheme of distribution, notice of the closing of the liquidation shall be published in the Gazette; and all claims against the funds of the society liquidated shall be void when two years have elapsed from the date of publication of the Gazette notice.

(3) Any surplus remaining after the application of the funds to the purposes specified in subsection (1) and the payment of any claims for which an action is instituted under subsection (2) shall be available for distribution to members who have done business with the society during any part of the preceding ten financial years and the broken period prior to the dissolution in accordance with a scheme approved by the Registrar but under which the share of the distribution to be received by each member shall so far as may be practicable be calculated in relation to the amount of money invested with the society by that member and the amount of profits earned by the society on that member's business during the said period.

PART 8

SURCHARGE AND ATTACHMENT

47. (1) Where, in the course of the winding up of a registered society, it appears that any person who has taken part in the organisation or management of such society or any past or present officer of the society has misapplied or retained or become liable or accountable for any money or property of such society or has been guilty of misfeasance or breach of trust in relation to such society, the Registrar may, on the application of the liquidator or of any creditor or contributory, examine into the conduct of such person and make an order requiring him to repay or restore the money or property or any part thereof with interest at such rate as the Registrar thinks just or to contribute such sum to the assets of such society by way of compensation concerning the misapplication, retainer, dishonesty or breach of trust as the Registrar considers fit.

Power of Registrar to make order for payment of money or restoration of property.

(2) This section shall apply notwithstanding that the act is one for which the offender may be criminally responsible.

48. Any person aggrieved by an order of the Registrar made under Section 47 may appeal to the Governor in Council within twenty-one days from the date of such order and the decision of the Governor shall be final and conclusive.

Appeal to Governor in Council.

PART 9

DISPUTES

49. (1) If any dispute touching the business of a registered society arises —

Settlement of disputes.

- (a) among members, past members and persons claiming through members, past members and deceased members; or
- (b) between a member, past member or person claiming through a member, past member or deceased member, and the society, its committee or any officer of the society; or
- (c) between the society or its committee and any officer of the society; or
- (d) between the society and any other registered society;

such dispute shall be referred to the Registrar for decision. A claim by a registered society for any debt or demand due to it from a member, past member or the nominee, heir or legal representative of a deceased member, shall be deemed to be a dispute touching the business of the society within the meaning of this subsection.

(2) The Registrar may, on receipt of a reference under subsection (1) —

- (a) decide the dispute himself; or
- (b) refer it for disposal to an arbitrator.

(3) Any party aggrieved by the award of the arbitrator or arbitrators may appeal therefrom to the Registrar within such period and in such manner as may be prescribed.

(4) A decision of the Registrar under subsection (2) or in appeal under subsection (3) shall be final and shall not be called in question in any civil court.

(5) The award of the arbitrator or arbitrators under subsection (2) shall, if no appeal is preferred to the Registrar under subsection (3), or if any such appeal is abandoned or withdrawn, be final and shall not be called in question in any civil court and shall be enforced in the same manner as if the award had been a judgment of a civil court.

Case stated on a question of law.

50. (1) Notwithstanding anything contained in Section 49 the Registrar at any time when proceeding to a decision under this Ordinance, or the Governor at any time when an appeal has been made to him against any decision of the Registrar under this Ordinance, may refer any question of law arising out of such decision for the ruling of the court.

(2) The ruling given on such question shall be final.

PART 10 RULES

Rules.

51. (1) The Governor may by Order in Council make all such rules as may be necessary for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

(2) In particular, and without prejudice to the generality of the power conferred by subsection (1), such rules may provide for —

- (a) forms to be used and the conditions to be complied with in applying for the registration of a society and the procedure for such applications;
- (b) conditions to be complied with by persons applying for admission or admitted as members, election and admission of members from time to time, and the payment to be made and interest to be acquired before exercising rights of membership;
- (c) subject to the provisions of Section 27, the maximum number of shares or portion of the capital of a registered society which may be held by a member;
- (d) the extent to which a registered society may limit the number of its members;
- (e) withdrawal and expulsion of members and payments to be made to members who withdraw or are expelled, and the liabilities of past members;
- (f) general meetings of the members and for the procedure at such meetings and the powers to be exercised by such meetings;
- (g) appointment, suspension and removal of the members of the committee and other officers, and the procedure at meetings of the committee, and the powers to be exercised and the duties to be performed by the committee and other officers;
- (h) matters in respect of which a society may or shall make by-laws and the procedure to be followed in making, altering and rescinding by-laws, and the conditions to be satisfied prior to such making, alteration or rescission;
- (i) the manner in which funds may be raised by means of shares or debentures or otherwise;
- (j) conditions to be observed by a registered society applying for financial assistance from Government;
- (k) the payments to be made, the conditions to be complied with and the forms of the bonds, instruments or other documents to be executed by members applying for loans or cash credits, the period for when the loans may be made or credits granted, and the maximum amount which may be lent and the maximum credit which may be allowed to individual members with or without the consent of the Registrar;
- (l) the manner in which the value of a deceased member's interest shall be ascertained, and for the nomination of a person to whom such interest may be paid or transferred;

- (m) the manner in which the value of the interest of a member who has become of unsound mind and incapable of managing himself or his affairs shall be ascertained and the nomination of any person to whom such interest may be paid or transferred;
- (n) formation and maintenance of reserve funds, and the objects to which such funds may be applied, and investment of any funds under the control of any registered society;
- (o) conditions under which profits may be distributed to the members of a society with unlimited liability and the maximum rate of dividend which may be paid by societies;
- (p) accounts and books to be kept by a registered society, and for the periodical publication of a balance sheet showing the assets and liabilities of a registered society;
- (q) audit of the accounts of registered societies and for the charges, if any, to be made for such audit and the levy of contributions from all or any registered societies to a fund to be used for the audit and supervision of existing societies and co-operative education and the administration of such a fund;
- (r) returns to be submitted by registered societies to the Registrar, and the persons by whom and the form in which the same are to be made;
- (s) the persons by whom, and the form in which, copies of entries in books of registered societies may be certified;
- (t) formation and maintenance of a register of members and where the liability of members is limited by shares, of a register of shares;
- (u) inspection of documents and registers at the Registrar's office and the fees to be paid therefor and the issue of copies of such documents or registers;
- (v) the manner in which any question as to the breach of any by-law or contract relating to the disposal of produce to or through a society may be determined, and the manner in which the liquidated damages for any such breach may be ascertained or assessed;
- (w) the mode of appointing an arbitrator or arbitrators and the procedure to be followed in proceedings before the Registrar or such arbitrator or arbitrators;
- (x) the procedure to be followed by a liquidator appointed under Section 41 and the cases in which appeals shall lie from the orders of such liquidator;
- (y) forms and fees and the procedure to be observed and all other matters connected with or incidental to the presentation, hearing and the disposal of appeals under this Ordinance or the rules.

PART 11

MISCELLANEOUS

52. (1) All sums due from a registered society or from an officer or member or past member of a registered society as such to the Government may be recovered in the manner provided for the recovery of debts due to the Government under the law for the time being in force.

Recovery of sums due to
Government.

(2) Sums due from a registered society to the Government and recoverable under subsection (1) may be recovered first from the property of the society; secondly, in the case of a society of which the liability of members is limited, from members, subject to the limit of their liability; and thirdly, in the case of other societies, from the members.

Exemptions from registration requirements.

53. Notwithstanding anything contained in this Ordinance the Governor may by Order in Council, subject to such conditions as he may impose, exempt any society from any of the requirements of this Ordinance as to registration.

Exemptions of registered societies from provisions of Ordinance.

54. The Governor may by Order in Council exempt any registered society or class of registered societies from any of the provisions of this Ordinance, or may direct that such provisions shall apply to any registered society or class of registered societies with effect from such date or with such modifications as may be specified in the Order.

Exemptions from stamp duties or fees.

55. The Governor may by Order in Council exempt any registered society or class of registered societies from ---

- (a) the stamp duty with which, under any law for the time being in force, instruments executed by or on behalf of a registered society, or by an officer or member, and relating to the business of such society, or any class of such instruments as are respectively chargeable; or
- (b) any fee payable under the law of registration for the time being in force.

Prohibition of use of word "co-operative".

56. (1) No person other than a registered society shall trade or carry on business under any name or title of which the word "co-operative" is part without the authority of the Governor given by Order in Council.

(2) Any person who contravenes the provision of this section shall be guilty of an offence and shall be liable to a fine of one hundred pounds and in the case of a continuing offence of a further fine of twenty pounds for each day during which the offence continues.

Certain laws not to apply to registered societies.

57. The Companies and Private Partnership Ordinance, and any law relating to trade unions, shall not apply to registered societies.

Offences and penalties.

58. (a) Any registered society or an officer or member thereof wilfully neglecting or refusing to do any act or to furnish any information required for the purposes of this Ordinance by the Registrar or other persons duly authorised by him in this behalf; and

- (b) any person wilfully or without any reasonable excuse disobeying any summons, requisition or lawful written order issued under the provisions of this Ordinance, or failing to furnish any information lawfully required from him by a person authorised to do so under the provisions of this Ordinance

shall be guilty of an offence and shall be liable to a fine of five hundred pounds.

Penalty for fraud or misappropriation.

59. If any person obtains possession by false representation or imposition of any property of a society, or having it in his possession, withholds or misapplies it, or wilfully applies any part thereof to purposes other than those expressed or directed in the rules of the society, and authorised by this Ordinance, he shall, on the complaint of the society, or of any members authorised by the society, or the committee thereof, or of the Registrar, be liable to a fine of one thousand pounds, and to be ordered to deliver up all such property or to repay all moneys applied improperly, and in default of such delivery or repayment, or of the payment of such fine to be imprisoned for five years.

Passed by the Legislature of the Colony of the Falkland Islands
this 10th day of December 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. LEG/10/58.

The Dangerous Drugs (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Cap 18.

Assented to in Her Majesty's name this 24th day of December 1985.

G. W. JEWKES,
Governor.

LS

No. 16



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance
To amend the Dangerous Drugs Ordinance
Cap 18.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation and commencement.

1. This Ordinance may be cited as the Dangerous Drugs (Amendment) Ordinance 1985 and shall come into force on the first day of January 1986.

Amendment of Cap 18.

2. The Dangerous Drugs Ordinance is amended in Section 19 (b) by the substitution of the sum £750 for the sum £100.


Passed by the Legislature of the Colony of the Falkland Islands this 10th day of December 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. MED/10/4.



The Post Office (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Cap 52.

Assented to in Her Majesty's name this 24th day of December 1985.

G. W. JEWKES,
Governor.

LS

No. 17



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance To amend the Post Office Ordinance Cap 52.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation and commencement.

1. This Ordinance may be cited as the Post Office (Amendment) Ordinance 1985 and shall come into force on the first day of January 1986.

Amendment of Cap 52.

2. The Post Office Ordinance Cap 52 is amended by —

- (a) the repeal of Section 4 (a);
- (b) the addition of the following section after Section 4 —

"Rates of postage.

4A. (1) The Postmaster may, subject to any direction given by the Governor in Council, determine the rates of postage to be charged on postal articles and the rates for the time being in force shall be kept exhibited at every post office.

(2) The Governor may by Order in Council revise the rates of postage determined by the Postmaster."

Passed by the Legislature of the Colony of the Falkland Islands this 10th day of December 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. PT/2/9.

The Falkland Islands Development Corporation (Amendment)
Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance 1 of 1983.

Assented to in Her Majesty's name this 24th day of December 1985.

G. W. JEWKES,
Governor.

LS

No. 18

1985



Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance
To amend the Falkland Islands Development
Corporation Ordinance 1983.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation and commencement.

1. This Ordinance may be cited as the Falkland Islands Development Corporation (Amendment) Ordinance 1985 and shall come into force on the first day of January 1986.

Amendment of Ordinance 1 of 1983.

2. The Falkland Islands Development Corporation Ordinance 1983 is amended by —

- (a) in Section 2, the deletion of the definition of Chief Executive;
- (b) the substitution for paragraph (b) in Section 6 (1) of the following —
“(b) one of the elected members of the Legislative Council who shall be elected by such elected members and subject to subsections (4) and (5) shall serve for a term of two years”;
- (c) the insertion of “(1) (b)” after the word “subsections” in Section 6 (3);
- (d) the renumbering of Section 7 as 7 (1) and the addition thereto of the following subsection —
“(2) The Chief Executive may whenever he is unable to perform the functions of the Executive Vice Chairman appoint a person to act as Executive Vice Chairman.”.

Passed by the Legislature of the Colony of the Falkland Islands
this 10th day of December 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. LEG/10/57.

The Employment of Children (Amendment) Ordinance 1985

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance 1 of 1966.

Assented to in Her Majesty's name this 24th day of December 1985.

G. W. JEWKES,
Governor.



No. 19



1985

Colony of the Falkland Islands

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance

To amend the Employment of Children Ordinance 1966.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation and commencement.

1. This Ordinance may be cited as the Employment of Children (Amendment) Ordinance 1985 and shall come into force on the first day of January 1986.

Amendment of Ordinance 1 of 1966.

2. The Employment of Children Ordinance 1966 is amended by the substitution for Section 1A of the following —

"Interpretation.

1A. In this Ordinance unless the context otherwise requires —

"child" means a person either

- (a) under the age at which a person is required by law to receive regular education; or
- (b) required by law to receive regular education."

Passed by the Legislature of the Colony of the Falkland Islands this 10th day of December 1985.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. LEG/10/20.



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 1

31st MAY 1985

Minutes of Meeting of Legislative Council
held 15th and 16th January 1985

MINUTES OF THE MEETING OF THE LEGISLATIVE COUNCIL HELD IN STANLEY
15th AND 16th JANUARY 1985.

The Council assembled at 9.30 am on Tuesday 15th January 1985,
His Excellency the Civil Commissioner, Sir Rex Hunt CMG, presiding.

PRESENT:

His Excellency the Military Commissioner (Major General P E de la
Cour de la Billiere CBE DSO MC)

The Honourable the Chief Executive (Mr D G P Taylor)

The Honourable the Financial Secretary (Mr H T Rowlands OBE)

The Honourable W H Goss MBE JP (Elected Member for Stanley East)

The Honourable L G Blake OBE JP (Elected Member for West Falkland)

The Honourable R E Binnie (Elected Member for East Falkland)

The Honourable J E Cheek (Elected Member for Stanley West)

The Honourable A T Blake (Elected Member for Camp Division)

The Honourable H Bennett OBE JP (Elected Member for Stanley Division)

CLERK:

Mr P T King

PRAYERS

Prayers were said by the Reverend H Bagnall OBE, Rector of Christ
Church Cathedral.

ADMINISTRATION OF OATHS:

After taking the prescribed oaths, Mr. Harold Bennett OBE JP,
elected Member for Stanley Division, took his seat as a Member of
Council.

ADDRESS BY THE PRESIDENT

Honourable Members, In welcoming you to this, the first meeting of Legislative Council in 1985, I should like first to pay a particular welcome to the Honourable Member, the Honourable Mr. Harold Bennett who takes his seat in this Chamber for the first time, but is no stranger to the Legislative Council. I should like to stress the importance of the subjects on the Agenda before us. Of most significance for the future is, of course, the Motion on the new Constitutions for the Falkland Islands and the Dependencies, and I shall come back to that in a moment; but we also have important Bills to consider on income tax, family allowances and land sub-division. In addition we have several Motions relating to applications for exemption from certain taxes and dues by overseas companies and personnel employed in the Falkland Islands. As timing is very tight, and some Hon. Members are in the middle of the shearing season, we have taken the usual step, with the prior consent of Hon. Members, of not having the normal Question time, in the hope that we can finish our business in one day.

I shall not, therefore, take up Honourable Members' valuable time by attempting to review the activities of the Falkland Islands Government since our last meeting. I shall wait until our annual budget session in June before doing this. Also, we shall dispense with the Motion of thanks on my address. Honourable Members will have the opportunity to speak to subjects on the Agenda as they come up, and on any other subject of their choice in the Motion for the Adjournment. I shall now concentrate on the new Constitutions proposed by Her Majesty's Government for the Falkland Islands and the Dependencies.

As far as I am aware, this is a situation without precedent. While there is no constitutional requirement for the draft Constitutions to be laid on the Table or to be approved by the Legislative Council, Her Majesty's Government have agreed that there should be the fullest consultation with Honourable Members so as to ensure that, when the new Constitutions come into effect, they do so with the full support and understanding of Falkland Islanders. Any suggestions that Honourable Members may make for amendments to the Constitutions will be very carefully considered by Her Majesty's Government, though I must point out that they are not bound to accept such amendments. When the texts of the new Constitutions have been finalised, the Orders containing them will be made by Her Majesty's Government at a meeting of the Privy Council and then laid before the British Parliament.

Regulations for the first General Election under the new Falkland Islands Constitution will be made under the transitional provisions. A date will be appointed for the General Election, which must be not more than six months from the date of the Order. On the day that the General Election is held, the new Falkland Islands Constitution will come into effect.

As the new Constitutions are not Bills to be passed by the Legislative Council, the Attorney General has advised that the best way that we can debate them in public is by presenting them to the Legislative Council as a Motion, thus allowing each Honourable Member to express his views to all who care to hear. I should point out, however, that much of the content of the new Falkland Islands Constitution follows the recommendations of your own Select Committee, which sat under the chairmanship of the Honourable Member for West Falkland and which the majority of this House endorsed in August 1983. I hope therefore that Honourable Members will not waste time in going over old ground or resurrecting old arguments.

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As our procedures for Motions allow for one speech only for each Honourable Member, except of course the proposer, who has the right to wind up the debate, and as Honourable Members may wish to have detailed discussion on various points in the two Constitutions, the Attorney General has advised that we should treat the Constitutions as Bills, thus allowing the Honourable the Chief Executive, if Honourable Members so wish, to move that the new Constitutions be referred to a Select Committee of this House. If Honourable Members agree, the new Constitutions would then be considered in Select Committee of the whole House, under the Chairmanship of the Chief Executive, just as the Finance Bill is dealt with each year. After detailed discussion in Select Committee, the Honourable the Chief Executive would then report back to this House, asking for the original Motion to be passed, subject to whatever amendments might have been agreed in Select Committee. I hope that Honourable Members will agree that this is the best way to proceed.

Her Majesty's Government have already taken into account Honourable Members' comments made informally in Joint Councils. In particular, the Secretary of State for Foreign and Commonwealth Affairs has carefully considered Councillors' wish that the right of self-determination should be enshrined in the new Falkland Islands Constitution. He and the Prime Minister have decided that this should be done by the insertion in the introduction to Chapter I of the Constitution of language referring to Article 1 of the International Covenant on Civil and Political Rights, which was adopted by the United Nations in 1966 and ratified by Her Majesty's Government in 1976 - I shall leave the Chief Executive to give you the exact wording. The proposed formulation has been adopted because it is fully consistent with Her Majesty's Government's undertakings under a binding international instrument: namely, The International Covenant on Civil and Political Rights; and also because it is consistent with and reinforces the stand that Her Majesty's Government have always taken at the United Nations on the Islanders' right to self-determination. As Honourable Members know only too well, Argentina does not recognise the Islanders' right to self-determination and the language proposed for the Falkland Islands Constitution is designed specifically to counter the Argentine position.

I am sure that Honourable Members will be reassured by this proposal, which meets the wishes of Honourable Members as expressed to Mr. Thomas at a meeting of Joint Councils here on 18 December.

At that same meeting, Honourable Members stressed the importance that they attached to retaining an administrative link between the Falkland Islands and the Dependencies. Honourable Members have not had much time to study the new Constitution for the Dependencies, but I would respectfully draw their attention to the provision for a Commissioner for South Georgia and South Sandwich, "who shall be the officer for the time being administering the Government of the Falkland Islands." That is to say, at the present time, the Civil Commissioner. Furthermore, the new Constitution provides that the Commissioner "shall consult the Executive Council of the Falkland Islands before exercising any function in respect of South Georgia and South Sandwich which might affect the Falkland Islands, and shall take due account of such views as the Executive Council may then express." The administrative link between the Falkland Islands and the Dependencies is thus maintained. The Civil Commissioner will be ex-officio Commissioner for South Georgia and South Sandwich and will be under an obligation to consult the Executive Council of the Falkland Islands on affairs of those territories

/that

that might affect the Falkland Islands. I hope, therefore, that Honourable Members will agree that Her Majesty's Government have gone a long way to meeting their wishes and that they will be able to support the Motion without substantial amendment.

As we have a lot of business to get through, I shall not take up any more of Honourable Members' time, but adjourn this session for ten minutes.

PAPERS LAID ON THE TABLE BY THE HONOURABLE THE CHIEF EXECUTIVE

Copies of Subsidiary Legislation made or approved by the Civil Commissioner in Council since 27th June 1984.

CLERK: ORDERS OF THE DAY : BILLS

THE INCOME TAX (AMENDMENT) ORDINANCE 1985

The Honourable the Financial Secretary

Your Excellency, Honourable Members. In May 1983 the Fiscal Adviser, Mr. Harry Ritchie, visited the Falkland Islands and made certain recommendations for simplifying our tax system; he also examined the tax structure in the light of changes in the United Kingdom tax system in the last few years and made recommendations. In 1983 we had not fully recovered from the war and it was necessary to defer the recommendations pending a further investigation into the Colony's finances generally. After having discussed his recommendations during my visit to the United Kingdom last November he updated his earlier recommendations and it is now proposed to implement his revised recommendations forthwith.

The Bill now before Council proposes abolishing the child deduction under the Income Tax Ordinance, abolishing tax on Family Allowances, improving various allowances under the tax system and extending the tax bands. The Bill is of significance and it is important that I explain the details.

At present a taxpayer is allowed a deduction of £500 for each unmarried child under the age of 16, or over 16 if receiving full-time instruction at any school or other educational establishment in the Colony. The deduction is increased to £550 where education is outside the Colony. At this stage I should also mention that at present a Family Allowance of £7.00 per month is paid for each child after the first. This is taxable. It is proposed to abolish the deductions for children and increase family allowances and make them tax free. Owing to the fact that family allowances have only been paid at the present level of £7.00 per month throughout 1984, the Income Tax Bill proposes to allow the deductions for children against 1984 income at the present level as a transitional arrangement before they are effectively abolished when it comes to assessing 1985 income. In consequence of the proposed abolition of deductions

for children under the Income Tax Ordinance it is proposed to make family allowances tax free. The Bill also proposes the following increases in allowances under the Income Tax Ordinance:

Personal Allowance	from	£1,500	to	£2,000
Wife Allowance	"	900	to	1,150
Female Relative in Charge of Children	"	500	to	650
Dependent Relative	"	500	to	650
Wife's Earned Income Relief, maximum	"	1,500	to	2,000
Old Age Relief, max income qualifying for relief	"	2,950	to	3,900

It is proposed that the following changes be made to the rates of tax and the tax bands:

- It is intended to leave the first £500 of chargeable income at 20% and the next £500 at 25%.
- At present the next £4,500 is charged at 30%; it is proposed to extend this band to £6,500 and extend the tax band which attracts 40% from £2,000 to £2,500.
- It is proposed to charge all chargeable income over £10,000 at 50%.

I beg to move that the Bill be read a first time.

The Honourable the Chief Executive

Your Excellency, I beg to second the Motion. May I also put right an unintentional discourtesy, I should have laid on the Table the Certificate of Urgency in respect of all three Bills - that is to say the Income Tax (Amendment) Bill, the Family Allowances (Amendment) Bill and the Land Sub-division for Non-residents Bill, which I now do.

The Bill was read a first time and on the second reading the following Honourable Members spoke to the Motion:

The Honourable W H Goss MBE JP

Your Excellency, Honourable Members, in rising to support this Motion there are one or two points which have been drawn to my attention by various members of the public which perhaps we can go into in Select Committee. They are regarding children's allowances - married men with two children for example; three or four have approached me and they claim that they do stand to lose with the new system. I discussed this with The Honourable the Financial Secretary who says no but perhaps we can go into this in more detail in Select Committee. I beg to support the Motion.

The Honourable A T Blake

Your Excellency, I also have had representations from parents who feel they stand to lose under this Bill so I too would like to see further discussion on this particular point to make sure that these people are not going to suffer as a result of this. I would also like an opinion from the Financial Secretary, in his right to reply, whether or not he thinks that with all the generous allowances that have been made we are going to be able to raise enough money to run the country next year.

The Honourable J E Cheek

Your Excellency, I too would like to support this Bill, it is probably not as much as some of us would like but I think it is probably more than the Colony can afford. Just two points I would like to make: I am very much in favour of the new system for children's allowances, particularly for those earning only a little bit of money. This way they gain considerably. I must disagree with the Member for Camp Division because unless my mathematics are completely wrong, unless you are paying 40% or above you in fact gain by this system. I think anyone who is paying 40% can easily afford to lose a little bit. I believe the maximum that you can possibly lose if you are paying 50% is something like £180 per year. People who are paying in that band of income tax can well afford it. I support the Motion.

The Honourable R E Binnie

Sir, I cannot see how anyone can lose by accepting this Bill and I fully support it and do not see any reason for it to go to Select Committee.

The Honourable L G Blake OBE JP

Your Excellency, I rise to ask the Financial Secretary to perhaps consider the changes in tax brackets of the first two stages. Changing stages at £500 intervals at the bottom end of the tax scale, I feel that the young single man is going to be less favourably treated than most other tax payers. As has already been said, we all gain by it but I do feel that the young single man gains least of all. The first two bands of chargeable income of £500 each do seem to me to be very narrow when one considers that the third band commences at £6500. I would ask him perhaps to consider extending the first two bands, perhaps doubling them, and reducing the amount on the 30 to 40% change.

The Honourable H Bennett OBE JP

Your Excellency, Honourable Members, I accept that the amendments are reasonable but would point out that the family man would not really benefit until next year whereas a single man without children gains almost immediately. I realise this is transitional and I do support the proposal that the Bill be submitted to a Select Committee of the House for consideration.

The Honourable the Financial Secretary

I have been asked specific questions, Your Excellency, and I would like to reply. Firstly I would say that the person on a higher income with children is likely to be affected adversely by the withdrawal of the allowances but overall there will be some gain on the other measures we are taking and have been incorporated in the Bill; but for this year I cannot see how anyone can really object because we are still continuing the allowance for children against 1984 income, which is the 1985 year of assessment. So for 1984 everyone will gain and I do not think we can go any further.

In reply to the Honourable Elected Member for Camp Divison as to whether the Colony can afford it, whether we can balance our Budget, I would like to remind him that we must balance our budget. There are no two ways about it. We will have to raise revenue in some way or we will have to cut our expenditure. But there is no way that I would ever recommend that this Council go over to grant in aid and therefore I am sure that one way or the other we must balance our budget. If Honourable Members would like to discuss this in a Select Committee I have no objection and we can report back if Honourable Members feel that it should be, but I think there is some division here.

There is the question that the Honourable Member for West Falkland raised about increasing the two bands; I would need to have time to do a few sums before I could go any further because I have calculated the tax loss and that is as far as I could go, but we may be able to bring in some measure for the people concerned.

The Bill was then read a second time and passed through its remaining stages without further debate or amendment.

The Clerk

FAMILY ALLOWANCES (AMENDMENT) ORDINANCE 1985

The Honourable the Financial Secretary

Your Excellency, Honourable Members, the need for this Bill arises from the proposals contained in the last Bill, which proposed the abolition of the allowance for a child under the income tax Ordinance. In fact it is part of the package proposed by the Fiscal Adviser for income tax reform. It is proposed to increase family allowances from £7.00 to £15.00 per month; it is proposed to extend the payment of Family Allowances to cover the first child of each family; it is proposed to extend the payment of family allowances in respect of children who continue to receive full-time instruction at any school or establishment in the Colony or elsewhere. I beg to move that the Bill be read a first time.

The Bill was read a first time and on the second reading the following Honourable Members spoke to the Motion:

The Honourable L G Blake OBE JP

Your Excellency, again I would ask for a little clarification from the Financial Secretary in that in his introduction to the last Bill he mentioned an increase in the allowance for children receiving full-time education overseas. I see no provision in the Family Allowance (Amendment) Bill for such an allowance; perhaps he can explain to us how this will come about.

The Honourable A T Blake

Your Excellency, I am a little bit lost here also. I would again ask where the money is coming from; I would say to the Honourable the Financial Secretary that we don't have a balanced budget for this year and at the present alarming rate that extra expenditure is being passed by Standing Finance Committee I do not see how we can afford it.

The Honourable the Financial Secretary

In reply to the Elected Member for West Falkland I would point out that in 2 c) there is inclusion for a child attending school other than in the Falkland Islands. So therefore there is provision there. The question as to whether we can afford it - well I'd like to see the Bill thrown out and I would have more money and this would make my task that much easier. However I'll have to think up some schemes for raising money in June.

The Bill was then read a second time and passed through its remaining stages without further debate or amendment.

THE LAND (SUBDIVISION FOR NON-RESIDENTS) ORDINANCE 1985The Honourable the Chief Executive

Your Excellency, the original provisions of this Bill, as published in the Falkland Islands Gazette for 31st August, were more wide-ranging than they are in the amended form in which it is now presented. Whereas the Bill originally controlled the subdivision of land outside Stanley, whoever was purchasing it, this version simply provides for the control of sub-division of land outside Stanley for purchase by non-residents. Considerable reservations were expressed by members of the public about the original Bill, in particular that it made it necessary for the owners of the land which came within its provisions to obtain a licence in order to sell, which some felt was an unacceptable infringement of the liberty of the individual, and the fact that the conditions which could be imposed under the licence appeared potentially very restricted. In essence, the Bill now aims to prevent the acquisition of small parcels

of land in the Falkland Islands by non-residents for uses which are not considered to be in the public interest. Government is thinking for example of the recent advertisement in the British newspapers for minute subdivisions of the so-called Coalite plots as "souvenir Christmas presents for the man who has everything", which this legislation would have prevented, and of another similar scheme which Government was fortunately able to discourage before it came to fruition. We are also thinking of purchasers who have no intention of developing their land, perhaps holding it for some speculative purpose and of the need at least to impose some planning restrictions on outsiders who may not understand the ways of the Islands. The onus to obtain the licence now falls on the purchaser so that objection has been removed. As to the licence conditions, it is proposed that one shall be removed: that relating to internal boundaries, 4 (c), and that that relating to the making over of roads be expanded to make it clear that this only applies to those which are likely to be used as public rights of way.

I think I should add by way of explanation, Your Excellency, that while of course Section 4 gives the Civil Commissioner in Council the power to impose any conditions in his discretion, in practice it is recognised that great care is likely to be taken not to deter genuine developers by the imposition of unreasonable or burdensome conditions. I will be proposing the amendments, in turn, in Committee; each Honourable Member has, I believe, a copy of the original Bill, the differences made by the amendments clearly marked as well as the amendments themselves. I beg to move that the Bill be read a first time.

The Bill was read a first time and on the second reading the following Honourable Members spoke to the Motion:

The Honourable A T Blake

Your Excellency, Honourable Members, I don't think this Bill goes far enough. We've had over the past four years at least, for longer I'm sure, great objections to the absentee landlords. It appears to me that there is absolutely nothing to stop persons outside the Colony buying parcels of land outside the said area and I do not think that this Bill in any way protects the assets which the Colony has and wishes perhaps to retain for use by Falkland Islanders, in any way whatsoever, and I think that the area under consideration here is far too small.

The Honourable J E Check

Your Excellency, Honourable Members, I support this Bill with one exception, paragraph 3 (c) defines a resident and says "anyone who has been outside the Colony for the previous three years for more than 30 days is a non resident". Well, as far as I'm concerned I am a non-resident as for each of the past three years I have been away for more than 30 days and I think at least one other Councillor has. I'm sure that other people within the Islands will have been as well. May I suggest that those 30 days be increased to 90 days as I think that is a more realistic figure in this day and age. Otherwise, Sir, I support the Bill.

The President

Thank you. The proposal is that the 30 days specified in Clause 3(c) be increased to 90 days.

The Honourable H Bennett OBE JP

Your Excellency, Honourable Members. I wish to associate myself with what the Honourable Member for Stanley West has said but I think perhaps it would be better to say "not absent from the Falkland Islands for a total of so many days during a period of so many years." I would propose 180 days in a period of three years. I have no other comment at this stage, thank you Sir,

The President

The alternative amendment proposal by the Honourable Member for Stanley Division is that instead of "for more than 30 days in each year of such period of year" to say "for more than 180 days in the last 3 years."

Does any other Honourable Member wish to speak?

The Honourable L G Blake OBE JP

Your Excellency, Clause 3 c) which we are discussing does seem to be somewhat unclear in that in describing a non-resident, if I may read it, "shall mean a person who has not been continually resident in the Falkland Islands for a period of years exceeding two." Now that does not state the previous two years; it means, I understand, that anybody who has lived for two years within the Falkland Islands at any time in his life is a resident for the purpose of this Ordinance. I wonder perhaps if this is not too slack a definition of a resident?

Perhaps the Honourable Member the Chief Executive could clarify the situation. I feel that we require somewhere in that definition a statement which says a person who is not normally resident in the Falkland Islands shall be considered a non-resident if he has not spent the last two years in continuous residence. Whether each Bill requires a definition of a person who is normally resident I do not know but I do feel that, as put before Council, this definition is not too tight but too slack.

The Honourable R E Binnie

Your Excellency, I support the Honourable Member for West Falkland that the definition of non-resident does appear to be too slack.

The Honourable the Chief Executive

As I understand it now, Your Excellency, perhaps you could give me some guidance, are we in fact to take this Bill amendment by amendment, once the House is in Committee?

The President

Yes, that is correct.

The Honourable the Chief Executive

Would it in fact be best if we actually dealt with the question of the definition of resident in the context of that particular amendment? I feel that that might be the most helpful way of dealing with it by way of additional amendments proposed as appropriate by Honourable Members. So perhaps the sensible thing would be for me in fact to simply move that the Bill be read a second time.

The Bill was then read a second time.

During the Committee stage considerable discussion took place with regard to the description of 'resident' and 'non-resident' for the purpose of the Bill.

In reporting back from Committee the Honourable L G Blake OBE JP proposed the following amendments:

The Honourable L G Blake OBE JP

Your Excellency, in consultation with the learned Attorney General and fellow members of Council I beg to move that the paragraphs presently labelled 3 (c) be deleted and the following substituted:

"Non-resident shall mean a person who has not immediately preceding the application for a licence under Section 5 been ordinarily resident in the Falkland Islands for a period of three years."

The second paragraph be deleted and the following substituted:

"A person shall be considered to have been ordinarily resident in the Falkland Islands for the said period of three years provided that at the commencement of that period such person had not been absent from the Falkland Islands for more than 120 days".

The Bill was passed with the agreed amendments to the two paragraphs under 3 (c).

MOTIONS

Motion by The Honourable the Chief Executive for approval of new Constitutions.

The Honourable the Chief Executive

Your Excellency, Honourable Members, if I may say so, Your Excellency has outlined the work which has been done and the decisions which still need to be taken on the two Constitutions of the Falkland Islands and of South Georgia and the South Sandwich Islands with great clarity in your opening Address. I hope Your Excellency and Honourable Members will forgive me if I cover some of the same ground again both for the benefit of this House and for that of the wider audience who will be listening with great attention to our deliberations.

Honourable Members are far more familiar than I with the history of the Constitutions which this House is to debate today. Their gestation period has been long; preliminary work had already begun before the 1982 conflict, culminating in the Report of the Select Committee of this House which was debated on 15th August 1983.

That Committee carefully consulted the Electorate by means of a questionnaire and presented an effectively unanimous report which was unanimously accepted by Honourable Members. There then followed rather over a year of Constitution making by Her Majesty's Government.

During that period there was considerable consultation with Your Excellency and with officials but not a great deal with unofficial councillors, apart from an important discussion with the Minister of State in the Foreign and Commonwealth Office, Baroness Young, in January 1984 when she visited the Islands.

This year or more of Constitution making culminated in the arrival of the new draft Constitution for the Falkland Islands at the beginning of November 1984.

A hundred copies of the draft were circulated throughout the Islands as soon as possible after its arrival and discussions held between Honourable Members and officials. Opportunity was also taken of the visit of Mr David Thomas, Assistant Under Secretary of State in the Foreign and Commonwealth Office, to have a full and frank discussion at a meeting of Joint Councils on 18th December. Finally, Your Excellency has discussed the Constitutional proposals on the radio and last night Your Excellency and my learned colleague the Attorney General submitted yourselves to that most frightening of ordeals devised by the media, a live phone-in, except that in the event I think it was not particularly intimidating.

Only last week the new draft Constitution for South Georgia and the South Sandwich Islands was received and should have reached all Honourable Members before this debate. Unfortunately there has not been time to circulate it to the general public but it is quite a short document of which the provisions can I believe be quite quickly explained.

Today presents an opportunity for a full and public debate of both Constitutions. As Your Excellency indicated, in your Address, in

/strictly

strictly legal and constitutional terms, the Queen and Parliament can make constitutions for colonies without consulting their peoples but in practice this has never been done and nowhere would it be less appropriate than here where so much blood has been spilt and money spent to protect the interests and the wishes of the people of the Islands.

Now turning to the details of the two Constitutions.

The Falklands draft Constitution in its original form as received from the Foreign and Commonwealth Office is a lengthy document - it runs to nearly 150 pages but the main concern of this House must surely be whether it gives to Islanders the increased say in their affairs which the Select Committee recommended.

As Your Excellency said in your Address, in practice nearly all the recommendations of the Select Committee have been agreed. The main recommendations and their results are as follows:

The Committee recommended that in this House, the Legislative Council, the number of elected members should rise from six to eight; and the two official members, the Financial Secretary and the Chief Executive, should cease to have voting powers. This has been accepted.

It recommended that in Executive Council the number of elected members should increase from two to three, that there should no longer be nominated unofficial members and that the two official members, the Financial Secretary and the Chief Executive, should cease to have a vote. This has been accepted.

In line with the recommendations for increased membership of this House the Select Committee recommended that there should be four members elected for Stanley and four for the Camp; this also has been accepted.

Although this was not a recommendation of the Select Committee, it also has been agreed, as the period of the conflict recedes, that the title of Military Commissioner should lapse with the departure of the present Military Commissioner and that the Commander of the British Forces in the Falkland Islands should in future be called just that, the Commander British Forces. He would retain his advisory powers in respect of defence and security and continue to be entitled to attend but not to vote at both Legislative and Executive Councils.

There is one subject on which Her Majesty's Government has not felt able to agree precisely with the recommendations of the Select Committee. That is their contention that, in general, holders of office under the Crown, or civil servants, should be able to stand for Legislative Council and by implication for Executive Council as well. In their recommendations the Committee made it clear that there were to be a considerable number of exceptions, in essence Heads of Departments and members of the judiciary, but nevertheless what they were saying was that a civil servant should stand unless it was indicated otherwise. Her Majesty's Government has taken the view that in general civil servants should not stand unless it is indicated otherwise by legislation which would need debate on the Constitution in August 1983, the only major note of reservation was in fact that of my Honourable Friend, the Financial Secretary, on this very point. He expressed the view then that problems

/of conflict

of conflict of interest outweighed the desirability in a small community of making as many people as possible available to serve as elected members.

This is clearly a subject on which Honourable Members may perhaps wish to have further representations made to Her Majesty's Government.

There are a number of other matters, mostly relatively minor, but nonetheless important, on which Honourable Members may particularly wish to have their specific views recorded:-

- Section 2 (1) provides that the death penalty should continue to be imposed for treason. Do Honourable Members wish to include this provision?
- Section 17 (5) defines a person belonging to the Falkland Islands. Is the definition in accordance with Honourable Members wishes?
- Section 23 requires that a candidate for election be registered in the constituency in which he is seeking election. Do Honourable Members agree?
- Section 27 (5) precludes from voting members of FIDF when called out for active service. Is this necessary?
- Section 37 (2) proposes the quorum for Legislative Council as 5 members, including at least 4 elected members. Is this acceptable?
- Section 59 proposes the quorum for Executive Council as 3 members. Is this acceptable?
- Section 77 deals with the Public Service. Honourable Members may wish to consider whether there might not be advantage in having an independent public service commission.

I would like to support, Your Excellency, your suggestion that these - and indeed any other matters which Honourable Members may wish to raise might conveniently be dealt with by a Committee of the House, with the assistance of my learned friend the Attorney General, after the initial debate. I think I should re-iterate Your Excellency's point that it would not be appropriate for Honourable Members in Committee to seek to vary provisions made in accordance with the original Select Committee's recommendations.

Finally, in relation to the Falkland Islands Constitution, I come to the most important late amendment to the draft by Her Majesty's Government, which Your Excellency has already described in your address, that relating to self determination.

Your Excellency has described the background to this amendment which arose from the discussions which Mr Thomas had with Joint Councils and is the direct result of discussions between the Foreign Secretary and the Prime Minister.

It has now been agreed that the preamble to the Constitution shall make specific reference to the International Covenant on Civil and Political Rights adopted by the General Assembly of the United Nations in 1966, which provides that:

/"all peoples

"all people have the right of self-determination and by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."

and further provides that:

"the states parties to the Covenant shall promote the realisation of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations."

The draft Constitution for the Falkland Islands therefore now not only enshrines:

internal constitutional progress reflecting clearly Islanders' wishes for the future conduct of their internal affairs

but also:

the concern of Her Majesty's Government that the people of the Islands should feel as secure and confident as laws can make them against the threat, the ever present fear that their wishes will ultimately be ignored in external affairs.

The precise way in which the proposed preamble fits into the draft Constitution is shown in a paper circulated to Honourable Members and can, of course, be studied further in Committee.

I now turn to the draft Constitution for South Georgia and the South Sandwich Islands.

When the draft Constitution for the Falkland Islands came back to the Islands, the apprehensions of Islanders and of Honourable Members quickly focussed on the fact that there was to be a separate Constitution for South Georgia and the South Sandwich Islands which had been dependencies of the Falkland Islands since 1908. They felt that such a separation made it easier at some future date for a British Government to do a separate deal with Argentina over the Falkland Islands whilst retaining South Georgia and the South Sandwich Islands. At that stage, Her Majesty's Government had not indicated precisely what, if any part, the Falkland Islands Government and people, or indeed Your Excellency, was to play in the conduct of their affairs.

When Mr Thomas was here in December, he was left in no doubt whatsoever of Islanders' strong apprehension about the separation of the Constitutions and of the extent to which the separation might jeopardise support for their acceptance of them. In the radio interview which he gave just before leaving he referred to Islanders' fears and reiterated that separation was essentially because Her Majesty's Government - and indeed the British Cabinet - had taken the view that opportunity should be taken to devise for South Georgia and the South

Sandwich Islands a Constitution more appropriate to the fact that they are not permanently settled territories. However, he promised that he would take note of the strength of feelings in the Islands and would convey this to Her Majesty's Government.

It is clear that Her Majesty's Government has indeed taken note of what he reported about Islanders' feelings. Constitutional separation indeed remains but the arrangements proposed in that separate Constitution leave the practical administration very much in the hands of the Civil Commissioner and Executive Council.

The main changes, apart from the separate Constitution itself, are that they cease to be known as Falkland Island Dependencies but simply as South Georgia and the South Sandwich Islands; and instead of being administered by the Civil Commissioner in Council the Civil Commissioner becomes the Commissioner for these territories and the Commissioner shall, and I quote, "wherever practicable, consult the Executive Council of the Falkland Islands before exercising any function which, in his opinion, might affect the Falkland Islands."

I do not doubt that almost any action taken in respect of South Georgia and the South Sandwich Islands affects the Falkland Islands and Honourable Members can anticipate that the present close administrative relationship will remain.

I do not believe, Your Excellency, that Her Majesty's Government can be expected to go further. The matter of both Constitutions, we know, has been dealt with at the highest levels of Government and to continue to question the significance of the separate Constitutions would, in my view be not only quite unproductive but could in practice delay the Constitutional advance which we all desire for the Islands.

I beg to move that the Constitutions be adopted.

The President

I invite the Honourable Member for West Falkland, as Chairman of the Select Committee, to second the Motion.

The Honourable L G Blake OBE JP

Your Excellency, Honourable Members, in rising to second the Motion I must thank the Chief Executive for his introduction and the way in which he has put forward the position with regard to our own Constitution. I would like, if I may, Sir, to further remind not just Honourable Members but members of this community of the recommendations of the Select Committee which are not in fact part of the document which is before us. I remind Honourable Members and the public of this fact because there is a wealth of legislation which we are going to have to get through in the next six months if, supposing the Constitution as before us is accepted, we are to hold elections under the new constitution. The prime sections which we have to deal with locally deal with the rules governing elections, the qualifications for electors and candidates and the position with regard to civil servants or public officers and, if I may, Sir, I would first of all like to clarify one point which, with regard to the existing constitution and the proposed Constitution, I feel has

/not been

not been made absolutely clear. Under our existing Constitution no person in receipt of emoluments under the Crown may stand for election. Under the new Constitution, as put forward, the number of people so disqualified from standing for election is greatly reduced in that only public officers specified by Ordinance may not stand. Therefore we have at least made some progress and assuming that we go ahead with this Constitution before our next election it does at least mean that hourly paid workers, for instance, will be allowed to stand for election and take their place within Government as ordinary citizens; and I think this is a major step forward regardless of how many other officers we can define by law as being eligible to stand. But the fact is that we have to work out a list of civil servants who we believe should be allowed to stand and the public has asked us to see who may stand for election and this is going to take time; but time we have providing we get on with it.

With regard to the Constitution generally, as outlined by the Chief Executive, Her Majesty's Government have accepted our proposals. We put forward a series of proposals and Her Majesty's Government has accepted them. I therefore wonder what will happen should we decide today to say we do not like it. There are two possibilities, of course, or three; one is that they will say rubbish, you do like it because it is what you asked for; the other is well, fine, carry on as you are, and the third is that they will throw their apron over their heads and run screaming down the corridors. I find it difficult to understand how we can reject this Constitution in that it provides all we asked.

With regard to South Georgia and the South Sandwich Islands, presently known as the Falkland Island Dependencies, I am relieved at the provisions made under the new Constitution for those territories to find that we still retain a high level of control in that area; but I do wonder why we are debating that Constitution today. This Council in the 1960s never even discussed or mentioned the removal of the Antarctic Territories from the Dependencies; we were not consulted and we were not really very worried. We were not interested. We never have been consulted on matters regarding South Georgia and therefore I can not really see why it is included on the Order Paper because there is one thing we do know and that is that, regardless of our decisions today, the South Georgia Constitution will go through. Hopefully we can amend the bits we do not like but that is the one fact we know.

And so, Sir, I beg to support the Motion.

The Honourable W. H. Goss MBE JP

Your Excellency, Honourable Members, I rise to support the Motion also. There are a few points in the Constitution that do not totally satisfy everybody; of course it is partially covered but you could say under a blanket and that is "civil servants" standing for Council. I can see many disadvantages in that and there really would be a lot of suspicion on the part of people if the Government was run by the Government - by the Administration, the civil servants - it would not be a good thing in my opinion. I am not, and others are not in favour of the overlap of Legislative Council and Executive Council. I am firmly convinced they should be two separate bodies. I do not know how you are going to get through business at this table, you'll have to get a bigger one, when we see eight legislative councillors here to discuss the business of the

day. I have always been of the opinion that the two councils should not overlap. I'm on Executive Council at the moment only for a reason, it is in our Constitution and of course, therefore if I was elected I should stand; I have refused many occasions. I sat on Executive Council initially and then went to Legislative Council and then went on to Executive Council as a Legislative councillor and I saw the disadvantages in the overlap. You either clammed in Executive Council if there was something which you were not totally convinced of, or when you came back to Standing Finance Committee or Legislative Council you clammed there. It was not a good procedure in my opinion and I still think we should have two separate Councils or if you are just going to have one Council have one Council. Self-determination, it was nice to think that that wonderful phraseology was enshrined in the Constitution. Britain has never denied us self determination; we have always had that. The only people who deny us self determination are our so-called cousins and their supporters. Nobody else denies us self determination. And at the moment we have it within the Islands; we have it as far as Britain is concerned, so that is no great worry of mine. It was nice to think that we still retain the original links with South Georgia and the South Sandwich group, there is very little change in the position there as to what it was going back to, I think it was 1908. I take it this will be debated further if we think of any more points or if members of the public, after hearing this debate, come to us with more additions to their views that we can still add to what has already been said.

I beg to support the Motion.

The Honourable R.E. Binnie

Your Excellency, I have very little to say. As has already been said we have got everything we asked for, perhaps quite a bit more besides but this affects us very little. I would say that I did not support the fact of Legislative Council members sitting on Executive Council but it was agreed by the Honourable Members in 1983 that that would be so. I believe, as a Member of Executive Council, I have never clammed on Executive Council and I have never clammed on Standing Finance Committee. I shall not clam later today, Sir, when some Bills come up.

I support the Motion.

The Honourable J.E. Cheek

Your Excellency, Honourable Members, I too wish to support this Motion. Like all things, it is not perfect. Some people more than others will probably disagree with some of the points. It has already been said but I would like to emphasise that the Select Committee that put forward most of the proposals that are here in this Constitution sifted through the interested publics replies to the Select Committee's questionnaire and in almost all cases the points that are here were made by the majority of the interested electorate. There were one or two where the split was almost 50-50 and practically the only one was whether we should have one or two councils. There was a slight majority for two and we went along with that; otherwise all we did was translate what the people wanted into a document which has finally turned up as this document here. There has been, Sir, a certain amount of talk that you, as Civil Commissioner, have too much power. You have no more power than your predecessors under the present and previous

Constitutions have had, and if people want the islands to remain a Colony, which I am convinced they do, the British Government obviously has to give you that power. If people believe that that power is too great then they have two options, one they can move towards internal self government or they can move to independence, neither of which I believe the majority of people want at the moment but there is I am sure no half-way house between what we have at the moment and internal self government.

A couple of other points. As the Honourable Member for West Falkland said, we now have a lot of work to do to provide the regulations and, although we may have a considerable amount of time, it is a lot of work and those six months, if we only work on it one day a month does not leave us much time to really get down to concentrated work.

The one point where the British Government has disagreed or turned things around, is the matter of civil servants. I do not disagree with the way they have done it as long as they are prepared to move fast as well as soon as we provide the list that we think is suitable to agree, disagree or propose modifications, but I would be very disappointed if they moved so slowly that we did not have that list available for the elections in September or whenever the elections are to take place. And we are not the first Colony to have civil servants elected, I believe St. Helena have civil servants on their Councils. I do not know whether they set the precedent.

One or two other minor points which I am sure we will bring up in Select Committee, if indeed we go into Select Committee, one of the points the proposer made as to whether we want to retain the death penalty - my own feeling is that we remove it entirely, but that is a matter of debate and then whether the British Government will accept it or not later on.

As the Constitution for the Falkland Islands Dependencies - can't use that term at a guess for much longer - for South Georgia and the South Sandwich Islands we, I think, made our views well known very strongly over the last six or eight months and I think we have got certainly as much as we expected if not more; possibly not quite as much as some people would have liked but it is certainly more than I expected. I'm rather amused to see that this new territory of South Georgia and the South Sandwich Islands includes all that territory which remained after the Falkland Islands Dependencies were split away and that it includes an area South of the American continent stretching as far as 80°W which is well into the Pacific, only two degrees of latitude but it presumably covers the British for any possible claim they might make in the future of the Antarctic.

I support the Motion, Sir.

The Honourable A T Blake

Your Excellency, I firstly wish to personally express my thanks to the Under Secretary of State, Mr. David Thomas, for the obvious fortitude with which he has presented our case to Her Majesty's Government; this is the second time I think that Mr. Thomas has indicated the intent of the Foreign Office to stand by the cause of the Falklands, he also was present at the Berne talks which broke down on a point which I consider was greatly in our favour. I think that Mr. Thomas and his staff, particularly Andrew Palmer, have indicated to us the intent of the

British Government and are doing so very efficiently so I would like that message to be conveyed to them by the best possible means.

Sir, there are one or two points I am sure that I may wish to attack various Members on, who have already spoken, and no doubt Members are going to speak. There are challenges I would like to make, Sir, and I hope that there is perhaps the chance for further public debate on various matters where changes do occur. I will leave that up to your judgement, Sir, as to how this is done.

The changing political climate in Great Britain at the moment has created a certain amount of apprehension within the Falkland Islands particularly, I may add, the policies as dictated by the opposition party. I think this is where there has been a certain amount of apprehension coming up within the Islands and this change in climate within Britain has demanded for us as Councillors to respond and make further changes to the Constitution, make recommendations for further changes within our Constitution to quell those apprehensions and I think the two factors which have evolved, that of the right of self determination which, I am afraid, I am going to claim full responsibility for, I think basically being the first person to raise the matter with Mr. Thomas and also bringing it up in various public debates that we have had so far. The most critical demand which any Falkland Islander would make I think is that his right of self determination should be protected.

We have, two Honourable Members have with me attended the United Nations and we have been very strong on this particular point. We have always been supported by the British Government on this particular point and the Prime Minister did make quite a large play on this particular matter during her Christmas speech to the Islanders. I am very glad that the clause has found its way into our Constitution which enshrines it and here, of course, I would take issue with the Member for East Stanley, which I have a habit of doing, in that just because it is all rosy now does not mean to say that it will be quite so rosy at a later date when one of these other parties, who are stipulating policies which would go very very much against the grain, may come into power. So, I think that as responsible Councillors we have protected the Islanders' right to self determination long into the future and it will take Constitutional change on the part of Islanders in almost total agreement before that can ever be rescinded.

I would take also some issue with the Member for West Stanley, who has attended the United Nations with me on a number of occasions, about comments he has made as to the adequacy of the association between the two-Council system as opposed to the one-Council system and Great Britain is obliged under Chapter 11 of the Charter of the United Nations to bring about changes within our Constitution from time to time to bring about, ultimately, the full right of self determination which could be independence, if we so desired, and so that the doors must always be open for changes within the Constitution of these Islands to foresee that Britain is carrying out her obligations under this Chapter 11 of the UN Charter.

I will, Your Excellency, with respect, criticise the power of the Civil Commissioner or as I propose, or will be proposing, that we return to, the terminology of the Governor. I do think that the Civil Commissioner smacks of post conflict era and I would very much like to return to

normal with the retention of the word Governor. That will be another problem. I think that under the obligations of Chapter 11 of the Charter of the United Nations there is an obligation on the part of the British Government to slowly cede over power to local administration in certain areas and I do believe that there are certain areas where we could perhaps relieve the Civil Commissioner of some of the responsibilities he bears in those areas - the specific areas I do not propose to go into at the moment and they are obviously areas which we can discuss - but I think that again the door should always be open for more autonomy on the part of the Falkland Islands Government. Obviously there will be areas where I think we would all agree that the local government should never have the power to go into direct conflict with the British Government and I think those areas must be respected and protected, but I think there are areas where we can as we mature politically take some of the powers away from the position of the Governor. Sir, I feel overall that we have been very lucky to achieve what we have achieved for the Falkland Islanders in this new Constitution. I would point out to the Honourable Member for West Falkland that we made recommendations for the changing of the old Constitution and we now have a totally new, reshuffled Constitution and I am fully aware that it is reshuffled to make things a whole lot easier. I do believe that it was absolute shambles of documents which seem to go on forever and it is now very compactly presented to us, and I think that because it has been reshuffled there has obviously been some areas which required looking at and change and I think this is the time to look at these areas of doubt and consider possible mistakes and errors to get it right. I am not in a hurry to pass this particular Constitution or to get this Constitution passed. I want to get it right for the Islanders overall and it's only by debating these new areas that have come in we can properly get a document that will last for some time. I do not think it would be apt for us in twelve months to start trying to move amendments to the Constitution which I am sure would be unacceptable in Britain; we must get it right the first time. Sir, with those various numerous comments I will support the Motion.

The Honourable H Bennett OBE JP

Your Excellency, Honourable Members, in rising to support the Motion I would like to say a few words concerning the separation of the Dependencies from the Colony. Like many other Falkland Islanders I regret the passing of Falkland Islands Dependencies. In 1962 we watched silently while a large portion of the Dependencies was excised and created into a separate territory. Now the remainder is to go and a traditional link will be broken. South Georgia as a dependency could be a great asset economically to us if developed and particularly if fishing zones are declared both there and here and South Georgia provides the only facilities for docking trawlers. Constitutions have been made available to the members of this Council only an incredibly short time ago, particularly that of South Georgia and the South Sandwich Islands. Too short to discuss purposefully with constituents and interested persons. I regret that too. I think all my colleagues have said most there is to be said about the Constitution, I'll leave that until the debate in Select Committee, except that I would like to mention three points - I believe there is no provision for appeal to the Privy Council. I intend to strongly oppose the form of constitution of the Executive Council; it should be by direct vote from the

people, the people should vote them and not the others. I shall say no more serious words on this matter at the moment. I will oppose the residential qualification for candidates; I am very strong on that point as well. Thank you Sir, that is all I have to say at the moment.

The Honourable the Financial Secretary

Your Excellency, Honourable Members, I am afraid this is one day that I find very difficult in the life of a Councillor and I am very pleased that one thing the new Constitution will do is to take away votes from the ex-officio members and I will start today in doing that, in complying with the new Constitution, because I will abstain from the Constitution support. I do have reservations and you did mention in your Address this morning that there was no point in raising matters which we have already gone over before. I'm sure that all Councillors know my views on the Constitution, I have certain reservations and I know that they are in conflict with the people of these Islands. I accept that and I am in the minority. On the separation of South Georgia, I am afraid I hate being divorced from the great white South. I abstain from voting.

The Honourable the Military Commissioner

Your Excellency, Honourable Members. An important proposal in the new Constitution is that my role as Military Commissioner should lapse and I think it would be appropriate if I said a few words on the implications and the necessity for this important change. There can be few British people more aware of a need for a ready and effective defence than those in the Falkland Islands. When my brothers in arms defeated the Argentinians who were occupying Falklands territory, they were faced, as were the civil authorities, with the mammoth task of reconstructing that which had been destroyed during the Argentinian invasion and of sorting out the military chaos that this invasion had left behind, and I believe it was right at the time, and proper, that the military should play a major role - indeed they had to because it was beyond the resources and the finances of the civil community to put matters right. I believe they played an important and valuable role and I believe that that role now is largely finished and we move into a new phase for the military presence on these Islands. And so it would seem logical therefore to review the situation with regard to the role of the Military Commissioner. I think the islanders here would wish to ask three questions. First of all, if the Military Commissioner's role is able to lapse, then why is it necessary for the Commander of the British Forces to maintain a seat on the Legislative and Executive Councils, even though it doesn't carry a vote? Secondly, and perhaps most importantly, can I as Commander of British Forces, and my successors, effectively defend these islands if we are no longer able to hold the apparent influence of the post of Military Commissioner? Then, finally, perhaps you would ask me, do I support this change?

First of all, why then should I retain, and my successors retain, the right to attend the debates on the running of the country? I believe there are several reasons. First of all, and I know you will support me here, defence matters as much to you as it does to the people of England and it is most important that defence and its requirements

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should have a say in the evolution of policy throughout the Islands. And that is best exercised, I believe, at your Executive and Legislative Council meetings.

Secondly, I anticipate that for so far ahead as I am able to see, there are going to be a substantial number of Servicemen on these Islands - the number will change and it will reduce from the figures we have now - but there will remain a substantial number of Servicemen here. They are part of your community and, as I said when I first addressed this audience, and as I say to every group of servicemen arriving here, we are in support of the civil community and we are therefore part of the civil community and I believe therefore that it is appropriate and right that our voice should be heard by the civil community through its normal means of debate and management of civil affairs and it is most important and going to become increasingly important that this interface between the military and the civil community should be given every opportunity to be sustained once we leave the Canache and move into our new barracks alongside the airport some 54 km down the road - and this opportunity to be represented and talk with Councillors in the future will be an important means of sustaining this interface.

Finally, on this topic of why we should maintain a seat I would like to say that it is inevitable that with a large number of servicemen here and the presence we have on the islands for the defence of the islands, there will be problems and there will be matters which need discussion and I believe it is proper and right that I and my successors should have the opportunity of airing our views and making you aware of the implications of decisions which you may wish to take so far as defence is concerned.

My next question is then, can I continue with my role of defending these Islands against aggression, or can I and my servicemen continue with our role of defending these Islands against aggression? That indeed is my task; and is indeed why we are all here and I personally believe that with the proper relationship between the Commander British Forces and the Civil Commissioner there is no reason at all why there should be any degradation of our ability to defend these Islands just because I no longer, my successors no longer hold the post of Military Commissioner. Indeed, I would go further and say that, possibly, it is a proper and correct evolution that defence should be considered to have an important voice in affairs but that it should not be equal in importance to the role held by the Queen's representative on these Islands. And so I say that, yes, we can continue with our defence effectively despite this change. Then finally, you would ask me, do I support the change? Well, I'm sure from what I've already said you will appreciate that indeed I do and that I did in fact support this in the early stages when it was being discussed from the very start and that the Civil Commissioner and myself discussed it during these past six, seven months that I've been here, and I think we have both been of one accord that it is a right and proper evolution for the post of Military Commissioner to lapse, but at the same time for the Commander British Forces to hold an important and influential role in the decision making process of the Islands and its Councils. Thank you very much, Your Excellency.

The President

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Normally, this is a Motion I would now ask the Proposer to wind up but I take it, as I suggested in my opening Address, that it is the wish of Councillors to go into Select Committee to have more informal debate on some of the details that have been just mentioned in passing in your speeches, could I have a show of hands if you wish to go into Select

Committee. If the majority wish to go into Select Committee the next decision is whether you wish the Select Committee to be in private or in public.

The majority voted for debate in Select Committee, in public, and The Honourable the Chief Executive moved that the Constitutions be referred to a Select Committee of the whole House. There was no objection to the Motion and the President summoned the Attorney General to take part in the Select Committee's deliberations.

The Honourable the Chief Executive

Your Excellency, it is my duty to report back to you the results of the proceedings of the Committee of the House which met yesterday under my chairmanship, in public, from 2.30 pm to 6 pm, with a brief break for an excellent tea provided by the Acting Registrar.

I would like to begin by paying tribute to the statesmanlike and workmanlike approach adopted by my colleagues. This enabled a great deal of ground to be covered in a relatively short time but without, I believe, missing any important points. I should like too to express my appreciation of the help which we received from the learned Attorney General. Without him we would certainly have floundered. I should also like to pay tribute to my personal assistant who came in early this morning to type this speech with great speed.

I think, Your Excellency, it will make for clarity if I deal with the various topics in the order in which they appear.

Firstly, the Falkland Islands Constitution.

The Preamble Substantial satisfaction was expressed at the new reference to self determination but there was concern that the first two paragraphs of the Preamble referring to Article 1 of the International Covenant on Civil and Political Rights should be integral to the Constitution itself - in other words that they should appear in the body of the Constitution under the first heading "Protection of Fundamental Rights and Freedoms of the Individual". I assured Honourable Members, Your Excellency, that this was how I understood the instructions which we had received from Her Majesty's Government.

Section 2 (1) The Committee agreed to the retention of capital punishment for treason. Three Members were against this.

Section 17 (5) The Committee agreed to the definition of a believer.

Section 18 The Committee were strongly of the opinion that the title of "Governor" should replace that of "Civil Commissioner". They could understand the use of the title "Civil Commissioner" as long as there was a "Military Commissioner" but could not see that it was justified once the title of "Military Commissioner" disappeared. They realised that Her Majesty's Government probably thought that "Civil Commissioner" was more acceptable to world opinion but felt that they were wrong and

that the restoration of the title of "Governor" would signify a return to normalcy. They further found the three different titles of Civil Commissioner in the Falklands, High Commissioner in Antarctica, and Commissioner in South Georgia and the South Sandwich Islands confusing and thought Your Excellency might feel the same.

Section 23 It was agreed that candidates for election should be registered in the constituency in which they were seeking election. In fact this was a recommendation of the original Select Committee.

Section 24 The view of Her Majesty's Government that in general civil servants should not stand for election, save as provided by the legislature, was accepted. It was agreed, however, that a list of those to be exempted should be sent to Her Majesty's Government as soon as possible with a view to obtaining agreement in principle in advance to non-disallowance in anticipation of legislation here.

Sections 27 2(d) and (5) The provision that a Falkland Islander who happened to be a member of Her Majesty's forces should not vote was not understood and the Committee requested that this be reconsidered. If this was so, the proviso relating to the FIDF would not be required.

Section 35 (3) The Committee took the view that the proviso which permits the person presiding over Legislative Council to summon any other person to a meeting of the Council to take part but not to vote should be qualified by the consent of the Legislative Council.

Section 37 (2) The Committee proposed a quorum for Legislative Council of 5 elected members, instead of 5 members with two from Camp and Stanley respectively.

Section 38 (3) The Committee thought that the phraseology on casting votes was unclear. It appeared that it did not allow a vote to the Civil Commissioner (with which the Committee agreed) but this was not as clear as it could be.

Section 50 The composition of Executive Council has, of course, been agreed by Her Majesty's Government on the basis proposed by the Select Committee, that of election from Legislative Council. However, two Honourable Members, the Honourable Member for Stanley Division and the Honourable Member for Stanley East, asked that their views that Executive Council be separately elected by direct election be recorded.

Section 52 (2) Concern was expressed that a form of words be devised which ensures that if an elected member of Executive Council overstays his 12-month period inadvertently, without re-election an election can still take place.

Section 52 The quorum of 3 for Executive Council was accepted.

Section 61 The Committee considered that, in addition to members of Executive Council having the right to request the Civil Commissioner to submit a question for resolution in Executive Council, this right should be extended to members of Legislative Council.

Section 76 It was considered that the Principal Auditor should be described in such a way as would allow the use of a respected firm of chartered accountants.

Section 77 It was considered that provision should be made for a Public Service Commission on the grounds that:

- it would involve more local responsibility in decision making;
- it would encourage the appointment of Islanders to the public service and ensure that they had the maximum opportunities;
- it had, in any case, been recommended by the Salaries Commissioner whose report had been accepted by Executive Council.

Transitional Provisions 4 The Committee wished Her Majesty's Government to be aware of the desirability of being able to hold Legislative Council elections by late September/early October. It was agreed that they be held not later than six months after the commencement of the Order.

I believe Your Excellency, that this is a comprehensive list of the detailed decisions required and changes made in respect of the Falklands Constitution. I think it is worth touching on one other area over which there was considerable discussion, the powers of the Civil Commissioner. I should emphasise, Your Excellency, that this discussion in no way referred to yourself but simply reflected an apprehension about what might be done by a less politically sensitive and more autocratic successor. I believe that reading this new Constitution has made people realise just how extensive are the Civil Commissioner's powers. However, there were no practical suggestions for curbing them.

Finally, we also looked at the South Georgia and South Sandwich Islands Constitution. Here, our concern was with terminology, with the use of the title "Commissioner" and with the use of the title "Forces Commander" for Commander British Forces. The difference in the role of the Civil Commissioner and Executive Council was noted.

The separate Constitution for the Islands is unpalatable, but broadly accepted in the overall context of all the other provisions in the Falkland Islands Constitution draft.

I beg to move that this House approve the draft orders to be promulgated by Her Majesty in Council providing for new Constitutions for the Falkland Islands and the Dependencies thereof.

The Motion was passed (The Honourable the Financial Secretary abstaining), and His Excellency assured Honourable Members that all the points that the Honourable the Chief Executive made arising from the Select Committee deliberations would be passed immediately to the Foreign and Commonwealth Office and would be carefully considered by Her Majesty's Government.

MOTIONS

Motions by the Honourable the Financial Secretary relating to applications for exemption from certain Taxes and Dues by Companies and Persons employed on works in the Falkland Islands.

Motion No. 1

The Honourable the Financial Secretary

Your Excellency, Honourable Members. You will recall that Her Majesty's Government requested the Falkland Islands Government to forego the various taxes and duties which would normally be levied on the Mount Pleasant Airport contractors and their employees who are resident and recruited overseas. Honourable Members will also recall their agreement, in principle, to the exemption which was given in 1983 prior to the commencement of the project. This was in fact considered to be the local contribution. Owing to the delay in the introduction of suitable legislation to cover such exemptions it has not been possible to finalise the procedures required to implement the concessions until today. The Motion for Resolution exempts the various companies and persons engaged in the MPA Project from taxes imposed under the Income Tax Ordinance, duties imposed under the Customs Ordinance, contributions imposed under the Old Age Pensions Ordinance, Medical Services Levy imposed under the Medical Services Levy Ordinance 1979 and the harbour dues imposed under the Harbour Ordinance. It should be noted that the exemption of duties imposed under the Customs Ordinance is subject to the condition that exempted bodies or persons do not sell or give any dutiable goods to any body or person who is not exempted from payment of duties. It should also be noted that the exemption from the Medical Services Levy requires any persons exempted to pay the Falkland Islands Government all fees and costs that may be charged for medical treatment received by them from the Falkland Islands Medical Department. I beg to move that the Motion be adopted.

The Honourable W.H. Goss MBE JP

Your Excellency, Honourable Members, in these exemptions it would appear that these companies where they could be helping us by buying materials from us which they are in need of they don't do; it seems all very one-sided. We give and they take, and I am mainly referring there to crushed metal - crushed stone, aggregate. With the sophisticated machinery that we have for crushing surely there must be a surplus and we could now be selling it to them. I support the Motion only on the condition that more care is taken and that a tighter control is made of the dutiable goods that are to be seen around. Thank you.

The Honourable R.E. Binnie

Your Excellency, I support this Motion maybe because they are not using our facilities, they had to build their own camp, they are using their own facilities and are not a burden on this community.

The Honourable J.E. Cheek

Your Excellency, Honourable Members, I too support this Motion but would like to make some comments and possibly one alteration. Firstly, I agree with the Member for Stanley East in saying that I think control of the disposal of dutiable goods should be much tighter. I think that it is fairly common knowledge that certainly a quantity of goods are getting out of the camp to other parts of the islands and indeed within the camp I do not see how this can be controlled, there are at the moment, I believe, two islanders employed there and there are at least some staff of one company that is not listed on the schedule. How these people obtain dutiable goods I do not know. The one other point that worries me is the possibility that some of the workers may have family and children and those children attend school in which case I believe provision should be made for any such children, and here I am referring not only to this Motion but to possible following ones that may be passed; such children may then be going to school and the taxpayers will be paying for that. Their parents will be non-taxpayers. I believe they should be directly charged for their childrens schooling. Thank you Sir.

The Honourable the Financial Secretary

Your Excellency, the question raised by the Member for Stanley East is now under consideration. We are discussing the question of crushed rock with the contractors. With regard to the question of levying a charge for education, well, all education in the Colony is free and it would need to be a specially negotiated arrangement if we intend to do this and the matter I suggest should be considered in another place first.

Motion No. 1 was passed.

Motion No. 2The Honourable the Financial Secretary

Your Excellency, Honourable Members, shortly after hostilities the British Government provided us with some rehabilitation aid and one of the projects for the aid was for the construction of 54 houses in Stanley. The contractor, James Brewster and Associates Limited and his employees, requested exemption from the various taxes - ie taxes under the Income Tax Ordinance, Medical Services Levy, Old Age Pensions contributions and duties imposed under the Harbour Ordinance. The exemption is confined to persons who are not resident in the Colony and are recruited from abroad.

The Standing Finance Committee approved the exemption on 11 July 1983 under the Ordinance which was later disallowed. It is therefore necessary to legalise the situation under the current Ordinance. The Overseas Development Administration expected us to forego the tax on the projects

financed under both the rehabilitation aid and development aid projects. Therefore I beg to move that the Resolution be adopted.

The Honourable R.E. Binnie

Your Excellency, when Joint Councils exempted, or agreed to exempt, the contractors building the Mount Pleasant Airport, we made it quite clear that these exemptions would apply only to those construction companies at Mount Pleasant. Sir, I object strongly to any other companies being exempted. The companies in Stanley are using all our facilities, such as power, water, roads, housing, schools - Sir, I just cannot accept the use of all those facilities by companies who do not pay tax and rates. The burden of paying for all these things is carried by a few islanders and I believe that everyone whether they are permanent residents, temporary residents, or whatever, if they are in these Islands they should pay their taxes and duties to help to pay for those services. Sir, I object strongly.

The Honourable W.H. Goss MBE JP

Your Excellency, Honourable Members, I do object to the Motion but in view of the fact that I think it is embodied in the contracts that these people would be exempt from taxes and duties here and if we impose the tax and duty, which in many cases should be done, it will not come out of the contractors, it will not come out of the people, it will be taken out of another fund; it will be taken out of one hand and put in the other. So we will ultimately pay for the charges that are levied on them by us for services. I do not see that there is any other way out of it other than to grant the exemptions. Thank you Sir.

The Honourable J.E. Cheek

Your Excellency, Honourable Members, I do support this Motion somewhat reluctantly. As was said by the Proposer in Standing Finance Committee I think we did agree to this initially, I think we did so wrongly but I am not prepared to go back on my words and in the case of this Motion I will support it.

The Honourable L.G. Blake OBE JP

Your Excellency, Honourable Members, I rise to support this Motion. There are two paymasters in this situation, or two possible paymasters: one is the Falkland Islands Government and one is Her Majesty's Government. There is no secret, Sir, of the cost of these Islands to Her Majesty's Government at present. The figures we are talking about are a fraction of our own recurrent budget and for us to be seen to be taking our pound of flesh at the present time I believe to be totally counter-productive. It will only add further arms to the press who are at present doing their best to see that these islands get as little more as possible, that Britain settles at any cost with Argentina and they rid themselves in the United Kingdom of the burden of these Islands, and whilst the cost per day continues to be talked about in millions for us to start complaining about not having duty in pounds I think is foolhardy and it is a question of us just paying a little bit more to see that this money is available.

The Honourable A T Blake

Your Excellency, Honourable Members, I also support the Motion in this particular case having agreed to do so previously but I do agree entirely with the sentiments expressed by the Honourable Member for West Falkland and I would ask perhaps if the Honourable the Financial Secretary could indicate whether or not contractors in general who operate within the Stanley area do in actual fact pay for power in particular.

The Honourable H Bennett OBE JP

I support the Motion but I have not the knowledge to discuss it in great detail.

The Honourable the Financial Secretary

I can confirm that the contractors, under their various contracts, are not exempt from payment for electricity. Under certain contracts they do own the contractors accommodation, as at the Hillside Camp, there is a separate arrangement which is at present under consideration.

Motion 2 was passed with one vote against by the Honourable Member for East Falkland.

Motion No. 3The Honourable the Financial Secretary

Your Excellency, again from our rehabilitation aid funds we have expended monies on the construction of Stanley roads. The firm Fairclough International Construction Limited supplied the labour and was supervised by the Crown Agents for Overseas Governments, the catering arrangements were by the Grand Metropolitan Hotels Limited, and the Motion before Council exempts the contractors and the employees from taxes imposed under the Income Tax Ordinance, contributions under the Old Age Pensions Ordinance, the Medical Services Levy imposed under the Medical Services Levy Ordinance 1979 and the Harbour Dues imposed under the Harbour Ordinance. I beg to move that the Resolution be adopted and would point out that Fairclough International Ltd and Crown Agents for Overseas Governments were exempted with the approval of the Standing Finance Committee on the 11th July 1983.

Motion No. 3 was passed with the Honourable Member for East Falkland voting against.

Motion No. 4The Honourable the Financial Secretary

Your Excellency, Honourable Members, at the present moment we have the

Crown Agents, Fairclough International Construction Limited and Kelvin Catering Limited supplying the services for the construction of the extension to the Power Station, which is being financed from the Development fund, the £31m. The Overseas Department of Administration also expect us to exempt the persons who are recruited from overseas from the various taxes imposed under the Income Tax Ordinance, the Old Age Pensions contributions, Medical Services Levy and any harbour dues that may arise. I therefore beg to move that the Resolution be adopted.

The Honourable R E Binnie

Sir, I would just like to point out that this Resolution has not been passed by Standing Finance Committee before and I have the same objections to it.

The Honourable J E Cheek

Your Excellency, Honourable Members, I too cannot support this Motion. I am speaking for this as well as for the next two Motions when I say that it has been said that if we impose taxes it will cost Britain more money. I disagree. It will cost Britain the same but it will just be a matter of how it is paid. If we forego the taxes on this we will I believe run into deficit budget and grant in aid sooner, I would prefer myself to see taxes for this being paid by Britain out of the £31m that they've already promised. We already know that Britain is not going to give us more than £31m. I am not asking for more, what I am asking for by refusing to support this Motion is that those monies come out of the £31m which has been promised to us anyway rather than out of our own budget.

The Honourable the Financial Secretary

There is little that I can say regarding the comments made by the Member for West Stanley other than the difficulties that will arise, the practical difficulties that will arise through endeavouring to collect tax in the way that he suggested.

The President

If I may just go back a little. Is it possible to investigate ways of charging school fees if in fact the contractors have got children that attend the schools?

The Honourable the Financial Secretary

Yes Sir, there will be no objection to that and I have made a note of it.

Motion No. 4 was passed with two votes against by the Honourable Member for East Falkland and the Honourable Member for Stanley West.

Motion No. 5The Honourable the Financial Secretary

Your Excellency, the Ministry of Defence at the present moment are financing the cost of the Stanley Link Road which runs from the Stanley-Cape Pembroke Airport Road to the Stanley-Darwin Road and the Property Services Agency are supervising, with Fairclough International Construction Limited and Miller Construction (Northern Limited) undertaking the actual contract. The Resolution makes provision to exempt the various bodies and employees from taxes imposed under the Income Tax Ordinance, Old Age Pensions Contributions, Medical Services Levy and Harbour Dues. I beg to move that the Resolution be adopted.

The President

Perhaps I should point out as clarification to listeners, not Honourable Members who have the papers in front of them, that it is necessary to have these separate Motions because they apply to different companies and, as the Honourable the Financial Secretary has pointed out, they also apply to different times, because they are all under different contracts, and this particular Motion No. 5 is to be in force for a period of one year from 1st July last year. Does any Honourable Member wish to speak to this Motion?

Motion No. 5 was passed with two votes against by the Honourable Member for Stanley West and the Honourable Member for East Falkland.

Motion No. 6The Honourable the Financial Secretary

Your Excellency, Honourable Members. This Motion seeks to exempt the team engaged on the School Hostel Project from Income Tax, Medical Services Levy, Old Age Pensions contributions and any harbour dues that may arise. Again I will ask Members to note that the exemptions are confined to persons who are not resident in the Colony and are recruited from abroad. The contractors are John Laing Construction Limited, Mowlem International Limited and Amey Roadstone Construction Limited. I beg to move that the Resolution be adopted.

The President

I take it that the stand is the same, the attitudes to this are the same as to the last one and the one before that. This Motion is passed with two votes against, by the Honourable Member for Stanley West and the Honourable Member for East Falkland.

Motion No. 7The Honourable the Financial Secretary

Your Excellency, at the present moment the Ministry of Defence have en-

gaged various companies to undertake support services for them. Included are the Property Services Agency, Turner Diesels Limited, Kelvin Catering (Camps) Limited, Bristows Helicopters Limited, ITM Offshore Limited and Amey Roadstone Construction Limited. The projects which they are undertaking, the ITM Offshore Limited is undertaking the FIPASS, Amey Roadstone Construction Limited are engaged in the quarry, Bristows Helicopters Ltd are flying their three helicopters here, Kelvin Catering Ltd. are providing the messing services at the Camp, Turner Diesels Limited are providing the various services for the power stations throughout the Islands and the Property Services Agency are supervising the various works. Again it is proposed that the taxes imposed under the Income Tax Ordinance should be waived, contributions under the Old Age Pensions Ordinance, Medical Services Levy, and any harbour dues applicable to the various companies. I beg to move that the Resolution be adopted.

The Honourable R E Binnie

Sir, I would just like to know how the authorities are going to stop the personnel of these companies from using the NAAFI clubs and the various canteens and so forth with duty free goods.

The Honourable the Military Commissioner

Your Excellency, access to the various NAAFI clubs and shops is restricted to Service and other entitled personnel who are defined as such to the staff of the NAAFI. When a civilian approaches the NAAFI for service the NAAFI staff have the right and indeed the obligation to demand a certificate of identity to show that they are one of these entitled people and I am told, as a result of investigations earlier this morning, that they are on the whole reasonably thorough about this and certainly, in the case of the person I was talking to, I was informed that he was asked for his identity card at least on one of every three occasions when he visited. Now, clearly, there is room here for abuse and for individuals to take advantage of the situation and to purchase supplies to which they are not rightfully entitled but I believe that to make the system one hundred percent foolproof would involve staffing increases and police duties that would be out of all proportion to the possible revenue that would be saved. Speaking personally as the Commander British Forces I am as anxious as everybody, as Honourable Members are, to ensure that the privileges we have are retained and treated as our privileges and certainly were my attention to be brought to any regular abuse of these facilities by any nominated or identified person or organisation I would take immediate steps to see that this was stopped. So, in short, there are controls. I do not believe, judging by the reports that I have received so far, that they are successfully and substantially evaded and if this were to be the case and evidence could be produced I would see that steps were taken to stop it recurring.

The Honourable the Financial Secretary

I think we were all very encouraged by the assurances given to us by the Military Commissioner. I beg to move that the Resolution be adopted.

The President

I would like to point out to Honourable Members and listeners that the

only exemption from duties that this House has passed was the first, the first Resolution, Motion No. 1 which applied only to those people working on the construction of the Mount Pleasant Airport; and that Motion contains in Article 2 the exemption under paragraph 1 b), that is "duties imposed under the Customs Ordinance", the exemption is subject to the conditions that exempted bodies or persons do not sell or give any dutiable goods to anybody or person who is not exempted from payment of duties under the said Ordinance. This House has previously reserved the right to withdraw that privilege if in fact it is found to be abused and I can give an assurance to Honourable Members that if this is reported and if abuse of that exemption is found then that privilege will be withdrawn.

Motion No. 7 was passed with two votes against by the Honourable Member for Stanley West and the Honourable Member for East Falkland.

MOTIONS FOR ADJOURNMENT

The Honourable the Chief Executive

Your Excellency, I beg to move that this House stands adjourned sine die.

The Motion was seconded by the Honourable the Financial Secretary and the following Honourable Members spoke to the Motion:

The Honourable W H Goss MBE JP

Your Excellency, Honourable Members, I have very little to say, only to note that I am very concerned about our financial position. It seems that we are going fast towards grant in aid and I think every step should be taken to slow this down or reverse it. Thank you.

The Honourable L G Blake OBE JP

Your Excellency, Honourable Members, during the debate on the Constitution one change which was proposed is the removal of the title "Military Commissioner" and the installation of the title "Commander British Forces Falkland Islands". That removal of course will come at the same time as the Forces start to move from Stanley to Mount Pleasant and I hope that it will not be a divorce. It is important I believe that the communities live as much together as possible and see as much of one another as possible and get to know each other as much as possible and I welcome the way the current Military Commissioner has worked in fostering these two communities and their relationships.

If I may, Sir, I would like to turn to the press conference of Lord Trefgarne during his visit and to the question of Mount Pleasant Airport. A number of us here at this Table have at great length stressed to bodies throughout the world that this is a civil airport with a military capability in line with Lord Shackleton's recommendations and in line with statements made by Her Majesty's Government. I was therefore not a little dismayed to hear Lord Trefgarne intimate that the airport would be a military one and in the first year there would be small civil capacity for passengers and freight. I think, probably as a result of representations, he modified that view and it became "in the early stages" but I do believe that we as a government have got to make known our feelings in the strongest terms to the Ministry of Defence that this is a civil airport with a military capability and if they insist on operating it as a military airfield and giving us just the spare little bits that they do not want, then we are going to find it extremely difficult to justify such an airport politically and to maintain Her Majesty's Government's position that it is for us. We have in our development included planning for removal of freight between the Falkland Islands and the United Kingdom and also included in our development greater use and speedy travel. It has always been recognised that this is essential for the development of these islands and it has to be a specific commitment for us to be able to use that airport; we cannot be allowed passages on an ad hoc basis as and when they become available. I think that it is time now to get our act together with the Ministry of Defence so that when this airport comes into operation we will have a free flow of passengers, both military and civilian, with the minimum of delays and hassle. Passengers, or the public, are going to be looking for easier travel; it is recognised that during the proving period this travel will be limited but that proving period must not be allowed to extend beyond what is reasonable. And so, Sir, I hope that all Members here will join with me in drawing everybody's attention to the fact that it is time to start planning now and by that I mean joint planning, not planning by Ministry of Defence with concurrence by the Falkland Islands Government. Coming from the airport we see in the building a splendid road and we have heard much about the fact that it is going to be of limited capability and the maximum 10 ton all-up weight; there have been thoughts that with the installations at Mount Pleasant and at Mare Harbour we will not need a harbour facility here, that our fuel and cargo can come overland, perhaps, from Mount Pleasant. The design of the road makes that totally impossible. There is no way in which we can send bowzers to Mount Pleasant and bring them back with a sensible quantity of fuel without permanent and speedy damage to the road which will then be costly to repair, and I believe, therefore, that we have got to start planning now for our harbour facility and our fuel supplies and I think that again this is something we should be working out with the Ministry of Defence and within our own Development Corporation.

I am afraid, Sir, that this sounds like a grizzle and a long and tortuous one but I was disappointed to hear that all the development funds in our development plan have been voted for a North Camp road. We have £2m in the plan and they've now been allocated to the North Camp Road. I would have hoped, and I still hope, that within those funds we could at least have arranged for the stationing of some plant for the improvement of West Falkland tracks and operators to work that plant. We do not have the weight of traffic which is demanded in the Stanley area and therefore a little effort would go a very long way but it is not a happy sight to see first our £2m on the airport road disappear down the drain and now the next £2m on the North Camp road. It is sensible, I would agree, to open up that connection between the new airport road

and the north camp but I hope that in the planning stages of the Development Corporation they will see fit to include at least the availability of plant on the West Falkland. Whilst talking of development, I would like, Sir, to ask perhaps that some of our past developments could be accounted for. We have now assisted or bought three farms, we have allocated units from those three farms, as the Falkland Islands Government, and to the best of my knowledge we have never seen an account for the purchase and sales of any of those properties. Government funds were involved but we do not know what it either cost or what government made on the sale of the land and equipment at these stations, the assets we still retain, or anything about them. I would ask that for the Budget some sort of statement for these could be brought forward; they must have been produced for the auditors unless the auditors have accepted the fact that they disappeared into limbo. With that diatribe, Sir, I would like just to add my thanks to my colleagues for their efforts with regards to the Constitution and my hopes to see it implemented for the next but one session of this Council. I beg to support the Motion.

The Honourable R E Binnie

Sir, in rising to support the Motion I too share the Honourable Member for West Falkland's concern about the airport and the travel arrangements. I also share the Member for Stanley East's concern for our financial position. Sir, this morning we passed several Motions concerning tax exemptions and the Financial Secretary told us that these companies had it written into their contracts before leaving the United Kingdom. I would ask that this Council be asked for exemptions before contracts are signed in the United Kingdom. Sir, I support the Motion.

The Honourable J E Cheek

Your Excellency, Honourable Members, in rising to support this Motion I would first like to welcome our new Member, the Member for Stanley Division, and also to say how pleasing it was to see at least three members of the public stand for election on that occasion; hopefully we will have as many stand for each of the new seats at the end of this year.

I start off as normal on these occasions, Sir, in talking about the Education Department and there I think we have to welcome the new Superintendent of Education, who has arrived since our last Legislative Council meeting; our Mr Smith is a very welcome addition to that department. I think the Education Department is finally overcoming some of the many problems which followed on after the war, not least the acute shortage of staff. I believe that if we are not right up to full staff levels at the moment, we are probably as near as we have been for many years and I think the results are showing and I believe will show over the next year or so the amount of excellent work that is being done in the Education Department. Having said that, we still do have some problems. We had hopes that in the next few weeks we would have had another two classrooms in the Senior School but, unfortunately, we could not this time find the local labour to build those classrooms and it seems that the earliest we can hope to have them will be for the start of the 1986 school year. I must point out that if we do not have them by then the overcrowding in the Senior School will be appalling. There will be overcrowding this year but by the use of the library as a classroom and various other arrangements we hope to manage this year, but I would like to impress on members that unless we have these two classrooms next year

we will have big problems. One other thing I would like to mention about the Education Department, I personally seem to have a very bad name with some of the pupils; I, together with the Education Committee, have been insisting that at least camp children returning from Stanley to camp do not leave until the end of term or at the earliest the last day of the end of term. There has built up over the last number of years some sort of understanding that children can leave three, four or five days before the end of term; this accumulates to something like two, even three weeks of education and it was getting so bad that the examinations had to be brought forward from the end of term and not only those children who were taken away early by their parents were suffering, but every other child in the school was suffering as well. As I say, this has now been changed so that children are not allowed to leave until the end of term. We can control those children leaving Stanley Hostel in this way, in fact, I'm not sure if it has been implemented, but it has been suggested that any child who leaves Stanley before those dates, will not receive Government assistance with the cost of their air passage but there are a number of children not in Stanley Hostel who are still leaving earlier. I find this disappointing, particularly as a number of the parents who are removing their children early are those who are the first to complain about our education standards. I would like them to think about this.

To move away from education, we have spoken about our lack of money, the necessity to reduce spending and, if possible, to increase revenue. One possible way - this morning we had a Bill on Land Subdivision which attempts to restrict the misuse of land. The other thing which worries me is we now have a number of islands within the Falklands that are no longer productive and which once were; specifically the Jasons and Passage Islands. I, although I agree that it is excellent for conservation purposes to have these islands, I still think that conservation and the production of wool run hand in hand and I would suggest to the Administration to look for ways of taxing such land which is no longer used, no longer productive, as if it was producing its normal amount of wool.

I would like to commend the Administration, the Falkland Islands Company and the labour organisations for their recent Wage Agreements. The levels were probably, from our point of view as the people providing the money, were high but I think slightly larger increases were warranted but we did not have the money. The one thing that does worry me is the differential that is closing all the time between the labourer and the artisan. There is nothing nowadays, or very little, for an artisan to work for, he is getting so much or so little more than the ordinary labourer that it is not worth his five year apprenticeship and I would suggest the labour organisations, particularly, look at this, although their members who are artisans maybe a small number, I still believe that for the sake of the Colony there should be a wider differential there.

Lastly, Sir, I think we should welcome two other people to the civil service; first the new Director of Public Works Department and lastly our new pilot for the Air Service - I think that with this third pilot we can now dispense with OSAS pilots, not that we haven't welcomed Captain Allison, who has done an excellent job, but our aim must be to replace all OSAS pilots - in fact, all OSAS personnel, where possible, with local staff and in this case I think FIGAS will be the first to go completely national, if I may use that word. Thank you, Sir.

The Honourable A T Blake

Your Excellency, in rising to support the Motion there are a number of factors which I would like to bring to the attention of the electorate. I have heard over the radio on a number of occasions reference to peasant farming, complaints from local owners of new sub-divisions complaining that they are working long and arduous hours for either less than a navvy's pay or less than a sergeant's pay. May I remind these people that there are two forms of investment which we must put into these islands to make them tick; one is money and the other is labour and without these in conjunction we will get nowhere. The fact that one works for long hours usually results in something at the end of the day being either better than it was before or something that was not there before, and so therefore you will have increased the net worth of your business and that must all be taken into account. I deplore that form of criticism of the system that we have developed, and are developing, and there has been no lacking in interest on the part of young people to want to obtain their own farms. I was fortunate and I must thank all the stations in the North Camp for the frankness with which they passed comments to me when I visited there recently, on their likes and dislikes. It was rather interesting to attend the meetings where people actually told me when they felt things were going well, things seemed to be looking up, as well as telling me where they thought things were not going right. I must admit I enjoyed that visit intensely, particularly visiting the Green Patch farmers. It was interesting to hear young people talking about the desire to invest; if they could get a little bit more money they could do this and they could do that. It was all improvement, it was all reinvestment that they seemed to be interested in rather than some of the bigger company farms that one visits where one hears the concern about profits, which by and large are leaving the Colony, and I would thank those people very much for a very interesting time. I hope they manage to bring to fruition some of the points that they raised to me.

I would also like to give encouragement to the various projects which are developing at Fox Bay. The Fox Bay Mill, run by Richard and Grizelda Cockwell has run into immense problems, heartbreaking problems I might add, and the fact that they have stuck with it and are sticking with it is to be commended on their part. Also the fisheries project which has started out there - I might point out at the moment that they are becoming affectionately known, these two projects, as the Benny Factor and the Benny Fishery! The fishing people are never idle. I did all my shearing at Fox Bay this year and I was very impressed with the intense activity that these two projects are generating and it is very, very nice to see. On this point I would join with the member for West Falkland in that I am somewhat distressed to learn that all the money is being poured into the North Camp road; this certainly was one of the factors which was obviously brought up to me in my visit to the North Camp and I am pleased to see it for their sake; but I certainly would like to see quite a considerable amount more money being considered to be put into roads into West Falkland. A tremendous amount of overland traffic has developed as a result of these farm subdivisions.

One other point which has been brought to my attention by members of the electorate is that there was some objection to the subdivision committee, which considered applications for sections, consisting of only two members. There was some apprehension on some people's part that it did leave things open to bias in a small community, and there would be much more preference for it to consist of at least three members, or at least an odd number, so a firm decision could be arrived at without any bias on the part of any one member.

I think as the Minister for Defence pointed out while he was here during his visit to Hill Cove that we are very much behind the times in looking after our environment. I have noticed a rather large increase in extraneous rubbish appearing around the Falkland Islands. I think most shepherds can vouch for the fact that you do find plastic in the most unusual places, usually when you are in a precarious position on a touchy horse, but I do think we all should be looking at environmental control within the Islands, particularly as we now have people searching for oil - not that I have terribly much faith that they might find it - but if they did, or if it was found somewhere in the islands, we could have large problems developing before we start doing something about it. I would much prefer in our rather delicately balanced environment that we get control of these sort of areas before we strike problems.

I welcome the new Director of Public Works along with the other new members of our establishment. I must apologise for giving him rather a hard time at our first meeting with him but I am very impressed with the way in which he handled me and my particular complaints and I am somewhat sorry that the Honourable Member for Stanley Division, who recently resigned, was not there to join the fray. I think it would have been rather interesting. However, I would very much like to point out that one of the biggest criticisms that we have actually had of the Public Works Department in the past has perhaps not always been the fault of the Director of Public Works, but those various bodies who interfere with his priority list and I do hope that we have a strong enough person now to stop this interference with priority lists which seem to be changing time and time again leaving half finished jobs all over the place. He certainly will have my full support in trying to stop this practice which does not do us any good at all.

I am very worried, as I think are other members, with what I would consider is the amount of money which is being spent over and above our budget. I am not sure how much we have gone over the odds so far, it is always very hard to tell of course because in some areas there are savings, but I know that in a lot of areas there are not savings, and I will be requesting at the next meeting of Standing Finance Committee for the Honourable Financial Secretary to try and give us an indication at this particular stage by how much our budget may be exceeded. I will remind people again that it was not a balanced budget. It was a budget which ended up in a deficit so we have only got further down and I am particularly concerned that this might get worse. I have the greatest difficulty in seeing how we can actually make it better.

With the development in some areas forging ahead at a great rate of knots I am rather worried that perhaps in some areas the Administration is not keeping up with this advance, and particularly where it applies to advance outside Stanley, and I am basically referring to the Fox Bay area where things seem to be put on a back shelf in this respect and I would ask the Administration to try and push a little harder to get the various projects that we have under way there. In this respect I refer to the power station, the foundations of which were dug four months ago and there has been absolutely no work done on this ever since and the machinery is actually there. We have had people who are finding it extremely difficult to maintain their work flow particularly the housewives. I think it is very difficult to find washing machines which still run on 110 volts. I would ask the administration to pay particular attention to those projects, as I would request of them that they pay a bit more attention, or act a little bit more speedily, in the presentation of minutes of the various meetings of Council and Agendas. It makes it

particularly difficult to attend a meeting and make reasonable rational decisions, particularly in the matters of finance, when the Agenda is only received a few hours before a meeting. We did at one stage I think object very strongly to this and it did improve but it has slipped back quite considerably and I would ask that these matters be brought forward as quickly as possible. The department which is good in this respect is the Education Department; the minutes of the last Education Committee I think went out on the plane with me when I went home and I would commend them for that sort of action.

The airport road fills me with great concern. Honourable Members may remember that when we visited the new airport site the question was asked of the contractors how much they thought it was going to cost us to maintain this road when it was completed. I may be wrong but I rather think that the quote was somewhere between a third and a half million pounds a year if we wanted to keep it in reasonable control. We just cannot afford that sort of money out of our budget, which is fully over committed at the moment. Something has to be done.

The other way round, where we are having a cheap construction job with a high maintenance cost. It is most important.

And I think, Sir, that rounds it up for me this time. I would support the Motion.

The Honourable H Bennett

Your Excellency, Honourable Members, in rising to support the Motion I thank you for your words of welcome. With reference to my election address in which I said I would endeavour to have legislation introduced to provide that all mineral rights, including mineral oil, be reserved to the Crown, thus to allow all people of these Islands to benefit from any development of any oil industry, I give notice that I do intend to introduce a Motion at the next meeting of this Council to the effect that Government be requested to introduce the legislation. Since the last meeting of this Council, the Honourable John Cheek, the Honourable Tim and the Honourable Tony Blake have represented the Falklands at international conferences and I should like to express my thanks to them for their efforts on our behalf. The town of Stanley presents an unfavourable picture: it is unkept, many of the roads are still in need of repair and there are no public conveniences. It is a matter of regret that King George V playing field which was admirably restored by the Queen's Own Highlanders has been allowed once again to fall into a dilapidated and neglected state. No control was exercised over it and I am almost certain that equipment has not been checked from the safety angle for some considerable time.

As I said in my election address and reiterate now, the construction of a prison here in Stanley should be put in hand as a matter of priority in view of the increase in serious and violent crime.

I am pleased, however, that the construction of the Stanley Power Station extension appears to be progressing favourably.

It appears to me that most Government departments are over staffed to the extent that some officers, and not only junior ones, are bored from lack of something to do. How are we going to meet the cost of this large service when the famous £31m of aid, which now subsidises this service, is exhausted? We cannot all join in and continue riding on

the jolly train. The cost must eventually be borne by the taxpayer. I know of cases where officers have been sent to the United Kingdom for training and government has not afterwards benefited from their increased ability. Officers should be sent overseas for specialised training only.

Finally, Sir, I think I speak for most Falkland Islanders when I express my appreciation of Mrs. Thatcher's Christmas message to us; it was most reassuring. I invite my colleagues around this Table to join me in requesting you, Sir, as President of this Council, to send to her an appropriate message of thanks from us all. Thank you, Sir,

The Honourable the Financial Secretary

Your Excellency, I am delighted to hear Members mention the financial position of the Colony as it shows that they are accepting the full responsibility of ensuring that this Colony does not go grant in aid. I am positive that this is what we must aim for. We must take every opportunity of seizing revenue from every source possible. In the last few months we have sent various applications to incur supplementary expenditure back to departments asking them to quote savings and give fuller and better explanations for applications. I agree entirely that we must get a tighter control on our expenditure and during the next two or three months we will be implementing the Peat, Marwick & Mitchell systems report and in that there are many steps we can make as far as reporting revenue arrears and such like. I think this will be a great improvement in the near future. I can only say that I share members' concern that there are not all that many opportunities ahead; but I do not think we need to take too dismal a look at our financial position. I think that the majority of countries throughout the world always have financial difficulties. However I have certainly taken note of the points made this morning and, in particular, I took note of the tax proposed by the Honourable Elected Member for Stanley West on unproductive land; I have on my desk by the courtesy of the Attorney General a stack of legislation from, I think it is Australia, with various ideas for taxing land - I do not know when I will be able to read through it as it is just about a mountain of paper - however I agree that this is an area we should explore. I have also noted the Elected Member for East Falkland's request for sight of the contracts before they are finalised in the ODA. I will take this up with the ODA. I have already asked them for the previous contracts and I think it is something we should see in advance so we can make sure of some control.

With regard to the differentials in pay rates for tradesmen and labourers, we do have annual negotiations, we have just completed the annual negotiations for 1985 and no doubt the Union will be making various representations for 1986. I beg to support the Motion.

The Honourable the Military Commissioner

Your Excellency, Honourable Members. I welcome the opportunity given to me by the Member for West Falklands to speak about the future use of the airport. First of all, though, I would like to take up his point regarding the need to foster and maintain the right, friendly, warm relationship between the military and the civil communities in the future. I too share his concern that this should continue to be the case and I am also pleased to be able to report to you that this matter is shared by my superiors in London. I shall be reporting to them during the next

three weeks or so and one of the very few major matters that I intend to put before them is this very aspect, this very requirement, to see that in the years ahead the military and the civil communities manage to work as one for one purpose and, so far as I am concerned, and able to, I shall see that this goes on in perpetuity. You may be interested to know that every Commanding Officer who arrives in this theatre is briefed by me and amongst his instructions he is told that if he is unable to make his unit support a high level of good relations with the civil community then, in my view, he is failing in a major part of his role while he is down here in the Falkland Islands. In fact, I find that most of them do not need to be told this because they already share the view. So, in that respect things are, I hope, encouraging.

But now back to the airport, and I do welcome the opportunity to say a few words about this because I know it concerns everybody, indeed it would be strange if it did not, with the amount of money that is being spent on it, and the impact it is already making on these quiet Islands. Perhaps first of all Members would excuse me if I just say a little of the background so far as the management and financing of the airport is concerned. The airport is in fact financed out of the United Kingdom's defence budget and, as such, and not unnaturally, those involved in defence take a very keen interest in its development and in the concept for its use. However, it is of course recognised, not only by the military but obviously by politicians who ultimately are responsible for policy, that it should and must play a most important role in any future development of these Islands - indeed not only must it, but they would not be able to exist, once it is opened, without it, because other forms of transport to the islands, such as the present sea routes, are likely to be curtailed considerably. We must remember that defence is paramount. The need for defence was the catalyst that inspired the final financing of this very expensive project and it must also be defence at the minimum cost to the British taxpayer, and I am sure you will all appreciate the sensitivity that exists with regard to the amount of money that is already being spent down here. Therefore we must be certain, and this I am sure is in your interests as much as mine and the British taxpayers', that we are going to get the best possible defence at the least possible cost out of this airport once it is completed. Now, I know you are concerned about the future access to this airport. Well, I understand your concern but I believe when the moment comes that you will find the matter resolves itself to your satisfaction. First and foremost we come back once again to defence and there will be a substantial proportion of the airport devoted to defence. There will be the normal requirements for security over this area, both of access and in terms of activities there; not because we are concerned about the people of these Islands, we have never had nor will we ever have more loyal supporters and allies, but because other people will be interested in identifying the capabilities of this airfield from a military point of view and this must entail a degree of security over those areas that are used for military purposes. You already can see to some extent how this applies at Stanley and there will be an element of security of access to parts of the new airfield. However, we all realise, me as much as you and I know the Civil Commissioner, who is always speaking to me on this matter does, that this airport will be of no use if it is not also to play an important role in the development of the Islands. But this is going to require money and it is going to require manpower, the money and the manpower for development will not come from the British defence budget. It has got to come from somewhere else, and where that else is, is not for me

as a serviceman to identify. I would merely say at this stage that those parts of the airport that you wish to accept responsibility for, solely, without assistance of the defence forces, should be carefully considered and weighed in the light of the possible cost to you not only in establishing them but in maintaining them. You will ask me, what then will be the rights of islanders and perhaps others, visitors, to use and have access to this airfield for normal peacetime activities? At this moment in time I cannot give you anything more than general assurances, not because I do not want to but because matters have yet to be decided in great detail; but what I can say is that this airport will be available for islanders to travel freely in and out of so far as aircraft are provided, that whilst there are no civil aircraft operating here, space will be found on the military aircraft that are working down to the islands, and this space will be found from the very earliest days that it is open. This I am quite sure I am not overstepping my authority when I say that this is a commitment that is recognised and accepted within the United Kingdom. There is, of course, going to be a period when we open the airfield for limited use. A project of this nature takes many years to build and I suppose it would be neat and tidy to say we will not use it until it is completed and we have all moved in and take it over in its entirety. This, obviously, would be undesirable in that it is going to slow down the opportunities to use the airfield, it is going to cost a great deal more to maintain the present arrangements for access to the Islands, and so there is going to be what we call an interim period. This will be a period when the airfield will be open for the operation of aircraft for military purposes but it will not be open for general civilian usage. During this period we shall offer every possible assistance from the military point of view to ensure that islanders do have freedom of passage and, indeed, I come back to what I said just now, they will have freedom of passage, in and out of the airport, during the interim period and this I can guarantee you. But there will be constraints on the use of the airport, for several reasons. First of all, every time that airfield is opened some one hundred people have to be deployed there to operate the internationally necessary equipment and they have to come from other duties in the islands; so you can imagine this is not an acceptable interference with their duties beyond what is basically necessary for defence. Secondly, the contractors have a great deal of work to complete when the runway is open and during this interim period and we have agreed with the contractors that we should have access to the runway, at specified times, and that they will vacate the runway and make sure that it is open for use at those times. But at other times they would have free use and passage over the runway for continuing their building operations, and so if we open that runway for air traffic it is going to - if we open it permanently for air traffic during the interim period, it is going to incur very substantial penalties with the contractors with whom we have already come to an agreement along the lines I have outlined. So I think I would say that whilst we will do everything possible to meet your requirements, and we will guarantee that you will get normal access to the islands for islanders and their schoolchildren just as we do in the Services, I cannot guarantee that the airfield will be available for routine peacetime activities during the stage when it is being built.

Now, the Honourable Member came up with the most eminently sensible suggestion that there should be joint planning of the use of this airfield and I could not support that suggestion more strongly. What I would say is that there is already an excellent liaison between the Civil Commissioner, myself and our joint staff and if there is any

deficiency in the joint association and meetings that we have then I shall be very happy to know of them and see that the matter is put right, because it is a very firm part of my policy and the Civil Commissioner's policy, if he will excuse me for putting words in his mouth, that we should work closely together and discuss problems even if we cannot always come to a solution that is totally acceptable to both parties. I believe that this is going on and there are several committees looking at various aspects of the airport together. But it is important to understand that overall policy for the airport is of course vested in London and it is between the various departments in Whitehall that the final and overriding details of policy and how it should be implemented are decided and I hope that they will have that message communicated to them; the Defence Ministry certainly will, by me, on your behalf, Honourable Members.

The road to the airport I would just like to say a little bit about so that people understand the background to that. This road is being built out of British defence funds and, not surprisingly it is being built to the minimum standard that is necessary for the defence of these islands to be properly managed and that primarily means the move of the defence forces from the Canache area up to the airport during the period when that is taking place. Therefore we have not spent British defence funds on developing a grade 1, high class highway. We have built what is necessary for the task in hand. Once we have finished with it we propose to hand it over to the Falkland Islands Government, in good condition, and so the way I as a serviceman and a British taxpayer would see this road is that you, everybody in the Islands, have got a road for nothing and which, in the end, you will have to maintain; but at least the capital costs have not fallen on you and we know how heavy those are as I listened this morning to the debate on the cost of Camp roads.

Now, in the end, everything to do with the whole of the airport project is going to involve money and manpower and we must all think very carefully before we have over-ambitious ideas about it because there is going to be a bill to be met and I think we must be careful not to overstretch our expectations. But at the same time we must be quite clear that this airfield is not going to serve the purpose of the islands unless it goes beyond defence and no development will be possible without the insurance of defence; but defence without development and an improvement in the quality of life for the citizens make those citizens slaves of a defence effort and this must not occur. Thank you.

The Honourable the Chief Executive

Your Excellency, I cannot remember when there has been quite such a full debate on the adjournment with such a number of different topics covered so eloquently and in such detail by Honourable Members.

I would like to begin by adding my own welcome to the Honourable Member for the Stanley Division. We are delighted to have him with us for the first time during these last two days on this Legislative Council. I think it will be best if I tried to deal with the various points raised by Honourable Members in turn. I hope that I shall answer most of the criticisms and questions that have been raised but I have no doubt that Honourable Members will forgive me if I leave one or two things out by accident.

I would like really to endorse all that the Honourable Member for West Falkland, and what the Honourable the Military Commissioner has said, on the subject of the airport. I believe that the Honourable Member for West Falkland raised the questions which we all have in our minds about the airport with great eloquence and force, and I believe they were answered in a most reassuring way by the Honourable the Military Commissioner. I do believe that making the best use of the airport is really one of the greatest challenges, in fact it is probably the greatest challenge that we in the Falkland Islands have to face over the next two years and I hope that we will not be lacking in ensuring that the economic possibilities of that airport are used to the very full. Now, in a sense related to the airport, because it relates to the military move to Mount Pleasant, is the question of fuel supplies, which was also raised by the Member for West Falkland. I should reassure the House that the question of the future fuel supplies is the source of a very exhaustive inquiry and study which is taking place at this time and which is in fact linked to the port facilities problem, which is also being studied, so in no way is this being neglected.

I would like to turn to the question of camp roads. There does seem to be some degree of error about this allocation of funds to the camp track from Pony's Pass to Estancia; in fact there is £2m available from ODA which was committed in agreement with Councillors out of the £31m for camp tracks. It is anticipated that one mile of road, on the basis of the construction methods proposed by the Director of Public Works, will cost of the order of between £25,000 to £35,000 so that 9.2 miles of road to Estancia it can be worked out that this will not, on that basis, exhaust the £2m. It was felt by Executive Council that a start should be made on Camp tracks as quickly as possible and that this was the most sensible place to start, but it is only the start, it is not the end and of course the camp tracks programme will take a substantial length of time - indeed on present labour availability it has been forecast by the Director of Public Works that to build 100 miles of camp tracks will take something like twenty years. I do believe that there will be more development funds available during that period and hopefully we can in fact construct them rather more cheaply and rather more quickly than we have so far been able to establish.

I would like to turn next to the question of subdivisions which was raised in particular by the Member for the Camp Division; I would like very firmly I think to re-commit Government and myself in particular to the idea of subdivision. I entirely endorse all the enthusiastic things which the Member for the Camp Division said about the subdivision farmers. I do think it must be a matter of concern that the subdivisions should be viable and we are soon hoping to have a Farm Management Advisory Officer, who, will be employed in the Development Corporation, whose job it will be to look at and improve the viability of the farms. We are also in fact hoping to make the whole question of the sale and division of the subdivisions a much more systematic business; a very lengthy paper has been prepared on this subject and, amongst other things, it provides for, very carefully, a largish and highly representative committee for deciding who shall or who shall not have loans. The instance which the Honourable Member for the Camp Division cited was in fact an emergency situation where we were under some pressure by a gentleman, whom some of us have heard of, called Colin Smith to complete the San Carlos transaction as quickly as possible and this was the best way of dealing with it. I entirely agree with him that it is absolutely vital that the loans committee should be seen to be as fully representative and as fair in their dealings as possible.

I would like to come on next to the question of education. I indicated, the last time that I spoke in an adjournment debate, my concern that we constantly seemed to be having problems in the Education Department over staffing and my hope that these in fact could be dealt with. I believe, in fact, that as the Honourable Member for Stanley West has indicated, they have largely been dealt with and our main concern now is of course with buildings and only recently, he probably will not have seen it yet, I sent a memorandum to him and to the Superintendent of Education asking them to consider with urgency a new plan for the extension for Stanley Senior School which has been provided by the Director of Public Works.

Can I turn next to the question of Fox Bay East. I think it is true to say in relation to Fox Bay East that when we took on Fox Bay East we were really taking on more than we actually bargained for; that the place was substantially run down, that it in fact was lacking in amenities to a very considerable extent, and we have had to deal with it on a rather piecemeal basis and I think this process has been a frustrating and slightly slow one for the inhabitants of Fox Bay East. To some extent it has reflected the processes of democracy here, of getting the substantial additional expenditure required on Fox Bay East through Standing Finance Committee and through Executive Council. It still reflects, I am afraid, a shortage of resources. The plans have of course been made for dealing with the question of electricity generation and distribution at Fox Bay East and I believe that all that should now take place reasonably quickly. But I would like to reassure the Member for the Camp Division that there is no lack of energy or enthusiasm or commitment on my part or indeed I think on other parts to the development of Fox Bay East and I hope this message goes to the inhabitants of Fox Bay East and their very energetic and successful Village Council which was set up six months ago and which I think is in itself doing so much to develop that place.

I would like to come finally to the question of Stanley and the criticism which the Member for the Stanley Division made of the state of Stanley. We do, I think, in the case of Stanley suffer very badly in particular from the very scarce resources in the Public Works Department and I do not know whether it is not possible perhaps to do more things on some form of community or self-help basis and I would like to put that to him as a thought. I agree, if we do not improve the appearance of Stanley, the environmental attractiveness of Stanley, it will not be a place that we can be proud of nor will it be a place to which we can attract people and that I think is also very important.

I refer finally to the point which the Honourable Member for Stanley Division made about the over-staffing of government departments; I think all I can say is that that is not my experience in the Secretariat and that if he will give me chapter and verse, if he will give me details of these offices of government in which people sit around doing nothing in particular, I should be the first to take swift and vigorous action in that respect.

And on that note Your Excellency I beg to support the Motion.

The President

The Motion is that this House stands adjourned sine die. The Motion is passed and the House stands adjourned accordingly.



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 2

29th NOVEMBER 1985

Minutes of Meeting of Legislative Council
held 26th June and 3rd July 1985

MINUTES OF THE MEETING OF THE LEGISLATIVE COUNCIL HELD IN STANLEY
26th June and 3rd July 1985.

The Council assembled at 9:30 a.m. on Wednesday 26th June 1985
His Excellency the Civil Commissioner, Sir Rex Hunt CMG, presiding.

PRESENT:

His Excellency the Military Commissioner (Major General P.E. de la
Cour de la Billiere CBE DSO MC)

The Honourable the Chief Executive (Mr. D.G.P. Taylor)

The Honourable the Financial Secretary (Mr. H.T. Rowlands OBE)

The Honourable W.H. Goss MBE JP (Elected Member for Stanley East)

The Honourable L.G. Blake OBE JP (Elected Member for West Falkland)

The Honourable R.E. Binnie (Elected Member for East Falkland)

The Honourable J.E. Cheek (Elected Member for Stanley West)

The Honourable A.T. Blake (Elected Member for Camp Division)

The Honourable H. Bennett OBE JP (Elected Member for Stanley Division)

CLERK:

Mr. P.T. King

PRAYERS

Prayers were said by the Reverend A.C. Carruthers, Force Chaplain,
British Forces Falkland Islands.

CONFIRMATION OF MINUTES

The Minutes of the Meetings of the Legislative Council held on
27th June and 5th July 1984, and 15th and 16th January 1985,
having been circulated, were confirmed.

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Honourable Members,

This is an important and sad, but satisfying, occasion. Barring an emergency, it is the last session of the current Legislative Council. Most Honourable Members here present today were elected in 1981 and are now approaching the end of a four-year term of office; a term that has witnessed events the likes of which at the outset not one of us in our wildest dreams would have dreamt possible. I wonder what Honourable Members would have thought if, for example, at that first meeting of the newly elected Council in November 1981, I had predicted that by May 1985 we would be seeing British Airways Boeing 747s - Jumbos - landing in Camp? I am quite sure that I would have been considered - to quote the Prime Minister's description of David Frost on the Belgrano - "bonkers". As an interesting piece of history, incidentally, the Director of Civil Aviation has pointed out to me that the first British Airways Jumbo that landed at Mount Pleasant Airport on the 21st of May was not the first United Kingdom-registered airliner ever to land in the Falkland Islands. That honour went to an Aquila Airways Short Hythe flying boat in 1952. But it was the first land plane, and its arrival heralded a dramatic change to the life-style of these Islands. The United Kingdom is now less than 17 hours' flying time away. That makes the Falkland Islands no further from home than Hong Kong. I say "home" advisedly, because I know that the vast majority of people in these Islands, whether residents or non-residents, regard Britain as home.

I have always said that out of Galtieri's folly would dawn a brighter future for the Falkland Islands. With the opening of the Mount Pleasant Airport, we are now beginning to see the tangible signs of that brighter future. From now on, things can only get better. I mention this at the start of my address because the Airport is without doubt the greatest achievement since the liberation of these Islands from Argentinian occupation, and its construction dominates everything else I have to say. We must not be complacent. There is still much to do. But, with this gift of inestimable value from the British Government, we are after many years in the wilderness on the right track, and we shall have only ourselves to blame if we do not now make a success of these Islands.

Before looking forward, however, I wish to look back and not only over the past year, since my last Budget address, but over the whole life of this Council. First, I should like to express my personal appreciation to all the Councillors who have served these Islands so loyally and well over the past few turbulent years. I include not only Honourable Members here today but also ex-Councillor Terry Peck, who was elected in 1981 but resigned his seat last year before departing for Scotland. He returned for a short stay recently and I expressed to him the hope that he would one day come back for good - we cannot afford to lose Islanders of his calibre and energy. I also include the Honourable Bill Luxton, whose independent advice as a nominated Member of the Executive Council I have greatly valued over the years. Although my liberal views on democracy lead me to support the constitutional change that does away with members of Executive Council nominated by the Governor, I am sure that any Hon. Member who has served on Executive Council with this particular nominated member would agree with me that he is anything but the Governor's "yes-man". He could always be relied upon to speak up for the Falkland Islands, whether in Executive Council or in joint Councils, to fellow-Councillors or visiting Ministers and politicians.

/And his word,

And his word, like that of his wife, could always be trusted. As the last nominated Member in the history of the Falkland Islands, I should like to pay him this public tribute and record that his wise counsel and wealth of experience will be sadly missed in the governing bodies of these Islands.

I should also like to pay tribute to my other nominated Councillor, Mrs. Mary Jennings, who resigned from Executive Council after the traumas of the Argentine occupation and opted for the quieter life at West Point. Although she did not serve long in the life of this Council, she had served in the previous Council and I had formed a high opinion of her integrity and sound, practical, common sense. I hope Hon. Members will not think that I am showing sexual discrimination if I say that, since she left, I have missed a representative of the fairer sex from our Council meetings and I sincerely hope that this will be put right in the next elections.

I cannot leave my appreciation of Councillors without mentioning ex-officio members. As you know, we now have three ex-officio members, or to be more correct, three members who by virtue of their official position, have the right to attend Council meetings, two voting and one non-voting. Together with their predecessors (or perhaps I should say the predecessors of two of them - I cannot remember the Hon. Harold Rowlands ever having had a predecessor) they have one thing in common: they are all workaholics. By that I mean they all work a 7-day week. The Hon. the Chief Executive, for example, arrived back from home leave last Friday to be met with Honourable Members' Legislative Council Questions, meetings with the Attorney General, Government Secretary and General Manager on Saturday and myself on Sunday. Nevertheless, we wish him a warm welcome back and hope that he is refreshed after his short break.

You all know that ex-Chief Secretary Dick Baker has capped a distinguished career by following another ex-Chief Secretary from here to be Governor of St. Helena. You may not appreciate however just how much he did for these Islands behind the scenes, with a fraction of the staff that we now have. When I look back to those hectic days of 1981 and 1982, when we were without an Attorney General, Chief Executive, Development Officer and many other people now considered essential, I wonder how we managed to cope at all. No doubt the machinery of Government creaked; but he kept it going. And some of the fruits of his labours are now evident for all to see. Although he is no longer with us, let us not forget the deep debt of gratitude that we owe to Dick Baker.

I shall save my remarks on the Hon. the Financial Secretary until I address the Budget; but I should like to take this opportunity - because it will be the last - to pay my tribute to the Military Commissioner and his contribution to our Councils. It has never ceased to amaze me how General Peter - as he is affectionately known throughout these Islands (apart from being a bit of a mouthful, 'de la Cour de la Billiere' sounds a little too French to Falkland Island ears) - it has never ceased to amaze me how he finds the time to attend our monthly Executive Council meetings and sit through seemingly interminable discussions on town planning applications, the grading of Government posts and the allocation of Government land. But his interest in our domestic affairs is very much appreciated, and his sympathetic understanding of our problems has not only made a significant contribution to civil/military relations here but has also led to a better understanding of our cause in Whitehall. When I bade him welcome to this Council at our last Budget session, almost 12 months ago to the day, I said that I was sure that our Councils would benefit greatly from his presence. We have not been disappointed.

/All Honourable Members

All Honourable Members will echo my words when I say that he will be sadly missed from the governing bodies of these Islands, just as he and his wife will also be sadly missed from Stanley and Camp. We wish them both good health and happiness in Wales.

General Peter will be the last Commander to hold the title of Military Commissioner; so, when he goes on the 19th of July, a little piece of Falkland Islands history goes with him. With the change of my title back to Governor from Civil Commissioner on the 3rd of October - Election Day - this sets the final seal on our return to the normal state of affairs for a British Crown Colony. Under the new Constitution, General Peter's successor will continue to have the right to attend Executive Council and Legislative Council meetings but as Commander, British Forces Falkland Islands, and not as Military Commissioner.

Looking back on this Council's achievements as a whole, the first item must be the new Constitution. The Chairman of your Select Committee, the Hon. Tim Blake, showed that far-sightedness that can only come from long experience in the ways of Whitehall when he pressed immediately after the 1981 Elections for constitutional reform. The clumsiness of our voting procedures had been made plain to all. The general desire for a more democratic system of Government was apparent. It is to Hon. Members' eternal credit that they set to immediately to prepare proposals to put to London. Despite a brief interruption in 1982 and long delays in the Foreign and Commonwealth Office, we have met the deadline of the end of this Legislative Council. The new Constitution will come into force with the election of the new Council. Not as spectacular as a new airport in 22 months; but a notable achievement all the same.

Some critics have tried to decry the new Constitution. They say it does not go far enough and leaves "dictatorial" powers in the hands of the Governor. I admit that it is not a dramatic leap forward; but it is more than a short step. It goes as far as Honourable Members thought prudent at this stage of the Colony's development. For the first time, it gives an elected majority in both Councils. It removes the vote from ex-officio Members. And it increases the number of elected Members. The "small print" may still reserve certain powers to the Governor; but, unlike the "small print" in an insurance policy, those reserve powers can only be used very sparingly. Lawyers are paid to have more imagination than mere mortals. They must cover unlikely eventualities like a Marxist landslide at the Elections and a new Council electing to join the Union of Soviet Socialist Republics. Or a take-over by Moslem extremists who might introduce the cutting-off of hands for theft and stoning to death for adultery. That is what the so-called "reserve powers" are for. In normal times, no Governor under the new Constitution could fly in the face of a majority of elected Members. He would have to give in or go. Elected Members already hold the purse-strings. Under the new Constitution, they will hold much more.

It is therefore of fundamental importance to these Islands that eight good men and true (or ladies) are elected on the 3rd of October. My worry is that not enough candidates of the right calibre will come forward. Eight out of about a thousand voters is very high proportional representation, so I would ask Hon. Members to urge all responsible citizens who are eligible to register as voters to do so now, if they have not already done so; to vote on Election Day for the four candidates of their choice and to consider seriously whether they could best serve their country by standing as candidates themselves.

The second major achievement of this Council has been the creation of the Falkland Islands Development Corporation. Last year I likened it to a difficult and delayed birth but forecast the emergence of a healthy, lusty, bouncing boy. I am not sure that the General Manager would like to be identified by that description but, since his arrival last July, the Corporation has certainly flourished and many projects are now under way or in the pipeline. I do not propose to go into detail in this address, because a report on its aims and activities, with an introduction by me, is one of the papers to be laid on the table later in this session. If Honourable Members wish to make detailed comments on the report, they will have the opportunity to do so on the Motion for the Adjournment.

Other achievements of this Council are so closely associated with one or other of the Government Departments that it will be simpler to deal with them under departmental heads. The first and perhaps the most improved over the last four years is the Education Department. Hon. Members took a far-sighted decision in buying Stanley House, and subsequently Stanley Cottage, from the Falkland Islands Company, with benefits that are now becoming plain to see. With the completion of the two hostel blocks in Stanley House grounds, a new kitchen and alterations to Stanley House itself, we now have the capacity to house and feed 85 children, with greatly improved facilities for their leisure activities. I would urge Camp parents to come and see for themselves. Those with children 9 years old or older and still at home will be convinced, I am sure, that they will be well looked after, and there is no doubt that we can offer them a better education in Stanley than we can in Camp. We now have 50 children in the hostel, a Warden, three full-time and five part-time house parents and nine ancillary staff. The growth in numbers and the special needs of adolescents underline the case for the appointment of a Head of Hostel, with particular responsibility for discipline and recreational activities. I know that Executive Council have recommended this appointment, and I hope that it will be similarly supported in Select Committee.

Since the war, the Education Department has been plagued with staffing problems; but this last year has seen a great improvement. Only three established posts are currently unfilled. In the Infant and Junior School we have 9 certificated teaching staff and one assistant teacher, for 144 pupils. In the Senior School, we have 9 certificated teaching staff and 2 assistant teachers, for 120 pupils. In Camp Education, we have 4 full-time certificated teachers and 5 travelling teachers, all graduates and 4 of them professionally qualified. There are 86 pupils in Camp, mostly of primary school age. Half attend settlement schools with full-time teachers and half receive instruction through a combination of travelling teachers and radio lessons.

Honourable Members will be interested in the comparative costs. In the current financial year, a pupil resident and schooled in Stanley costs the Government £750 a year whereas a pupil resident and schooled in Camp costs £850 a year. However, a pupil staying at the Hostel and schooled in Stanley costs £2,400 a year. I think Honourable Members will agree that there is a case for increasing the boarding fee of £43.50 a term. Even so, Hon. Members from Camp should be able to explain to their constituents that Government can scarcely be accused of neglecting their interests.

Before leaving education, I should like to record our grateful appreciation to His Royal Highness The Prince Andrew for graciously consenting to open the new Hostel blocks, and for taking pains to talk, I believe, to every one of the children present. He asked me to say how impressed he was with the natural way in which they expressed themselves, and how much he had enjoyed meeting them all.

/I should also like

I should also like to thank the military authorities for making the swimming pool on the Coastal available to the children for regular swimming lessons. It highlights the need for a permanent swimming pool in Stanley once the Coastal goes. I had hoped to get this started before I left the Falkland Islands, but delays in signing the contract for the new hospital may have put back the swimming pool project, which we hope will be built by the same contractors. I hasten to add that there is no Government money involved: Hon. Members have, I think wisely, recommended that the best use of the balance of the Falkland Islands Appeal - including a quarter of a million pounds from Jersey - will be for a swimming pool. It will be sited near enough to the Power Station to make use of the latter's waste heat, which should reduce maintenance costs to manageable proportions.

I mentioned the new hospital just now, and this brings me to the Medical Department. They have worked wonders with the old Brewster accommodation block; but it is and can only be a temporary arrangement, and the sooner we start building the King Edward Memorial Hospital, the better. I have been led to believe that the contract would have been awarded by now and that work on site would be started on the 1st of July; but since the announcement of the letter of intent from ODA to Fairclough/Miller on the 11th of May, I regret that I have heard nothing. As it normally takes 4 months to mobilise a workforce and ship out the materials from the UK, it now seems unlikely that work can start on site before October or November. Nevertheless, I am assured that the target date for completion of the new hospital will remain the end of 1986, as previously announced. When completed, it will provide full medical facilities for the first time ever in the Falkland Islands and will represent a significant improvement over the old KEMH. Once again, I should like to express my appreciation to His Royal Highness The Prince Andrew for graciously consenting to unveil a plaque on the site of the new hospital and for giving his agreement to the naming of the intensive care unit "The Prince Andrew Wing". Few who were present on that occasion will forget it.

I should also like to thank hon. Members for inviting Mr. Jack Hayward to the opening of the Mount Pleasant Airport. He was thrilled to be here. He visited the old people in our temporary hospital and confirmed that his donation of one million pounds towards the new hospital should be spent on sheltered accommodation for the elderly. Indeed, he went further and suggested that the interest that had been accruing on the million pounds since he offered it to us last year should go towards a new library-cum-museum to be located in Stanley. I do not know what 12 months' interest on £1 million amounts to, but it cannot be inconsiderable.

Before leaving the Medical Department, I should like to record my thanks to the Westminster Hospital nurses for their invaluable help, and of course to the staff of the British Military Hospital at the Canache for looking after all of our really serious cases. This time last year one such case was the Honourable the Financial Secretary, who can speak from first-hand - or should I say first-leg - experience of how well they look after our civilian patients.

Another department that has changed almost beyond recognition since the start of the life of this present Council is the Aviation Department. From two Beaver float-planes and one Islander aircraft and a largely expatriate staff before the war, the Falkland Islands Government Air Service, has developed - thanks to some bold but I think right decisions by Hon. Members - into a purely land-plane operation, with two Islanders and a third on the way, an almost entirely local staff of pilots and a completely local groundcrew. We now have two major airports and 38 licenced airstrips for the Director of Civil Aviation to supervise, not

/to mention

to mention the huge increase in flying activity caused by the large military presence and - more recently - the advent of the wide-bodied jets. A reorganisation of the Department is now badly needed, so as to allow the Director of Civil Aviation to do more of what his title implies - that is, to direct civil aviation in these Islands - rather than the day-to-day operations of FIGAS. I hope Honourable Members will consider the Administration's proposals carefully.

The recent damage to one of the Islanders highlights the need to improve many of our airstrips, and also incidentally demonstrates our need for a third Islander. We cannot run a regular and reliable service, which is our aim, without three aircraft. Even with the best maintenance in the world, and perfect airstrips, one still cannot rule out unforeseen defects. Unfortunately, many of our airstrips are far from perfect. Some are in urgent need of repair and I regret to say that the Director of Civil Aviation will have to put a temporary stop to their use until holes are filled with soil or peat mould, bad areas seeded with grass and fertilizer, bogs removed and markers repainted.

FIGAS statistics for the last 12 months are impressive: 8026 passengers and 76,244 pounds of freight carried. With three aircraft, we aim to improve on these figures considerably next year by providing a reliable service not only to Falkland Islanders but also to Service personnel, contractors and tourists. The departure of the familiar and well-loved Beaver is regretted, but there is a price to be paid for progress, and few who had to row out to moor the float-plane on an icy winter morning will bemoan its going.

Another department on which the opening of the new airport has had a major impact is Posts and Telecommunications. The highlight of the year was the opening of Mount Pleasant Post Office, the first new Post Office to be opened in the Falkland Islands for 73 years. It has been most successful both in terms of providing a postal service to the airport contractors and in generating revenue from the sale of stamps. I should like to pay tribute to the Deputy Postmaster there, Mr. Andrew Dolphin, and his staff, for their strenuous efforts and long hours of work to ensure that the mail is delivered promptly. I should also like to thank all the workers at MPA who have donated so generously to the Hospital Fund in return for my signature on first day covers. I may have suffered from writer's cramp at times, but it has been well worthwhile - the Fund now stands at over £20,000 which - as Hon. Members decided after the tragic fire last year not to launch a public appeal - is truly remarkable.

The volume of mail handled by the Post Office as a whole has continued to increase: inward mail by 100% over last year and outward mail by 33%. We now enjoy a better mail service from Britain than ever before: five airmail despatches a week in both directions. In recent months, the bulk of our surface mail has also been airlifted. We have a particularly good relationship with the Military Post Office staff, who help us in so many ways, and I should like to express my appreciation to them, the RAF and the MOD for giving us the best mail service we have ever had.

As in all departments, however, the Post Office has been dogged by the shortage of trained and experienced staff, to the extent that, by the end of May, the counter service had to be curtailed. The Postmaster has told me that he hopes this will be only a temporary restriction and that he will be able to lift it shortly. Of some help will be the introduction of machine cancelling, which will not only speed up the movement of locally-posted mail but should also improve the standard of cancelling.

/On the Telecommunications

On the Telecommunications side, it has been a matter of "all hands to the pumps" ever since the war to keep our somewhat antiquated Stanley telephone system working at all. Hon. Members will recall that they earmarked £1 million from the £31 million development grant from ODA for the development of telecommunication services in the Falkland Islands. The first step was to commission experts to undertake a feasibility study. British Telecom were chosen by ODA and their report is currently under valuation. More recently, Cable and Wireless have shown an interest in our internal as well as our external telecommunications, and they have promised to let us have their proposals. As Hon. Members are aware, the introduction by Cable and Wireless of the satellite dish has transformed our external telecommunications, and we await their proposals for our internal network with great interest.

Also under the wing of Posts and Telecommunications Department come the Philatelic Bureau and the Falkland Islands Broadcasting Station. The former was more fortunate than most in remaining substantially fully staffed throughout the year. Five sets of commemorative stamps were released, including the highly successful issue commemorating the opening of Mount Pleasant Airport. Total sales were, however, disappointing. The philatelic market generally is, I am told, rather sluggish and it is inevitable that Falkland sales could not be maintained at the very high levels attained following the conflict. But our reputation amongst philatelists is second to none, and I am sure that, with the wise guidance of our Stamp Advisory Committee and under the energetic supervision of the present Head of the Philatelic Bureau, philately will continue to be a valuable source of revenue for the Falkland Islands Government.

The Falkland Islands Broadcasting Station is another arm of Government that has deservedly built up a high reputation. The voice of Patrick Watts, the Broadcasting Officer, has become as familiar to Falkland Islanders - and many others besides - as one of their own families. How he manages to run the Station and produce a thrice-weekly news programme I don't know; but he takes it all in his stride and throws in darts and racing and other sporting commentaries and interviews as well. Since the war, the Station has been shared with the British Forces Broadcasting Service, or BFBS for short, and as a result listeners have enjoyed much longer hours of broadcasting than the Falkland Islands Government could have afforded on its own. With the introduction by BFBS of the VHF network, many listeners have also enjoyed much better reception. This is a fine example of how everyone can benefit from pooling resources and cooperating with each other. We run a truly joint broadcasting service and shall continue to do so even when the BFBS have their own studio, first at Lookout Camp and then at Mount Pleasant. FIBS will continue to broadcast at its traditional times and BFBS will cover most of the remaining 24 hours on common frequencies with a single programme. I hope that, at the receiving end, listeners will not be able to tell the difference. Studios will switch from one to the other just as if they were in the same building, as they are at present.

Radio is the most powerful medium in the Islands and we must see that it is used responsibly. Although FIBS is a Government Department - or, more accurately, a section of a department - I have always held firmly to the belief that it must be independent and be seen to be independent. I have never tried to censor or direct it in any way. Although it does not have its own independent charter, like the BBC, I have treated it exactly as the British Government treats the BBC. To my mind, if a radio service is to win and hold the confidence and trust of the listener, it must be free from all Government censorship. The BBC Overseas Service

/has deservedly

has deservedly built up a reputation throughout the world for honesty, integrity and accuracy. Our local radio station has always tried to emulate that and, except for 2½ dark months in 1982, when a heavy censorship was imposed by another government, I believe that, under the present Broadcasting Officer, it has done so with conspicuous success. I trust that Hon. Members will continue to guard jealously the independence and integrity of their local radio.

I cannot leave Posts and Telecommunications Department without mentioning another familiar voice, that of the R/T Operator, Mrs. Eileen Vidal. For the last 4½ years, hers has been the voice link between Stanley and Camp. During the war, she risked her life in passing messages under the noses of the Argentines and since then she has probably done more for morale in Camp than any other single person. I should like to take this opportunity on behalf of Hon. Members to pay public tribute to her invaluable work as our main R/T Operator, always helpful, always cheerful and absolutely unflappable. Long may she continue in her present post.

I turn now to the Agricultural Department and the Agricultural Research Centre, which has had two metamorphoses in the life of this Council. Starting as the Grasslands Trials Unit (or GTU) it became for a short and uncomfortable time the Falkland Islands Agricultural Research and Development Centre (or FIARDC) before its present and, I hope, permanent, form - ARC. Hon. Members showed their faith in the long-term future of these Islands by earmarking £2.6 million from the Development grant for the expansion of ARC, the results of whose research will inevitably take a long time to work through to the farmer. That expansion has now taken place and we have 10 Technical Cooperation Officers in post, with only one more to come to reach the planned level. With the arrival of the FIDC's Farm Management Advisory Officer, the Government Veterinary Officer and the return of our Government Agricultural Officer, we now have a stronger agricultural team than ever before on these Islands. Notwithstanding this substantial increase in staff, we cannot expect any rapid breakthrough in animal production or improvement of pastures. Perhaps the most promising trial now under way by ARC is a package of some 15 key changes and improvements being implemented on one of the sub-division units, aimed at increasing wool output. Information on this and other ARC activities is shortly to be published in a news-sheet to be edited by the Farm Management Advisory Officer and called, appropriately, "The Wool Press". I hope that this will go some way to meet the criticism I hear from farmers that they do not know where all the money being spent on ARC is going.

Another department that has expanded almost beyond recognition since Hon. Members were elected to this Legislative Council is the Justice Department. I am sure the Hon. Member for Stanley Division will agree with me that, when he retired as Senior Magistrate and we had our "Last Supper" together on the night before the invasion, to honour his 50 years' loyal and faithful service to Government, we could not have imagined that in three years' time we should have an Attorney General with his own Chambers in the Secretariat, a Crown Solicitor post (sadly not yet filled), a Senior Magistrate, a Registrar General and supporting staff. There has, of course, been a tremendous increase in the workload, both on the judicial side in the office of the Registrar General and in the Attorney General's Chambers. We could not expect to more than double our population without an increase in the criminal work. But we have also had much more legislative drafting in relation to the new Constitution, the new airport, the Development Corporation, the new private businesses and other work emanating from the increased economic development. The Registrar General's

/Office has shouldered

Office has shouldered a heavy burden in connection with land sub-division and it is currently engaged in establishing a new and better system of indexing births, marriages and deaths. During the long absence of a Senior Magistrate, from last October until May this year, the Courts were admirably served by our Justices of the Peace, who put in long and arduous hours on an entirely voluntary basis. Six new JPs were appointed for Stanley in February to lessen the workload of the existing Justices.

Before leaving the Justice Department I should like to pay tribute to the Attorney General, who has worked tirelessly and selflessly for the Colony since his arrival in October 1982. Hon. Members know how much we have come to depend upon his wise counsel in Executive Council and in this chamber; but I do not think that they realise how much I have depended upon him for advice out of Councils, or how hard he has fought behind the scenes for our cause in Whitehall. Nor does the general public realise just how much time he spends giving advice (without fee) to individuals with legal problems. In the absence of a private solicitor, people have no one else to whom to turn; but his door is always open. Nothing is too much trouble, whether it be physically looking after Mr. Lyse's property or researching some obscure title deed. It is reassuring to know that he will be here to see the new Council in and to guide my successor along his difficult way.

The logical department to follow Justice is the Falkland Islands Police Force, which again has expanded almost beyond recognition since this Council was first elected. Then, we had one Superintendent, one Police Constable and one Woman Police Constable. Now, the Force is fully recruited to the old establishment of 4 Constables, plus a Sergeant and 3 Constables on secondment from UK Constabularies. In addition, the Military Police have been sworn in as Special Constables. Our new Chief Police Officer, Superintendent Greenland, is himself ex-Military Police and served down here as OC Stanley Unit. Since the war, we have had a joint police station and, like the radio station, we have pooled resources to our mutual benefit. With the increase in population, the incidence of crime has inevitably increased; but it is still light compared with, say, Aldershot. In the last six months, there were 155 reported cases, leading to a total of 53 successful prosecutions. The most numerous offence was petty theft and the most disturbing was drugs, which were unknown in these Islands until recently. There were 5 drug enquiries in the last 6 months, leading to 5 successful prosecutions.

The Chief Police Officer has prepared a comprehensive 3-year plan which I commend to Hon. Members. It naturally has financial implications and I hope that these will be considered sympathetically in Select Committee.

I have left the largest department - Public Works Department - until last. This Council has seen 2 Directors of Public Works come and go, and a big change-over of other staff. A few stalwarts in key positions have soldiered on, despite all the difficulties associated with two armies of occupation, and I should like here to pay tribute to them. Without their expertise and dedicated service, our public utilities and the whole infrastructure of Government would have broken down. Honourable Members made a wise decision after the war in giving priority to improving Stanley's electricity and water supplies. Both of these projects are now well advanced and their completion should meet our present and anticipated demand for a considerable time to come. Hon. Members also gave priority to housing and, although we are still woefully short, the statistics are impressive. Over the last two years we have added to the total number of houses in Stanley at the rate of 7% a year. This compares very favourably with a UK average of about 2%. Including mobile homes, we now have a total of 488 units of accommodation in Stanley. The sheltered

/accommodation for

accommodation for the elderly and staff quarters included in the forthcoming hospital build will further relieve the housing pressure; but we shall still need more. Until we can build more houses, we shall continue to be plagued with manpower problems; and no department has been harder hit than the Public Works Department. As I said last year, they have vacancies in almost half of the established staff posts. More alarmingly, the hourly paid have not increased in numbers this winter as much as they have done traditionally in the past. Casual workers can now pick up more money on the fishing boats and reefers, or working for one of the MOD contractors.

This brings me to the biggest constraint on the development of these Islands. It is not money, but people. This may sound a heresy to the Hon. the Financial Secretary, when he is about to urge Hon. Members to keep expenditure to a minimum, but I am looking beyond this next financial year where I agree that once more money is very tight. We must have more people to generate more wealth. These Islands must be unique in having more jobs to fill than people to fill them. I am confident that, if we could offer more accommodation, we could attract more people from Britain. And the right people. No matter what the natural resources of a country, what matters is the calibre of the people. Look at Argentina, with its riches of natural resources. And look what a mess she is in. Look at Singapore, with no natural resources of her own, except perhaps a good natural harbour, and what a success story she has been. It is people that matter. Sadly, we have lost some of our best citizens lately: Jack Sollis, Nap and John Bound, Murdo McLeod, to name but a few. We have some good youngsters on the way: eight young Islanders returned from training in the UK last year; six are currently over there pursuing 'A' levels and three are undergoing other training courses. But we need new blood. Our best immigrants in the past have been people who have served down here in the Royal Marines or the Royal Navy or with BAS. Let us hope that, out of the thousands of members of the Armed Forces and civilian contractors who have served down here since 1982, some have got the bug and will want to come back and settle. We have reversed the downward trend in the population, which started from 1931 onwards, and are on the way up again, with about 100 more permanent residents than when Hon. Members were elected to this Council. But 100 in four years is not enough. Now that the Mount Pleasant Airport has made travel easier, I hope that the rate of immigration will increase. But it can only do so if we provide accommodation for them.

As I said at the beginning of my already too-long address, this Council has lived through eventful times. Looking back, I think Hon. Members can feel justifiably proud at the progress made under their stewardship. The balance sheet comes down decidedly on the credit side, as indeed does the Honourable the Financial Secretary's for 1984/85, despite his forecast of a deficit of £122,160. In introducing the Budget last year, I remember saying very much the same thing. I quote from the record: "As my learned friend and colleague will no doubt explain, he has managed yet again to turn an anticipated deficit into a surplus. Each year he describes it as a once-off windfall: this year, it was the Savings Bank reserves, which I acknowledge cannot be repeated; but I cannot help wondering what sort of windfall he might find next year. Nevertheless, one cannot plan a Budget on windfalls and the Honourable the Financial Secretary is perfectly right in urging Honourable Members to make every effort to keep expenditure to a minimum and grasp every opportunity to increase revenue."

I then went on to warn Honourable Members that we could not depend upon a windfall from the licensing of trawlers in an Exclusive Fisheries Zone. I did, however, forecast a modest increase in harbour dues. This

/indeed happened

indeed happened and helped to turn the anticipated deficit into a surplus of £169,910.

It would be a bold man who would forecast revenue from the licensing of trawlers in an Exclusive Fisheries Zone in the coming year. All I can say is that I have made Hon. Members' views on this subject abundantly clear to the Foreign and Commonwealth Office. I have explained that Falkland Islanders are grateful, not grasping, people and that they would far rather pay their own way if they could. They would like to contribute to the defence costs of these Islands; but the only way they can see of doing more than providing the Falkland Islands Defence Force is by exploring the possibility of raising revenue from off-shore oil and fish. The new Council to be elected on the 3rd of October will doubtless wish to address itself to these problems.

Meanwhile, it is the responsibility of this Council to look carefully at the 1985/86 Estimates and make difficult decisions on priorities, savings and expenditure. I shall leave the Honourable the Financial Secretary to explain the details in his own inimitable and lucid way. I should like to congratulate him for once again husbanding our meagre financial resources and managing them with his usual skill, and I venture to offer him just one word of advice: over the next few days, please keep clear of icy patches.

It is now time for me to wind up my last address to this Council and follow the Uganda, the Keren, the England, the airbridge and the Harrier back to the United Kingdom. It has been both a privilege and a pleasure to preside over this Council, and I wish you well in your deliberations during this last session. I adjourn Council for half-an-hour.

MOTION OF THANKS

The Honourable W.H. Goss MBE JP

In rising to support the Motion of Thanks I would sincerely like to thank you for your dedication, hard work and guidance given to this Colony over the last four years. You have held the post here of Governor as we have always known it through perhaps the most difficult times that this Colony has ever experienced and many of us will always remember you for that.

I would also like to pay tribute to the General, General Peter, for his dedication to us and guidance in every way. In our deliberations and in matters connected with him, his advice was always so sound and appropriate to the cause. I am not going to say very much, there does not seem to be a lot to say at this stage.

I would like to repeat my thanks to you, Sir, for everything you have done and wish yourself and Lady Hunt a happy retirement.

Thank you Sir.

The Honourable L.G. Blake

Your Excellency, Honourable Members. In rising to support the Motion of Thanks I too would like to say a particular thankyou to you, Sir, both for your speech today and your untiring efforts on behalf of the Islands since your arrival in 1980. I think it is reasonable to say, Sir, that every since your appointment and arrival here you have put these Islands before your career, and I am sure that our life today would be significantly different if we had not had you fighting for us in Whitehall and from Government House.

I am extremely pleased that before your departure you will be Governor once more. As the Member for Stanley East has said, this is the term by which you are known, even if unofficially, and like the Honourable Member who spoke before me I would also like to thank General Peter, that gentle man, one finds it hard having worked with him to realise what a strenuous career he has led at times but presumably it is part of the training to be so kind and gentle.

It is, I am sure, only through the leadership and guidance of the Commander British Forces that the integration of the two halves of the Falklands today, or sections of the Falklands, the Military section and the civilian section, has been so successful. When one thinks of the nausea that can be created in a small garrison town in Britain with forces who have far greater facilities than they have in these islands, I think we owe a great deal to the Military Commissioner for the leadership and guidance that he gives to his staff and his troops. Not only for that do we thank him but also, as the Honourable Member has said, for his guidance and quiet suggestions which are always most usefully received and invariably most fruitful. In the same context I would like to welcome back the Chief Executive and it is hard to believe that he has actually had any holiday having cut it short to return so he could be present at this meeting, I think it is very highly commendable.

Today is the 40th anniversary of the signing of the United Nations Charter and I think it is most appropriate that we are meeting today,

a people in the South Atlantic who are asking and have asked, and will continue to ask for, the basic rights that Charter describes. That ofcourse is the right of self-determination. It would be nice to think that the rule book was going to be adhered to for us and for a number of other peoples in the world, but I think it is worthwhile putting on record the fact that we are still seeking that right under the Charter of self determination and we will continue to do so.

In your address, Sir, you mentioned the Constitution, it is a physical thing and it will govern our next elections. I am unsure infact how much of the local legislation has been made because I believe this is being done by Orders in Council but I look forward to seeing a final resume of what has been done. With regard to this Constitution and your remarks that there is a grim disappointment, the fact that it has not gone far enough, I would like to point out to the critics that with an Executive Council, or the voting party of the Executive Council, being supplied from the Legislature we are taking a major step towards a form of Cabinet Government and this is not a small step, it is a very large step. Really and truly the Constitution allows for as big a step as we wish to make it. In the future, Members of this House may decide to elect a senior member which will not require an alteration and therefore it does allow tremendous scope for future development without recourse to Whitehall and I believe that it will take us along the right lines to the greatest degree of internal self Government for a dependent territory. As a matter of course, Sir, I would like to emphasise your remarks with regard to the need to find enough candidates to ensure elections in both constituencies, and to remind voters that if they do not like some of the candidates they do not have to vote for four - they can vote for 3 or 2 or 1, but they must not vote for five.

Another aspect of your address which I think could be highlighted is the reference to the other facilities available at Stanley House. I would like to suggest to other Honourable Members that it may be worth our while looking at the possibility of providing assisted flights to a prospective parent to look at Stanley House and its facilities, during the previous term, to let them see what life is like there and what conditions their child might live under.

Also, Sir, I think we should recognise the debt we owe to the British Military Hospital. There are innumerable cases of persons who are here today who might not be if it had not been for their kindness, their skill and their attention.

I am not sure whether you mentioned the Harbour Department or not. If you did not I hope to be allowed a degree of latitude purely and simply to say how saddening it is to find that the Falkland Islands Company attitude to the delivery of cargo is so obstructive. They deliver cargo around the town from their store but will not let it go to the jetty, to the Government Jetty, or they will not deliver it. They levy as many charges as they can so for the camp customer they make it as awkward as possible to use the Forrest when Monsunen is stretched almost beyond her limits. I am sure the contra argument would be, well we are only protecting Monsunen and this is a non profit making company, Coastal Shipping. One wonders if Coastal Shipping is a Company at all because it has not produced any accounts to my knowledge for about five years and it has not had an Annual General Meeting for a similar period of time. I would urge them, The Falkland Islands Company, to reconsider their attitude because it does the Colony no good and it certainly harms their trade and their image is damaged beyond any financial saving.

I would agree with you, Sir, that the last four years have been fairly dramatic and we have seen a number of changes and some of them definitely changes for the better. I think probably one of the changes in camp we have found to be of the greatest social benefit is the R.T. service, which is handled so kindly by Eileen and for most of the day and evening it continues to provide contact between families and friends. I think the strides it has made over the past four years are really most significant.

Finally, you mentioned fishing, and I would like to join you in your, I think as I read them, your comments of concern about the time likely to be taken in the multi-lateral approach to a fisheries regime. I would hate Her Majesty's Government to believe that having agreed to let them look at a multi-lateral approach we are going to sit back and let it drift because I fear that if and when they finally reach some sort of multi-lateral agreement there will be nothing to have an agreement about because there will be no fish and therefore no fishing fleets.

Sir I beg to support the Motion.

The Honourable R.F. Binnie

Your Excellency, Honourable Members. I rise to support this Motion, and firstly, Sir, to thank you for your Address this morning, but more important for your sterling work over the years on behalf of all Islanders.

Sir, prior to the conflict our education in Stanley was at a very high standard. Today after three short years of downs and no ups I believe we have reached a higher standard and not just in Stanley. Camp Education has gone a long way forward and the new hostel makes it possible for more children than ever before to have full time education.

I agree with your comments on FIGAS, Sir, but I also believe that we must be careful and have the right ratio of men to machines.

As you stated in your address this morning this Council has made big decisions, the majority of them are going to cost large sums of money, or have cost and will continue to require large sums of money. The Financial Secretary has produced a budget with a small surplus. I sincerely hope the Select Committee will be able to increase that surplus, Sir, so as to increase our reserves and our development fund which we will need in the future.

Thank you.

The Honourable J.E. Cheek

Your Excellency, Honourable Members. In rising to support this Motion I too wish to thank you for your speech and for everything you have done over the past four years. Islanders are very jealous of that title and normally do not extend it to anyone unless they were actually born here. I have known people who arrived here as babies, spent their whole lives here and done a tremendous amount for this community and still not been known as Islanders. I think if any persons should be known as Honorary Islanders they should be you, Sir, and your good wife. That ofcourse is me personally and others may be still too jealous to extend it to you.

But I know the Member, I think it was the Member for West Falkland, said that you, over the past years, have put the Falklands before your own career and I well remember you doing that in those dark days in 1982 when both of us were sitting in London rather than the Falklands and I thank you for the help you gave me then and the help you gave to the whole Islands.

I would also like to join in the thanks to General Peter for the excellent work that he has provided. We have now had three Military Commissioners, all excellent men, all totally different in their own ways, it would be invidious to say one was better than the other, they are certainly different but I think they have all done a tremendous amount for the Islands. Not only in the matter of defence but in drawing together the two communities and in providing advice, always very welcome and usually badly needed. I hope we have tended to follow it.

Sir, you covered a considerable number of things, not over the past year but the past four years, the life of this Council. You go back to when this Council was formed. Looking back over those four years I am not quite sure why I joined this Council, possibly I thought it was a few days break from work. One thought of it as a fairly quiet existence and we have had that thought rather changed. There has been much, much more work I think than any of us ever imagined. I think that brings us to the New Constitution.

I think the changes are those that were wanted by the people generally, one or two people may take exception but that will always happen. I think the problems we see ahead as part time Councillors, we cannot, at least I find I cannot, do as much as I would like to do - it is a matter of balance between my own job and the Council, most of us are employed. It is a matter of balance between how much we can give to our own jobs and how much we can give to Council. It may be, I am taking up the point made by the Councillor for West Falkland, that we will have to think of somehow having more permanent Councillors. Whether the Colony can afford that, whether the individuals can afford it I do not know. But the present system I think is being stretched further than it should be.

You have gone through all of the departments. I could comment on what has happened in the past. Normally, I suppose, we point out what we think should happen in the future. In this time, in the life of the Council I do not think, certainly I cannot do that. We do not know even if we are going to stand for election in October or whether we would be successful so it would be rather pointless saying what we would hope to do.

Just one or two points on comments you have made. I think that Mount Pleasant Airport is probably one of the major things that has happened over this last year, if not the last four years. Not only does it provide us, presumably, with better defence but I think from the civilian/commercial aspect it is as near as anything that can be crucial to the future of these Islands and I only hope that we, the Falkland Islands Government, the British Government and Ministry of Defence, can come together and iron out any difficulties. We should all make the best possible use of that tremendous amount of money which has been provided by the British Government and by the British taxpayer and for which we in the Islands are tremendously grateful. We are also grateful for the amount of work that has been put in by the civilian contractors out there. There are probably those who say that they are getting well paid for it but to see them working on some of these cold winter mornings, I do not envy their work, and they are working extremely hard.

I change departments to the Education Department. I think I have to agree with everything you have said there. It has been a pleasure to have been Chairman of the Education Committee and to have very helpful members on that Committee and an excellent staff. I think we are very lucky in the staff members that we have and also the number of staff members that we have at this time.

Sir, I heard from a newspaper cutting some time ago that rightly we hope to introduce a foreign language, which happens to be Spanish in our schools, and it was suggested in this newspaper cutting that it was introduced by us as a neighbourly act to Argentina. That was not true, it was not introduced either as a neighbourly act or an un-neighbourly act. We did not have Argentina in mind when we introduced it. I think that the feeling amongst the members of the Education Committee is that a foreign language was need as one of the subjects and it seemed logical for us that Spanish, which is spoken by almost all neighbouring continents, was therefore the obvious language to pick. It had no political connotations. One other point on Education, I find this slightly embarrassing because my wife is a teacher, the department has very few local teachers. Not like FIGAS which has done a tremendous job in changing over almost entirely to local staff. That is not so in the Education Department as I believe the salaries have a lot to do with it. I can see the Honourable the Financial Secretary twitching when I mention salaries but I would suggest to all Honourable Members here, and those of the next Council, to look at the salaries of teachers who have spent a considerable time in training; to look at those salaries, compare them with other salaries in the civil service. You mentioned the word heresy earlier on and from the financial point of view this is probably what I am talking about, so I will leave it at that point, just a subject to think about in the future.

If I may move on to the Posts & Telecommunications Department. Again I find it slightly embarrassing because as you all know I work for Cable & Wireless, but it was worrying me that the proposed extension of the telephone and telecommunications side is the thing seen to be being handled by one company, British Telecom. It worries me not that my own company was not being consulted that had nothing to do with it. It worries me that it looks as if any work that is going to be done was not going to be put out to the best in the sense of the best system and possibly the cheapest. It was not being put out to find the most suitable firm that way.

Recently there have been, I believe, complaints I think in the House of Parliament and the newspapers that Mount Pleasant Airport, when that contract was put out to tender, it was not given wide enough coverage. I think we might find ourselves with the same problem regarding telecommunications if that is not put out to as many tenders as possible.

The other thing to do with the Posts & Telecommunications Department is the Philatelic Bureau. I have mentioned this on one or two occasions in the past, certainly in the select committee if not here. It worries me the amount of work we are doing for the Dependencies and to a lesser extent British Antarctic Territory, I believe at the moment we have three of the Philatelic Bureau at South Georgia or possibly on their way back and I doubt very much if we are getting our monies worth from the amount of effort that we are putting into Dependency stamp sales. The Crown Agents charge a fairly hefty percentage on their sales. I believe that we should be doing the same thing for British Antarctic Territory and the Falkland Islands Dependencies.

In going through your long list I do not want to comment on everything you mentioned but you mention Justice which is at a guess increased by about 300% in manpower and presumably a large percentage in the amount of work that they do. I am still rather unhappy that a large portion of the fines structure is still not up to date. If I remember rightly a couple of weeks ago one offender was charged £1.00 for being drunk and incapable. As there would be numerous people involved to put him in the dock I hardly think that £1.00 would even cover the expenses, so I hope that Justice would find time over the next few months to start updating the fines so that they can come before this Council.

Related to that the Police Department may well come up later in the budget and I believe it is becoming more and more important that we should provide reasonable prison facilities. Unfortunately there are those who need to be put behind bars and I am not sure if they are not being put there because there are no facilities. Those who should be putting them there, or may consider it necessary to put them there, feel that our conditions are so bad they just cannot do it.

And finally to finish up on the Fishing Zone. I, together with the Member from West Falklands, feel that it should be made known to the British Government that we only have limited patience; that when we agreed to the multi-lateral approach, certainly I believed, if it was not successful, that there should be a time limit on working towards it. What that time limit would be I do not know, but it cannot be too long otherwise as has already been said, there will be no fish and no need for any Fishing Zone.

Sir, I support the Motion.

The Honourable A.T. Blake

Your Excellency, Honourable Members. I rise to support this Motion. I rise firstly, Sir, and confirm that I would have most definitely called you bonkers had you suggested to me in 1981 that we would have had jumbo jets landing in the Falkland Islands in 1985.

Sir, I have been privileged in three ways during the last four years. I was firstly very privileged to be elected by the Falkland Islanders to serve them on Council. I think I have been very privileged to serve my country at a time, which must be the most dramatic period in its whole history and I think most of all, Sir, being privileged to serve with you. Sir, you have guarded us along the path that we chose to take in the face of many people who would far rather we chose a different path altogether. I find words very hard to describe the gratitude that Islanders do feel towards you for the way that you have handled our affairs in the last four years. It is most gratifying, Sir, that in the world of violence and strife that we now live in, 1800 people who are right can triumph over 26,000,000 people who are wrong, and for this result I am sure most of the thanks must go to you.

I would join you, Sir, in paying tribute to the Honourable Bill Luxton who I know as well as you has served as a Councillor, the fact that he was nominated by you made absolutely no difference to the way in which he acted and certainly made no difference to the way in which his wife would express her opinions.

I would join other members in sincerely thanking General Peter. It has never ceased to amaze me in all the Generals that have served here the ability they have to command a tri-Service force that we have here

with all its complications and yet they are still able to give us advice which is given with the obvious understanding of local opinions and ways. I must extend our very sincere thanks to General Peter for all he has done for us.

Reverting to your references to the new Constitution, Sir, I am sure some Honourable Member will most probably also comment with some grief on the loss of our association under this Constitution with South Georgia and I would join him in those feelings of some loss there. I think we can take some hope in the fact that we have the right to self-determination and it is rather fitting, as the Honourable Member for West Falkland has pointed out, that that should become part of our Constitution when the United Nations is celebrating a birthday.

The next Government however, Sir, must continue to consider further Constitutional reforms and I think I share the worry that many people within Council and within Government share over the fact there may be some difficulty in getting eight people to serve. I think perhaps one of the limiting factors is the fact that people have to give up so much more time now than they used to before, and I would charge the next Government to consider very carefully whether or not Councillors should not be paid more, as particularly people with private businesses cannot afford now to give up the time to serve their country as they may wish.

Your references to the Education Department I certainly agree with. In recent trips around camp stations, I must pass on the thanks of many of the more isolated stations who are now benefiting from what is locally known as the Radio School. There is very high praise for the actions of the people running these radio schools and it is very much looked to and I think we ought to consider improving these areas. A lot of the success I am sure of the gains made in the Education Department many are as a result of the able leadership of the Education Committee by the Honourable Member for Stanley West, and I would join with him in passing on to the electorate that the choice of Spanish as a subject to be taught in schools was in no way a neighbourly act towards Argentina, but was the only common sense language we thought could be taught in schools. We must face the fact that for children to go on in life these days a second language is almost a requirement which cannot be done without.

The New Hospital, Sir. I notice in your speech you do express some concern over the delay and I pass on the very serious criticism from many of my electorate, which of course covers all of camp, for the fact that O.D.A. seems inclined to favour a tender from a firm which has a rather bad reputation in the Falkland Islands, particularly with the Falkland Islands Government, and also seems to employ people who have been involved with the disastrous building of the concrete jungle of a hostel which was never ever brought into use. I fail to see that the O.D.A. have either done these Islands or themselves very much good by accepting that sort of contract. Particularly, Sir, in the face of what is the most remarkable achievement in the world just at the moment with the building of the Airport and I congratulate Mr. Bill Bloomfield on receiving the C.B.E., a very very well earned honour and I wish both him and his charming wife a very pleasant and eventful future.

You refer too to broadcasting and I join you in your praise of the way the Broadcasting Department has developed. I would however point out the fact that the good reception most of us in Camp, perhaps even Stanley, are receiving these days is a direct result of military transmitters. Recent reception tests that we have been carrying out in Camp reveal that if we did not have these our reception, of what is a

good programme content, would be very severely limited, and I believe there are one or two camp stations who are unable to receive B.F.M. and are having considerable trouble in receiving what is an excellent service these days.

Your reference to the R.T. operator, Sir, is praise well justified. Her service to Camp is almost at times selfish I am sure to the point of cost. I would however join with the Honourable Member for Stanley West in criticising the attitude of the departments concerned in not considering every possible type of improvement that could be applied to Camp, Sir, communications. I have, Sir, as you are no doubt aware, resigned from the R.T. committee as a result of attitudes which denied consideration of all possible forms of improvement of that service. I cannot serve that committee unless we are going to consider every possible chance of improving and giving people in Camp the sort of service they desire and have a right to have.

The 200 mile limit has always, I think since the war, been a highly contentious point and I join with various other Members who have said that they believe that by the time the Foreign Office get this sorted out there will be no fish left. I received information, I am not sure of its accuracy, that the Japanese are proposing to send down at least double the number of ships next year because they fear if they do not get in on the harvest there will be nothing left by the time they get down to getting something arranged in the form of a 200 mile protection zone which can be licensed and, of course, Argentina is leading the field in this area in exerting their sovereignty over their waters. The Honourable the Financial Secretary I am sure would be delighted if we were to act in a similar manner and balance his budget to the tune of a million dollars by creating a precedent over the sovereignty of the waters around the Falkland Islands.

I would join again, Sir, with the Member for West Stanley in saying that I am seriously concerned about the state of the Civil Service. I am concerned about the lack of competition for some of the higher jobs and I am very concerned about the lack of recruitment and I think that there is something very seriously wrong with the Civil Service salaries and the perks, as we would call them, that are not attracting young people into the Civil Service and I was very impressed by representations made by the Civil Service Association to the Standing Finance Committee some weeks ago.

Your comments, Sir, about the Agricultural Research Centre are very justified. And one small comment here that I would point out to those involved is that I do not think the Falkland Islands Government is in the position of providing money for people to produce theses, full Masters and higher Degrees; we do require results which are going to be of benefit to the farmers within the Falkland Islands.

Sir, I will end my speech on a lighter note as I find it very hard to stay serious, as most people know, for very long. Due to a typing error in your Address, Sir, I notice that people who are going to be standing for Council in the near future are going to have to don frogmen equipment and aqualungs and goodness knows what so that they can go out and get the fishing votes from around our shores.

Sir, I support the Motion.

The Honourable H. Bennett

Your Excellency, Honourable Members. In rising to support the Motion I find there is little for me to say but I do thank you for your Address this morning and for your valuable advice and leadership during your stay with us. I also thank General Peter for the interest he has taken in the life of the community. I wish you, Sir, and Lady Hunt an enjoyable retirement. I think that is about all there is left for me to say.

I support the Motion.

The Honourable the Financial Secretary

Your Excellency, Honourable Members. It gives me great pleasure to be able to thank you for the genuine efforts that you have made on our behalf over the years. It is a sad time that we are losing yourself, Lady Hunt and Diana & Tony. It is also sad that we are losing General Peter, Mrs. de la Billiere and his family from the community and I will go further by saying it is rather a sad time as this will be the last Council meeting for the Elected Members of the present Council, and the Nominated Members of Executive Council. I find this all a very sad day but at the same time I feel now that you have put us on the right course for a better future.

I thought your speech this morning was exceptionally good. I appreciated the tribute you paid to the Military here under the leadership of the General - we have had nothing to worry about in the way of the defence of the Islands. We have all been able to sleep very well at night, knowing full well that there may be a SAS man laying under a net somewhere near the beaches to take on anything that may be coming. I also appreciate the service which the Military give to this community and so often forgotten about, rather taken for granted now, you mentioned the majority. I am thinking about leaving the Islands soon for a short holiday, I will be calling on the Joint Services Movements Staff, and then I am sure I will be looked after in the same way as the Military look after us in so many other ways. I also have a very soft spot for the 73 Port Squadron who handle all the civilian cargo from the ships that come in to FIPASS.

Going on to the future of the place there is no doubt about it we have the opportunity of a great future here with the airport and at present with the jet planes coming in, I think it is up to us to now make the future of these Islands a better place for everyone to live in.

The points that have been made this morning, have been few regarding services and the budget, the one point that I would like to take up was made by the Honourable Member for Stanley West. He raised the question of the charges being levied against the British Antarctic Territory and the Dependency of South Georgia for the services that the Post Office provide and I can assure him that he will have every opportunity at looking at the costings during the forthcoming meeting of the Select Committee.

I end by thanking you again, and the General, and the Members of this Council and endorsing virtually everything that has been said this morning.

The Honourable the Chief Executive

Your Excellency, Honourable Members, I want to begin my speech by adding my own thanks to the Honourable Members with whom it has been my privilege to serve in this House during the past eighteen months. As one who, until I had come here, had taken very little part in public life, in particular the rough and tumble of public questions and debates I was probably more worried about this particular aspect of my job than any other. I am most grateful to have this opportunity to express my gratitude to all Honourable Members for the courtesy, kindness, support and understanding which they have shown me in this House and outside it; and this in spite of the fact that some of them know that I had actually been at school with the hated Tom Layng!

I wish also to add my own tribute to the Honourable Member, the Military Commissioner. I spoke this time last year of the very high expectations which we had of him. As Your Excellency has said, we have not been disappointed. His tolerance, understanding and sympathy for the civilian point of view may occasionally have ruffled feathers in the Ministry of Defence but they have certainly won him a great many friends here and we could not have had a better choice as our last Military Commissioner. We hope that he and Bridget de la Billiere will be at home amidst the Celts of Wales as the Kelpers of the Falkland Islands.

Now, a year ago when we had the budget session there was, I believe, a sense of hopes unfulfilled, of expectations aroused which had not yet been realised. The strong question mark over the amount of progress which was being made on almost every front and two years after the liberation, through no fault of anyone here and in spite of all the efforts that had been made, the Development Corporation had yet to hold its first meeting. The Brewster houses were only half finished, and the Select Committee's report on the Constitution appeared to be lost forever in the Legal Department of the Foreign and Commonwealth Office. Indeed the media and the politicians in the United Kingdom, and a little later in the year one politician from here, who has now departed, had something of a field day at our expense. Even in December the Foreign Affairs Committee's report was still talking about the funeral pace of development in the Islands. Earlier this week I re-read the speech I made on this occasion a year ago and I was struck by its defensive, almost paranoid tone. Indeed I devoted a whole lengthy passage to my concern about the misunderstandings which I felt we all suffered both here and in the United Kingdom about what we were all trying to achieve in the Islands.

Your Excellency, particularly after listening to your own eloquent account and all that we have accomplished during the past year I no longer feel the need to be defensive, let alone paranoid. It seemed to me that when I read the press reports of the opening of the Mount Pleasant Airport, what I understood was extensive misreporting of one particular incident at the opening was significant for one reason only, that the gentleman could not find anything else critical or sensational to write about. Of course there will continue to be criticisms of sums of money being spent by Her Majesty's Government in the Falklands and that criticism will make no distinction between the defence and civilian spending. But I hope that we can continue to demonstrate that alongside these spectacular achievements from the defence budget we in the Falkland Islands Government are doing our best to use the more modest funds available to us, less spectacularly, but at least wisely and well. And I hope to what the Honourable Member for Stanley West has said, that we can maximise the economic advantages we

derive from the most spectacular achievement of all - the Airport at Mount Pleasant. The gift of inestimable value as Your Excellency described it and, together with the Military and hopefully with the collaboration of the Overseas Development Administration, that we can establish a joint hospital of which we can all be proud.

I took particular pleasure, Your Excellency, from your kind remarks about the Development Corporation. Pleasure accompanied, if I am truthful, by a sense of relief that the birth pangs are over. The Development Corporation seems to suffer excessively from the metaphor in speeches, both you and I have described it and its General Manager in obstetric terms. But I wonder whether Robert Fox's description of Simon Armstrong and his organisation as a whirling dervish is not in fact more appropriate. The energy and drive which he and his team have shown over the past year has been remarkable and has produced, I think, remarkable results in a very short space of time. Needless to say, lest we be too complacent and self congratulatory, there are still formidable problems and tasks still to be tackled and it is on these I should like to dwell briefly in the remainder of my speech.

The first is housing. The high costs of the Brewster houses illustrated the problem well, if you lack people and materials and import both to build houses then that housing will be very expensive. As Your Excellency has said, the building of the joint hospital will provide an opportunity to increase the housing stock in Stanley, both through the construction of staff housing and through the building of sheltered accommodation. The Government still has to plan in detail what more it needs to do about housing and how best it can assist those who wish to own their own houses. If the proposed Snake Hill development is successful it will make a most significant social and economic development. Housing is the key to immigration, as Your Excellency has emphasised.

The second is roads and tracks where we still have to decide how best we can spend the £2m set aside out of the £31m for this purpose and, because of the relative scarcity of resources in relation to this, as Honourable Members are aware, the whole issue has been deliberately put to the various bodies, to F.I.D.C., to the Sheep Owners, to the G.E.U. and to the Falkland Islands Traders Association for their thoughts and views and we look forward to discussing these with them.

Thirdly, there is the question of fuel supplies. Presently the Islands rely virtually entirely on the Ministry of Defence for fuel supplies, but with the move of the Military to Mare Harbour the Falkland Islands Government have to consider how far they should continue to rely on the Ministry of Defence for the import of supplies and what independent arrangements they will need to make for storage and distribution. Related to fuel supplies is the provision of improved port facilities. Again, the Ministry of Defence will be moving to Mare Harbour for their facilities although not I understand before, I think it is, 1988. We do not yet know whether the superb FIPASS facility is likely to be made available to us in whole or in part. We have to decide whether to go for much improved port facilities to service trawler fleets or simply make those that we have a little better and safer.

Then there is FIGAS. We have to determine best how we can organise FIGAS. Building on the progress so far achieved, which Your Excellency has described, to maximize aircraft useage, including the 3rd Islander which is to be purchased, to maximise income and to give the most efficient and market orientated service to the public.

Now most, if not all, of these subjects will form at least some part of our deliberations on the budget. One subject of great importance is not in our hands and that is the creation of an Exclusive Fishery Zone around the Falklands. I would like to add my own expression of concern to the expressions of concern to be made by a number of Honourable Members. We have heard that this is now being further explored by Her Majesty's Government on a multi-lateral basis rather than the unilateral one which Honourable Members had pressed ever since the Liberation. I visited the Foreign and Commonwealth Office only a week ago and I took the opportunity, Your Excellency, to underline the eagerness and indeed the impatience with which the outcome of these talks is awaited in the Islands. Nothing, not even the miraculous airport at Mount Pleasant could be of more benefit than the creation of a zone with all that that implies in terms of revenue from licencing fees and economic opportunity.

Now, Your Excellency, in common with other Honourable Members, this is the last time that I shall speak to the Motion of Thanks to yourself as President of this Council. My own involvement in the Falkland Islands has been but two years and for me to speak of your achievements may seem something of an impertinence. The Honourable Members who have preceded me are far better fitted than I, for it is above all, the Falkland Islanders who have reason to be eternally grateful for all that you have achieved in and for the Islands, for your courage and leadership in their darkest hour, in your vigour in restoring normality once that hour had passed and for your commitment to and concern for their future which will I know continue long after you have left the Islands. In this House, Your Excellency, we have benefitted too from the wise and supportive way in which you have guided our deliberations. In saying this I am particularly joined by the Attorney General, the Government Secretary and the Clerk of Councils who have no voice here of their own to express their gratitude. Personally I shall not likely forget your help to me at my first question time in this House and I fear that I may need some further assistance along these lines before this day is out, to judge from the questions set out for oral answer.

Everyone, to Islanders and expatriates, civilians and servicemen, and often indeed casual visitors, have appreciated the marvellous warmth and tireless hospitality, indefatigable hospitality I think one may say, which you and Lady Hunt, whom I am particularly glad to see here today, have shown in welcoming us to your home, to Government House. You will be much missed, more than we can say, and we are delighted that you are to be with us for some months longer.

I beg to support the Motion.

The Honourable the Military Commissioner

Your Excellency, Honourable Members: First of all may I thank you, Sir, and all Honourable Members for your kind remarks about myself and my wife Bridget. If I may say so the generosity is typical of the hospitality, kindness and welcome that both of us and our children have found throughout these Islands. It has been a uniquely happy year of fulfillment for all my family and we shall be departing with sadness. We shall take with us many happy memories. We value the host of friends we have made and it is they who will maintain a link with us with your Islands in the future. May I also, Sir, join other Honourable Members in wishing you and Lady Hunt well and may I thank you personally for introducing me into the Island community and to say how much I have valued and benefited from your wise counsel and advice. It has been a great personal

privilege to serve with you, with a man of such high moral courage. Yours, Sir, is an example to us all in unselfish leadership. May I also take this opportunity of thanking the whole civil community for their kindness, hospitality and generosity in receiving my servicemen into their settlements and homes. For those who are able to take a few hours away from their demanding duties, you have all provided a haven of rest, of friendship, which will I know be a biding memory these servicemen will take home of their time in these beautiful Islands. Next month I shall be relieved by Air Vice-Marshall Kemball with whom I have had regular and frequent correspondence. May I commend him and his family to you and tell you that they will arrive here with enthusiasm for the tour that lays ahead of them. They, too, are country loving people and much looking forward to meeting you all.

Your Excellency, I should like to endorse your remarks concerning the lapse of the title of Military Commissioner. It is indeed a sign of progress and achievement that in just over three years, since the end of the traumatic experiences caused by the conflict in 1982, these Islands are able to return to a normal state of affairs for a British Colony. It is encouraging for all of us who live in the Falklands but I hope not, if I may say so, for those in Argentina to know that the Military are to remain with a garrison strength considerably in excess of the handful of marines who were expected, and indeed did, so gallantly defend the Islands prior to 1982. The role of the Military remains one of passive watchfulness for any sign of aggression, of determination to deter any aggressor and to ensure that, were he so foolish as to ignore this warning then that he came quickly and effectively to an ignominious military defeat once again. Let us hope that for the future, watchfulness and deterrents will be the role of the Military in these Islands. Now a vital contribution to our role of defending the Falklands is ofcourse, as you so rightly stated, Mount Pleasant Airport and you do not need to be a military strategist to appreciate that he who holds Mount Pleasant Airport controls the Falkland Islands. There must never be any misunderstanding about the vital importance that this airport plays in the defence and security of the Falklands. It is not therefore without Military significance that we shall be concentrating much of our defence effort in and around the Airport. It will be of interest for you to know that the recent wide-body jet movements prove the airports capability to handle very large transport aircraft and it is thus the proving ground for any future reinforcement that may be required. The efficiency of this concept may be gauged by the fact that one routine 747 flight, as is happening now twice a week, is equivalent to no less than six C-130 Hercules airbridge flights that were recently such a feature of our lives. Not only does a 747 carry such a heavy load but the time taken, as mentioned by Your Excellency, to get from Mount Pleasant Airport to Brize Norton has ofcourse been reduced from 35 hours to about 17 and in defence affairs this is a significant and strategic improvement. As we move into the military camp at Mount Pleasant Airport in the months ahead you will note a less obtrusive military presence throughout the Islands and notably in the area of the Canache which it is intended to be completely closed down over the next 2½ years. Other outlying garrisons will also close down in the interim period, the Military installations removed and the land returned to the local owners. Our policy will be to achieve this in close consultation with the local community and I hope that we can progress this next phase in the demilitarisation in the Falkland Islands as harmoniously as we have been able to achieve it in the arrangements in closing the camp at Goose Green. We shall return to the United Kingdom those items that are of high value for defence purposes, however, there is much that

will not warrant the expense of shipping it back to England, and I wish to see every opportunity made available to the local community to purchase, at a reasonable price, those items which would be of value to them and which we do not require for the future defence of the Islands. However this return to normality will not come without some penalties. Several of which have been mentioned by the Honourable Financial Secretary and the Honourable Chief Executive. There are certain facilities which we are presently making available to Islanders but which we shall no longer require for defence purposes and would therefore wish to close down. Notably, of course, are the Falkland Island Port and Storage System, the fuel distribution points located in the Canache and our contribution to the maintenance of roads that are currently in regular military use. Where facilities are handed back every effort will be made to see that they are restored to the state they were in prior to the conflict, but there is no doubt that the departure of the military garrison from its present position will produce some problems which you may consider it necessary to address in the months immediately ahead. Our arrival at Mount Pleasant will not be without its own difficulties and the most important problem will be the need to maintain the excellent understanding, working relationships and friendly association that exists at present between the Military and civil communities. It is my intention to brief my successor on the close community relations that currently exist and to recommend that he give high priority to ensuring they are maintained once we occupy facilities at Mount Pleasant. I am sure, provided we make this effort, the serviceman will continue to find the warm and friendly reception in both Stanley and Camp to which we have become so accustomed in recent times.

And last but by no means least I wish to mention the valuable contribution made to the Defence by Major Pat Peck and the stalwarts of the Falkland Islands Defence Force. It is not without trepidation that any future invader might regard them, particularly when it is remembered that they have won three of the most recent military shooting competitions. They are a small but effective force of which Islanders rightly take great pride. It has been my privilege to serve alongside them and to have them under my command for frequent training exercises.

To conclude, may I reemphasise my personal gratitude for the friendship and hospitality so freely given to the servicemen and women and may I remind you that it is in the vital interests of both civil and military communities that there should be no sense of isolation when the military garrison moves to Mount Pleasant. The services are part of your community and proud and grateful so to be.

Sir, I beg to support the Motion.

The President

Could I just say thanks to all Honourable Members for those kind and touching words about my wife and I. I think that this would be an appropriate time to adjourn for lunch and to meet again to deal with the rest of the Agenda at 2 p.m.

PAPERS LAID ON THE TABLE BY THE HONOURABLE THE CHIEF EXECUTIVE

Copies of subsidiary legislation made or approved by the Civil Commissioner in Council since 16th January 1985.

The report of the Falkland Islands Development Corporation for the period 14th June 1984 to 31st December 1984.

The Medical and Sanitary Report for the period 1st July 1983 to 9th April 1984.

QUESTIONS FOR ORAL ANSWER

No. 1 of 85 by The Honourable J.E. Cheek

Would the administration please advise how return airfares Falkland Islands/United Kingdom of £2,250, and concessionary rates of £1,050, have been calculated when commercial airlines charge in the region of £900 to £1,000 for similar length routes, with lower load factors than those between the Falklands and the United Kingdom?

The Honourable the Chief Executive

Your Excellency, before I answer the question could I just say what a pleasure it is to see our visitors from Stanley Schools here.

The answer I fear is no, Sir. The fares which the Honourable Member describes and of which he questions are essentially proposals for the operation of the Falklands route put by the Ministry of Defence and it is really to the Ministry of Defence that the question should be addressed. I will not be so unkind as to suggest that it should be addressed to my Honourable friend the Military Commissioner. However these proposals have not gone unchallenged by the Falkland Islands Government who, with the assistance of the Foreign and Commonwealth Office and on the basis of very detailed figures, prepared by F.I.D.C. Transport Consultants, have indeed argued vigorously for their reduction in line with fares on other routes; on precisely the lines which he suggests. Now, this is still under discussion in London but I understand that we shall have an answer on this quite soon. In the meantime I should advise that as an interim measure, the Ministry of Defence have agreed that all those who previously qualified for a low cost return fare of £950 plus insurance can qualify for a return fare of £1,050 plus insurance.

The Honourable J.E. Cheek

Thank you very much for the answer which did not really do much to actually supply the information I wanted but as the Honourable Member has not got it there is not much he can do and any supplementaries I may have had will presumably get the same sort of answer. I hope that we get some more detailed answers from other sources as soon as possible. Thank you.

The Honourable the Chief Executive

You can have my assurance that an outcome to the discussion which we have had can be expected quite shortly.

The Honourable L.G. Blake

Can we be assured, Sir, that should the result of these negotiations be that there will be a reduction in fares, those reductions will be passed on to the passengers who have already travelled. I do not question with regard to an increase in fares.

The President

Perhaps I could just say that there will be no reduction of the £1,050 return. It is the higher fares we hope we will get a reduction on and categories of person to whom the lower fare of £1,050 return applies. Could I just add that I asked the Foreign and Commonwealth Office if we could have a full reply by today's meeting of Legislative Council and they regretted that because they had not yet had the confirmation back from Ministers in both the Foreign and Commonwealth Office and the Ministry of Defence they could not allow us, the administration, here, to release the information.

The Honourable J.E. Cheek

I am not sure if you will agree it is supplementary to the original question but, bearing in mind the replies, is the administration pushing the Ministry of Defence or the Foreign and Commonwealth Office that there should be further reductions from whatever the base line charges are to be, for children, possibly in line with airline charges and for students?

/normal

The Honourable the Chief Executive

Your Excellency, I would prefer not to comment further at this stage as discussions are still taking place on the subject.

QUESTION No. 2 of 1985 by The Honourable J.E. Cheek

Would the Chief Executive please advise on progress on the formation of a multi-lateral organisation to control fishing around the Falkland Islands?

The Honourable the Chief Executive

As I indicated in my speech this morning, Your Excellency, the negotiations to which the Honourable Member refers are presently in the

hands of Her Majesty's Government now being conducted by the Foreign and Commonwealth Office. The Secretary of State for Foreign and Commonwealth Affairs announced the opening of discussions in the Foreign Affairs Committee Report debate on 14th March this year, and he said 'we have decided to explore possible ways in which to establish a multi-laterally based conservation and management regime'; and he refused to be pressed then on the details of Her Majesty's Government's approach, but we understand that discussions have continued on this basis since then. I should underline again the anxiety about progress which I share with Honourable Members and which the Honourable Member's question reflects. I did ask in the Foreign and Commonwealth Office only last week when they expected these discussions to bear fruit and I have to say that they were unwilling at that stage to set down any timetable for this. I did however leave them in no doubt whatsoever as to our growing impatience over this whole issue.

The Honourable L.G. Blake

Can we therefore be assured, Sir, that these negotiations will not be of a long drawn out process and, if we cannot be assured of this, can we be assured that Her Majesty's Government will be left in no doubt as to our view of a long drawn out negotiating process.

The Honourable the Chief Executive

I believe, Your Excellency, that I cannot categorically give an assurance on the first but I can give an assurance on the second.

Question No. 3 of 1985 by The Honourable J.E. Cheek

Your Excellency, concerning the sub-division of farms, it is now some time since the last farm was offered for sale. Has the administration any definite plans for meeting the needs of those Islanders still wishing to own farms? Does the so called 'gradual approach' depend entirely on the availability of land. For example, if it is ten years before the next farm is offered for sale, will that be the next opportunity for those who are still waiting to buy farms?

The Honourable the Chief Executive

Your Excellency, may I give a little bit of the historical background to this in giving my answer. The term 'gradual approach' was first used, I believe, by the then Secretary of State for Foreign and Commonwealth Affairs in the debate in the House of Commons on the 1982 Shackleton Report. Now, Lord Shackleton had proposed in effect, wholesale acquisition of large absentee owned farms by compulsory purchase and their subsequent sub-division. Her Majesty's Government indicated that they preferred a willing seller, willing buyer basis and this, the so-called 'gradual approach', has been followed to date. However, in accepting the gradual approach, the Falkland Islands

Government has always made it quite clear that it reserved the right to reconsider this basis should land not become available for sub-division at a pace appropriate to demand and to the economic development of the islands. Indeed the Land Amendment Bill 1985, which this House will consider later in this session, strengthens the law on compulsory acquisition with this very thought in mind.

The general plans which the Government and the Falkland Islands Development Corporation have made for further acquisition was set out in a lengthy and detailed paper which was approved both by Executive Council and by the Corporation of F.I.D.C. at the end of 1984, and this has subsequently received the broad approval of O.D.A. who have agreed with the Falkland Islands Government, that F.I.D.C., The Development Corporation, should administer sub-division policy. Now, as long as we pursue the gradual approach, the present gradual approach, Government clearly cannot make definitive plans for specific acquisitions until it knows that a particular farm is likely to become available, although this is not to say that F.I.D.C. does not keep its ear close to the ground to identify possible vendors. If the gradual approach does not yield results then Honourable Members will have to consider whether to proceed by way of compulsory purchase. However, I hope this will not, Your Excellency, be necessary.

The Honourable A.T. Blake

Could the Honourable the Chief Executive clarify one point. I do feel at some stage we are, or were, negotiating the possible purchase or lease of Hamilton Estates and I believe this has now run into problems. Would you care to comment on that?

The Honourable the Chief Executive

Yes, Your Excellency, I can comment on that because I believe that whilst other negotiations might be in the nature of commercial confidences, the negotiations on Hamiltons have been a matter of public knowledge for some time. Some time ago, the Falkland Islands Government and the Trustees of Hamiltons not having succeeded in reaching a mutually satisfactory conclusion on the purchase or lease of Hamilton Estates Executive Council took the view that there should be a further study of the Hamilton Estates having in mind to determine their suitability for sub-division, and the kind of price, the kind of arrangements which it would be reasonable to make for them. This study has taken some time. We expect the results very shortly and once it has been considered by Executive Council then we expect either to indicate that we wish to proceed further with the negotiations, or to terminate them, whichever we decide to do in all the circumstances.

The Honourable A.T. Blake

Your Excellency, I wonder if the Chief Executive would admit that if these negotiations fail that the go slow policy had come to a grinding halt?

The Honourable the Chief Executive

No, Sir, I would not admit that the go slow policy, as the Honourable

Member describes it, I still prefer to call it the gradual approach, had come to a grinding halt. There are one or two other possibilities which we are considering, but I certainly would accept that there will come a point at which, if we do not have an adequate supply of land for sub-division on a willing seller willing buyer basis, we shall have to consider the route of compulsory purchase.

The Honourable R.E. Binnie

Your Excellency, could the Chief Executive tell us whether F.I.D.C. will purchase any future farms or will F.I.G. purchase them?

The Honourable the Chief Executive

The funds for the purchase of farms, Your Excellency, come from the Overseas Development Administration. It really becomes a question of whether the funds are channelled through F.I.D.C. or through F.I.G. I would anticipate as F.I.D.C. have been agreed both by F.I.G. and by O.D.A. as the channel for such purposes, that those funds would go through F.I.D.C. rather than F.I.G. There is ofcourse no reason why F.I.G. should not decide to make funds available separately for this purpose if they so wish.

The Honourable J.E. Chack

Your Excellency, the Honourable the Chief Executive has used terms such as 'appropriate pace' and 'eventually' regarding the gradual approach. At which stage if there are no more farms available on the open market will we possibly have to use compulsory purchase? What sort of time scale is the Honourable the Chief Executive thinking of before such compulsory purchase may be necessary?

The Honourable the Chief Executive

Well that, Your Excellency, would ofcourse be a matter for the judgement essentially of the Falkland Islands Government on the basis of the advice received from those involved. I do not think I am saying anything out of turn or giving too much of a hostage to fortune but we ought to look to considering the possibility of compulsory purchase if, at the end of this year, we feel that there is insufficient land coming forward on the willing seller willing buyer basis. I would not wish to be drawn any further than that.

The Honourable H. Bennett

Is the John Hamilton Estates Limited, under foreign control?

The Honourable the Chief Executive

Yes, I can confirm that the Hamilton Estates are under the control of Trustees who represent essentially Argentine shareholders.

The Honourable L.G. Blake

Could the Chief Executive tell us whether the lack of land, willing buyer, willing seller, is due to the price set by O.D.A. for that land?

The Honourable the Chief Executive

I would not care to speculate over much about that. However, having said I will not speculate, I will. I do not believe at the moment that it is the price which is the deterrent, because I do not think that we have discussed prices, or that enough is known about the sort of prices that might be payable to deter.

The Honourable H. Bennett

If John Hamilton Estates is under foreign control then it is subject to the provisions of the Aliens Ordinance and I believe, it is a long time since I have looked at it, they can not hold land unless under licence.

The Honourable the Chief Executive

The Honourable Member has a great deal of legal experience and expertise which I have not and I am afraid that I could not comment on that statement, Your Excellency, without having taken further advice from my Honourable friend the Attorney General.

The President

I am being very lax as President in that this is quite a long way away from the original question.

The Honourable A.T. Blake

If I can return to the original question, Your Excellency, would the Honourable the Chief Executive like to indicate that he has noted that the elected Councillors are dissatisfied with the pace of sub-division of the larger farms?

The Honourable the Chief Executive

Your Excellency, I have noted that and could I hopefully close, if I am allowed to, by saying that I too am concerned about the pace of sub-division. I would like to reaffirm my own commitment to sub-division and my firm belief of the advantages of sub-division - political, economic and social, for the Falkland Islands.

The Honourable W.H. Goss MBE JP

Your Excellency, I think it was taken in Council that the gradual approach was the right approach and not compulsory purchase at this stage. What I would like to know is how many people are there in the Islands who are waiting to take up land? If prices are going to escalate as they have done in the past - and the price of wool is going to fall as it is doing now - how many at this moment are going to be interested in taking up land in the immediate future? Thank you Sir.

The Honourable the Chief Executive

Your Excellency, we do not have a list as such of people who are interested in taking up sub-divisions but I think it is true to say that there are a considerable number of Falkland Islanders, and possibly some immigrants as well, who would be very interested in buying sub-divisions but, as the Honourable Member has underlined, at the right price. Ofcourse it must be our concern to see that the price is one which does not impose an excessive burden on the purchasers.

The Honourable R.E. Binnie

I do not wish to be associated with the remarks made by the Honourable Member for Camp Division. I agree with the gradual approach and I think that we are going along nicely at the moment.

The President

I think we have had long enough on this question, I would simply remind the House that it is on record that this House did say, when this was first discussed, that if the demand exceeded the supply this House reserved the right to go back again to Her Majesty's Government to discuss the whole policy.

Question No. 4 of 1985 by the Honourable H. Bennett OBE JP

Your Excellency, when can our young farmers expect to have information made available to them from the Agricultural Research Centre for the improvement of their stock and grasslands?

The Honourable the Chief Executive

Your Excellency, information on land and stock improvement is already available to all farmers, either directly from the Agricultural Research Centre or through the Farm Management Advisory Officer who recently joined F.I.D.C. In addition, the Agricultural Research Centre will be contributing regularly to the Wool Press of which I have a copy here, the recently launched newsletter published by F.I.D.C., and as I understand it freely available to all farmers, and this will have a variety of articles on farming topics, advice and recommendations on farm improvements and other information. Indeed as I see it even includes an article on the subject of one of the next oral questions. The scientific programme, I think this must be understood, currently being taken by the Agricultural Research Centre is specifically designed to identify and test the measures required to increase wool production and farm profitability in the Falkland Islands, and as results of this programme gradually emerge further detailed recommendations become available to farmers. As Your Excellency mentioned in your Address, an advisory package of some 15 key improvements and changes is currently under development, and will hopefully be made available to farmers

as it evolves. I would like to emphasise finally that the Agricultural Research Centre continues to welcome any approach by farmers for advice and as knowledge increases both the availability and quality of advice will hopefully improve and will, it is hoped, be systematically disseminated.

Question No. 5 of 1985 by the Honourable H. Bennett OBE JP

When can we expect repairs to be made to the Government and Public Jetties - both are a danger to those using them?

The Honourable the Chief Executive

I, and the Falkland Islands Government, I am sure, share the Honourable Members concern at the state of the Government and Public jetties in Stanley and it is, particularly upsetting that the Public Jetty should have been damaged again, by the Forrest I believe, so soon after repair by the Royal Engineers. Ofcourse both should be repaired and Government has found it necessary to place warning notices on each of them. However we are back to the old problem, the Public Works Department is, as always, massively overstretched. The carpenter for example who would be employed to repair the Public Jetty is, I understand, currently doing fire prevention work at the Brewster Hospital. The repair of the Government Jetty is likely, in any case, to be a lengthy and complicated task to do properly and I can only say in regard to the Public Jetty that the Public Works Department will repair it as soon as they have the men available to do the task, and that they will plan for the repair of the Government Jetty as soon as they have the resources to carry out that rather more considerable task.

The Honourable A.T. Blake

I presume that the Chief Executive is aware that we have been criticised for the state of the public jetty by one of our longest standing tourist ventures which visits the islands and I would remind that it is not long before they start visiting the islands again.

The Honourable the Chief Executive

Your Excellency, I am well aware of that and extremely concerned about it for that reason.

The Honourable W.H. Goss MBE JP

Your Excellency, I have reservations about the Government Jetty being damaged by the Forrest, I think that should be pursued further.

The Honourable the Chief Executive

Your Excellency, if I am wrong about the Forrest so be it. I think what I was slightly underlining was the awful irony that the damage to the jetty had actually been done by Government. Whether it be by the uniflote or Forrest.

Question No. 6 of 1985 by the Honourable H. Bennett OBE JP

Your Excellency, is it proposed to take steps to control and eradicate blindness, other than wool blindness, in the sheep population? If so, when may we expect to see such a programme commence?

The Honourable the Chief Executive

Pink eye, Sir. That is, I believe, the common name of the disease to which the Honourable Member refers. Its clinical name I understand is contagious opthalmia and I understand that all sheep are susceptible to it. I also understand that it is actually endemic in many parts of the world and that eradication has so far been acknowledged by the experts to be impossible. Where blindness has occurred a one-off treatment by an antibiotic and isolation of effected animals is possible. But so far no vaccine has been developed and it is considered that careful shepherding, identifying affected animals is as important as anything in controlling the disease. We do not have accurate figures on the incidents of the disease in the Colony but it is believed to be low. The economic loss therefore is considered to be minimal and at present no specific control programme is planned.

MOTIONS

MOTION BY THE HONOURABLE THE FINANCIAL SECRETARY

That it be resolved that the report of the Standing Finance Committee for the period 24.1.84 to 20.12.84 be adopted.

The Honourable the Financial Secretary

Your Excellency, the Standing Finance Committee of the Legislature met on eleven occasions during 1984 and approved the following expenditure.

For the financial year	1982/83	£341,669.
	1983/84	£1,065,575.
	1984/85	£464,420.

As the report does not cover any item of expenditure which was not approved by the Standing Finance Committee, I beg to move that the Report be adopted without debate.

The President

The Motion is that it be resolved that the Report of the Standing Finance Committee for the period 24.1.84 to 20.12.84 be adopted without debate.

Are there any objections?

The Motion stands adopted.

MOTION BY THE HONOURABLE H. BENNETT OBE JP

That it be resolved that the Government be requested to introduce a Bill to this House providing that the property in all minerals, including mineral oils and uranium in their natural condition in strata in the Falkland Islands and the continental shelf thereof be vested in Her Majesty.

The Honourable H. Bennett OBE JP

Your Excellency, Honourable Members. As I said in my speech on the Motion for Adjournment to the last meeting of Council and with reference to my election platform, I would endeavour to have legislation introduced to provide that all mineral rights, particularly those relating to mineral oil and uranium be reserved to Her Majesty.

It is my intention that such legislation would allow all people of these Islands to benefit from the development of an oil industry. The Motion which has just been read out to Council is the first step in what I hope will become that

legislation. There is no time during the life of the present Council to finalise the legislation but if the Motion is carried it will become incumbent on the Administration to proceed with the introduction of legislation which would have the aim I have briefly outlined. At present there are a number of land owners who hold total mineral oil rights and many who do not. Thus, if any oil is discovered on the land of land owners who own total mineral oil rights, they alone with the exclusion of everyone else in the Colony would benefit from any development of that resource. I consider it only fair that everyone in the Islands community should benefit from the exploitation of any minerals which may be discovered here. That of course includes mineral oil and uranium hence the wording of my Motion.

The Honourable W.H. Goss MBE JP

Your Excellency, I rise to support this Motion. In the past in small lots of land that changed hands in Stanley I have proof that the initial purchasers had mineral rights. When the land was sold or transferred to another person the mineral rights did not go with it. A terrific amount of land in the Falklands has changed hands in the last, less than ten years. I would like to know if the mineral rights were retained by the purchaser or if they were vested in the Government. I heartily support this. I think it is a very important thing that Government should gain control of all mineral rights in the Colony whenever possible. Where the mineral rights were invested in the Colony for owners such as The Falkland Islands Co. Ltd., as far as I know they are the only people who have mineral rights in this country. There were others in the past even small plots of land in Stanley at one time, back in the early days of the eighteen forties/eighteen fifties, the purchaser held the mineral rights of those plots but they were taken out when those plots were sold.

Thank you Sir.

The President

The Motion is that it be resolved that the Government be requested to introduce a Bill to this House providing that the property in all minerals, including mineral oils and uranium in their natural condition in strata in the Falkland Islands and the continental shelf thereof be vested in Her Majesty.

Does any Honourable Member wish to speak to this Motion?

The Honourable A.T. Blake

Your Excellency, I rise to support the Motion. I think that we have to be very careful with our natural resources. As we have noticed, offshore fishing is very quickly depleting us of one of our greatest natural resources. I think we should take every precaution we possibly can within these Islands to protect the natural resources we have left. I feel that this is a fairly controversial subject in that such a vast amount of the Falkland Islands is in actual fact owned by absentee landlords. I would very much like to see this particular

subject pursued to the Bill stage. Without criticising the Legal Department unduly, I think it would take some considerable time but would give all Islanders, and Government in particular, time to consider all the implications of the Bill. So to promote further discussion on the subject I will support the Motion Sir.

The Honourable L.G. Blake OBE JP

Your Excellency, I would rise to support this Motion wholeheartedly. I was under the impression that our Mining Ordinance, that was passed in late seventies, made such provision except where the mineral rights were already vested in a private individual, but I would support the Motion and I hope that any such Bill would include within it the right to appropriate any such mineral rights that are held outside the Crown.

The Honourable R.E. Binnie

Sir, I have nothing to say but I support the Motion.

The Honourable J.E. Cheek

Your Excellency, originally I was not prepared to support the Motion and am still somewhat confused about it insomuch as I believe the majority of the mineral rights are already vested in the Crown. It concerns me slightly that we are saying we are going to compulsory purchase the mineral rights that are already owned by individuals or companies, or just compulsorily take away rather than actually purchase. I am not against looking at such a Bill. I can see there are pit-falls but certainly it may be worthwhile at least having a look to see if such a Bill is in the best interests of the Colony. Therefore I support the Motion.

The Honourable the Chief Executive

Your Excellency, I think all I really need to do is to advise the House about one or two points relating to this proposal.

As the Honourable Members for Stanley East and Stanley West have implied, the situation with regard to those Crown Grants which appear to include a grant of mineral rights to the purchaser is quite a complex one. It is not entirely straightforward and it certainly would require some further research as the Bill, if the Honourable Members wish it, is drafted. The second point I think I should make is that the new Constitution at Annex A, Page 50, Para 5.(1), specifically reserves for the Secretary of State's instructions any Bill vesting in the Crown ownership of any minerals. So it would require that further approval. Thirdly, I think it is worth reminding the House that on a previous occasion when the possibility of such a Bill was mooted, one of the parties concerned indicated that they would expect to be paid some compensation for the loss of the mineral rights. And having said that, I should like to make it clear that really in this matter the Administration are, so to speak, in Honourable Members' hands and if there is a majority for the Motion we shall naturally proceed to prepare a suitable draft for further discussion in Executive Council. It is, however, I am advised by the learned Attorney General, unlikely that such a draft, which would be extremely complicated, could be prepared before the dissolution of this House.

The President

There is an undoubted majority in favour of the Motion. Would the Honourable Member for Stanley Division care to wind up.

The Honourable H. Bennett OBE JP

I am very pleased that my colleagues are prepared to support me otherwise I would have had further to say. I am very pleased that they have and I think it is most essential that we should have it with the benefits that would accrue if oil or uranium were found here they should go to the people generally. Oil I am concerned with, oil and uranium, and I have a rough list, if you would like me to read it out, of farms which I believe hold the mineral/oil rights. The others of course are exclusively to the Crown, other than the list that I have.

The President

I would just add a word of caution to the general public that there is not the slightest shred of evidence, so far, that any mineral oil or uranium, or any other valuable minerals have been found in commercial quantities onshore in these Falkland Islands.

The Motion moved by the Honourable Member for Stanley Division is carried.

ORDERS OF THE DAY: BILLS

THE APPROPRIATION 1985/86 BILL 1985

The Honourable the Financial Secretary

Your Excellency, Honourable Members. In rising to move that the Appropriation Bill 1985/86 be read a first time I seek the customary sanction of Council in permitting me to read my Budget Address.

Honourable Members will recall that twelve months ago I introduced the 1984/85 Budget four days before the end of the financial year. On this occasion we have done better but only by one day. Next year I trust that I will be in a position to introduce it much earlier. I express my appreciation to all Heads of Departments for having submitted their estimates to me on time.

Since presenting the last Budget there are some issues of fiscal and economic importance which I propose to briefly consider. From March 1984 to March 1985 our inflation rate was just over six percent. This is a vast difference between the inflation rates in some of our neighbouring countries, for example Argentina. Their annual inflation is of the astounding rate of over 1000%. I recently read that the Prime Minister of one of the older independent Commonwealth countries decided the main problems which confronted his Government. The first was what he referred to as the intolerable, indeed disastrous, rate of inflation. Second, an unacceptably large balance of payments deficit. Third, an unacceptably large annual budget deficit. Fourth, a decline in the savings rate. Fifth, rising unemployment. Honourable Members will no doubt come to the conclusion that virtually none of them apply in the case of the Falkland Islands. I am sure that you will agree that our objective is to provide and sustain a favourable economic climate for investment in the commercial ventures which are now being fostered by the Falkland Islands Development Corporation. I believe it is important that we be responsive to new ideas which are in the long term interests of the people of the Falkland Islands. The prospects for success in these areas appear to be favourable.

The sheep farming industry is of course the mainstay of the economy. I am advised that wool prices have fallen recently but are likely to pick up later in the year. While there may be some uncertainty of the future wool prices and there may not be unqualified optimism but equally it is not one of pessimism.

Concern must be expressed over the lack of protection of our natural resources. Without the declaration of a 200 mile fishing limit the depletion of the fish stocks around the Falkland Islands is a clear possibility. Should fish become scarce there would be a substantial loss in revenue from harbour dues even at the present time. In 1985/86 £650,000 is forecast from this source. This revenue is important to assist in meeting the day to day expenses of the Government. Without it fairly harsh revenue raising proposals would need to be taken or substantial pruning of expenditure, or both.

At the moment our public debt obligations are satisfactory. On the 30th June 1984 public debt amounted to £285,000. At present, public debt is a negligible factor in our running costs. I am concerned about financial local development projects in the future.

Debt servicing comes within our recurrent costs and without any sign of a substantial increase in revenue, caution on raising loans is required. That is, of course, if we are successful in the issue of stocks or bonds. The role of the financial community in the development of the Falkland Islands is important. In particular, the Standard Chartered Bank is undertaking a valuable role here. There is a growing demand for housing mortgages and we would welcome the Standard Chartered Bank becoming involved in this area. Government funds for loans are unlikely to stretch to meet the growing demand.

A list of changes in the permanent and pensionable establishment for 1985/86 is attached to the 1985/86 Budget Memorandum. Personal emoluments for 1985/86 show an increase of 18.5% over the 1984/5 approved estimate. I draw Honourable Members' attention to Appendix B of the Estimates which relates to the aircraft replacement fund. Expenditure estimated for 1985/86 amounts to £290,000 for the purchase of a third Islander aircraft.

In January 1972 my predecessor left some very handy and useful handing-over notes but he did forecast that the Falkland Islands would have to seek grant-in-aid within a couple of years. However, so far we have succeeded in avoiding grant-in-aid, and I consider Councillors, past and present, can take pride in having steered away from it even on some occasions by having to introduce unpalatable revenue raising measures and keeping a tight rein on expenditure. Like all of us a Government can only spend what it receives. Our policy must be to seek to live within our means on an annual basis thereby avoiding the need to depend on the resources of others for our running expenses. We should endeavour to use local resources for capital projects whenever we can afford it and by maintaining adequate minimum reserves we should survive and prosper.

The reserves of the Colony are approximately £1.8m which at the present time is equivalent to approximately four months expenditure. I consider this level satisfactory but I recommend that they should not be permitted to fall below this point.

I now refer to the Government's financial affairs in 1984/85 and the prospects for 1985/86. In 1984/85 revenue was estimated at £4.736 million and expenditure at £4.858m. A deficit of £122,000 was expected. More revenue than was expected was derived from Harbour Dues, company tax and investment income. Not only sufficient to absorb a fall in revenue from philatelic sales and a shortfall in revenue under the Public Works Department but enough to produce a net overall increase of £33,000. Expenditure was less than the original estimate of £259,000 principally due to staff shortages and rehabilitation projects provided for but not undertaken. This result eliminates the original deficit and produces a surplus of £170,000. The 1985/86 draft Budget proposes revenue of £5,383,370 and expenditure of £5,371,510, a small surplus of just under £12,000 is forecast. The Memorandum accompanying the 1985/86 Estimates sets out the variations in expenditure for the year. I shall therefore not bore Honourable Members in quoting more figures unnecessarily. On the other hand, I am obliged to spell out the proposed increases in taxes and charges for services for 1985/86.

It is proposed that Government should charge various departments with full FIGAS fares rather than the fare less the residents rebate. The proposed charge is confined to Government sponsored passages. It is proposed to review the charges for medical

services provided by the Falkland Islands Government to persons who do not qualify for free medical treatment under the Medical Services Levy Scheme. The Superintendent of Posts and Telecommunications will prepare a paper for updating the postal charges later in the financial year. This will be put to Council early in 1986.

It is proposed to adjust the Stanley School Hostel charges with effect from the next term. First child from £43.50 to £48 per term. Second child from £33.50 to £38 per term. It is proposed to abolish the charge for a third child. It is proposed to increase road tax by 50%. Motorcycles will in future be charged £6.00 p.a. instead of £4.00. The charge for a landrover, a car or a van will be £15 instead of £10. Lorries, tractors or other heavy vehicles presently charged at £16 p.a. will be charged £24. And the £1.00 charge for a trailer will be increased to £1.50. A Resolution for these increased charges will need to be considered in Council after the Select Committee Meeting.

It is proposed to increase harbour dues by 15%. This should produce £75,000 additional revenue. The charge for labour supplied through Government, after taking into account overheads, is completely unrealistic and a substantial increase will be proposed to the Select Committee. The cost of producing electricity has increased and Honourable Members will be provided with details of these costs during the Select Committee Meeting. The tariff will need to be increased, but as a result of further information which I have just received I will need to consult with Honourable Members before announcing details of the necessary increase.

Standing Finance Committee is responsible for fixing Stanley rates and the Committee will not meet until later in the week. I am therefore unable to announce any adjustment in Stanley rates at this stage. I warn Honourable Members that the cost of the very services for which rates are charged have escalated; in particular the cost of producing water. The annual estimated cost for 1985/86 including the charge for depreciation of the water plant and reticulation system is £333,288. It is proposed to introduce a new levy. The rate of the proposed new tax has not been fixed but will be charged on all land within the Stanley rates area which is not used. It will apply to all who own half an acre or more of land which is not used. The Select Committee will be asked to advise on the levy to be charged. I would welcome Honourable Members' reactions to this proposal at this meeting.

I am proposing a modest increase in import duty on alcoholic and tobacco products. Ten percent increase is proposed and this should generate revenue of £30,000. This proposed revenue will raise the rate of import duty levied on spirits from £4.80 per litre to £5.28 per litre - 36p on a bottle. The rate of duty on fortified wines from 37p per litre to 41p per litre - 3p on the price of a bottle. The rate of duty on wines from 31p per litre to 34p per litre - that is just over 2p on the price of a bottle. The rate of duty on beer increases to 13p per litre - approximately 1p per can. The rate of duty on cigars from £18.43 per kilo to £20.27 per kilo - that is approximately 3p per 10 cigars. The rate of duty on tobacco from £12.12 per kilo to £15.33 per kilo - 6p per 50g pouch or tin. The rate of duty on cigarettes from £13.33 per kilo to £14.66 per kilo - approximately 3p on a packet of 20 cigarettes.

Turning now to the development estimates. It is proposed that expenditure of £519,630 should be met from Colony funds and £295,000 from the United Kingdom aid during 1985/86. I must reassure Councillors that the majority of United Kingdom aid does not pass through the Colony's budget now. It is paid direct to the various contractors and for items purchased direct by the ODA from our £31m. We have a long list of development projects in the Estimates and I will therefore confine public notification to the major proposals.

Expenditure from Colony funds includes £23,000 for the fire alarm system at the Stanley temporary hospital; £200,000 principally for housing loans; £10,000 for Stanley roads; £30,000 for the development of the Snake Hill housing site; £25,000 for services to caravan sites. Provision is made for several projects at Fox Bay Village, including £6,000 for transfer of four mobile homes from Stanley. £3,000 to improve the water supply system; £5,000 for replacement generators; £10,000 for a new bulk diesel tank; £10,000 for renovation of buildings. We have in the estimates £20,000 for the jetty but I understand this will need to be increased in Select Committee to something like £50,000. £60,000 for four new houses is also provided.

Expenditure from United Kingdom aid includes £100,000 for the Estancia road and £60,000 from the European Development Fund for the first stage and expansion of Stanley Senior School. Funds are required to support the development programme included in the Estimates. If the programme is to proceed as set out it will be necessary for the Colony to borrow funds in 1985/86 and a tentative estimate of £200,000 has been inserted for this purpose.

Honourable Members will observe that the budget proposals exclude any proposals relating to income and company tax. It is necessary to obtain more information regarding the economy before adjustments are considered. Should it be necessary to make any adjustment a mini-budget may be required before the next tax year commencing 1st January 1986.

Sir, I present the budgetary proposals for 1985/86 for consideration and approval by Honourable Members. I beg to move that the 1985/86 Appropriation Bill be read a first time.

The Honourable the Chief Executive

I beg to second the Motion.

The President

The Motion is that the Bill be read a first time. Any objection to the Motion? No objection; the Bill will be read a first time.

The Clerk

A Bill for an Ordinance to provide for the Service of the year 1985/86.

The Honourable the Financial Secretary

I beg to move that the Bill be read a second time.

The Honourable the Chief Executive

I beg to second the Motion.

The President

The Motion is that the Bill be read a second time. Does any Honourable Member wish to speak to the Motion? The Honourable Member for West Falkland.

The Honourable L. G. Blake OBE JP

Your Excellency, Honourable Members, it seems our Financial Secretary is determined to have his pound of ash once more! Within his budget proposals there are one or two new items and it is a comfort, I believe, that we are looking for new ways. It is staggering to think that some years ago our budget was £234,000 for the recurrent expenditure, and we are now talking in terms of £5.1-£5.2m. Therefore we are going to have to look at new systems and new ways of meeting our expenditure. I believe that one of the wisest concessions we introduced in the past was the pioneer industry status and I am pleased to see that the new businesses are taking advantage of this. I would support wholeheartedly his suggestion of rating unoccupied land. He may remember that two years ago in Select Committee we agreed to such a rating proposal and this is the first we have heard of it since. So I hope that this time we can at least get it off the ground rather than just agreeing to it and forgetting it.

I'm pleased also to hear about the introduction of some form of investment bonds. Again, there is money available in these Islands, for investment within the Islands, in the private sector, and I am sure people will be only too pleased to invest in the Islands if there is a way to do so other than by purchase of property or businesses, and so I think that these are splendid new pointers. With the escalation of our budget and the tightness or the narrow gap between income and expenditure I am concerned at the number of new Civil Service posts we are being asked to approve and I assure the Financial Secretary that I look forward to hearing many of his proposals. As a retiring Councillor I do congratulate him, as I'm sure all retiring Councillors will do. Regarding the absence of changes in taxation and the promise of a mini-budget when the next changes are considered I would like to say that I have a personal interest in the first instance but it is very tactful of him to include that in his proposals. Sir, thank you.

The President

The Honourable Member for Camp Division.

The Honourable A. T. Blake

Thank you, Sir. I would like to support everything the Honourable Member for West Falkland has said. I always admire the way in which the Honourable the Financial Secretary manages to balance the budget at all times and he always seems to have remarkable success. I am sure that if we find difficulty in balancing our budgets, although no doubt we would moan and groan, a lot of us are prepared to pay quite a bit more to stay British, free and free of grant-in-aid than we would to take the consequences of a change in that status. I think the fact that we are as we are today is directly attributable to the way in which the Honourable the Financial Secretary has managed our affairs. Although I agree that the day to day management of our Colony's finances should be a narrow thing, I believe that we should, besides our £31m, be trying to expand as much on development as we possibly can. I think that if ever we are forced into the situation where we will consider loans then loans from within the Colony should only be sought for the need to extend development. I think most businessmen would appreciate the fact that it is almost impossible to develop from income. I think you will find the Colony, after the £31m runs out, goodness knows when that is going to be, in a similar situation. Sir, I beg to support the Motion.

The President

The Honourable Member for Stanley West.

The Honourable J. E. Cheek

Your Excellency, Honourable Members. I rise to support the Motion. The Honourable the Financial Secretary, as usual, has somehow managed to balance the budget again but I do not think we should be too complacent. Last year's deficit of whatever it was, £100,000, changed to a surplus of roughly £200,000. I think it was only because we have not the men to do the work and spend that money. It is pleasing to see that we have a surplus but generally it is very worrying. How we attract people to come and work for the Public Works Department, the Civil Service, I do not know, because that means not only will we be spending money on the actual work but I think we will have to pay them more to actually work for us. I think that brings me around to the Civil Service. It is proposed in the budget that they be awarded a 5% increase. It was proposed by Executive Council and, in general, accepted by Standing Finance Committee, although since then we have met with the Civil Servants' Association and have yet, I believe, to report back. Whether we can afford to pay more I do not know but my own honest opinion is that 5% is probably not enough, when we look at what we are paying them, what they do, and what it costs them to live. Having said that I am not saying that we can pay them more than the 5% - that may be the maximum we can afford. But I think it is something we will need to consider over the next two or three days. One or two other points I cannot agree with. In the draft estimates there is a mention that the lodging allowance for camp children is to be abolished. I do not think it should be abolished although in general circumstances there is no need for it to be paid, but I think it should be retained to be used if special circumstances warrant it.

Another thing I have mentioned at these meetings in the past. I see that the Old Age Pensions Scheme still has a subsidy from central funds. I have objected to this in the past and will continue to object. Not that I believe that pensions should not be increased, but if we want bigger pensions when we retire we should pay more now. I do not think it should come out of central funds.

I mentioned earlier this morning that I think we should provide more than the £500 which has been provided for the renovation of the prison cells. That amount would do very very little and I think it is important that we have a reasonable prison. Otherwise, Sir, I support the Motion.

The President

The Honourable Member for Stanley East.

The Honourable W. H. Goss MBE JP

Thank you Sir. I too would like to congratulate the Honourable the Financial Secretary for his efforts and the hard work he has put into the Budget. Regarding the Civil Service, I, too, agree with the Member for West Stanley that Civil Servants are underpaid. I have already, I am not just saying this for the first time to officials, intimated to the Financial Secretary, Government Secretary that this is my thinking. But we have the financial position of the

Colony to take into consideration too. In the event of a slump would the Civil Servants be prepared to take a cutback; would they be prepared to forfeit some of their pensions and gratuity at the end of the day? Would they be prepared to temporarily forfeit their passages and leave? I doubt very much if they would but they are all things which they would need to take into consideration. I do think that with the standards in the Colony and what others are paying, they are underpaid. Not only at the top of the scale but at the bottom too. I heard that the average person in Stanley was earning under £3,000 a year. A married man with or without children who is earning under £3,000 per year must be having a hard time to live. Thank you, Sir.

The President

Does any other Honourable Member wish to speak?

The Honourable the Financial Secretary, would you like to wind up the debate.

The Honourable the Financial Secretary

Your Excellency, Honourable Members, certainly I appreciate what Honourable Members have said about my efforts and I thank them sincerely. I agree with many of the points which they have brought to the attention of Council. Certainly there is no room for complacency. I am concerned at the growth in expenditure, especially recurrent expenditure, and I am concerned about the number of new posts. With regard to the Old Age Pensions Fund, we now have the Government Actuary's report in front of us and will certainly be considering this in Select Committee, and I am hoping that this will be one of the first items to be considered so that we can get the older citizens' pensions to them as soon as possible within the new financial year.

With regard to the lodging allowance for children, I have noted what the Elected Member for Stanley West has said and will certainly consider that point in Select Committee as well. I have a feeling that there will be no icy patches to slip on in Select Committee, but there will be plenty of action.

The Bill was then read a second time and was referred for detailed consideration to a Select Committee of the House.

The President

I now invite the Honourable the Financial Secretary to report back from Select Committee.

The Honourable the Financial Secretary

Your Excellency, the Select Committee has reviewed the Estimates for 1985/86. Numerous changes are proposed. I will confine my comments to the major changes and points of interest and circulate a summary of all the amendments to Honourable Members as soon as possible. A complete list of amendments will, as usual, be included in the Minutes of this meeting.

(The listed amendments are included as Appendix B to these Minutes)

The Expenditure Estimates now include £5,000 for provision of representatives from the Falkland Islands to attend the Ameripex Stamp Exhibition to be held in the United States during this financial year.

The provision of £32,630 under the Plant and Vehicle Workshop estimates for the installment due for the plant purchased under the E.C.G.D. scheme has been deleted.

Honourable Members consider that the new Plant and Vehicle Replacement Fund should bear this charge as the transfer of £219,798 available from funds accumulated by the Plant and Transport Authority is being transferred to the Replacement Fund.

The contribution to the Stanley Power Station renewals fund for the replacement of capital is inadequate and the Committee agreed to increase this provision from £45,000 to £182,250. Even this sum is insufficient to provide for the replacement of the capital equipment but it is the most we can afford this year.

Owing to the price increase in oil the Committee has approved the increase in provision for the purchase of oil for the Power Station from £325,000 to £347,750.

The Revenue Estimate of £500,000 for the sale of electricity was considered to be too low, and the new estimate of £660,000 takes into account a more optimistic estimate for the demand for electrical energy and tariff increases which I will be referring to later. The charges levied for the supply of water are inadequate and the Committee has increased the revenue estimate to take account of a realistic charge. A contribution of £53,000 to open a water supply plant replacement fund is inserted in the Estimates. This contribution in no way takes into account the real depreciation on capital because we cannot afford to make a larger contribution during the financial year. To do so would mean increasing taxes and levies to an unacceptable level or running down general reserves to an unacceptable minimum.

The Committee approved the proposed increases in the Old Age Pensions but did not approve the proposed increase of £3,000 in the subsidy to the Old Age Pensions Equalisation Fund.

The review of the Estimates produced a new estimate of Revenue of £5,598,900 and a new estimate of Expenditure of £5,488,490. The process has resulted in producing a surplus of £110,410 of which £100,000 is for transfer to the local Development Fund to meet the various capital expenditure commitments.

A number of changes are proposed to Development Estimates. The most noteworthy are:

- the inclusion of a £25,000 local contribution to the expansion of the Senior School;
- revised estimates of £50,000 for the Fox Bay Village Jetty and £30,000 for the Fox Bay water supply; and
- a new estimate of £30,000 to assist farms to construct link roads, in particular Port Howard and Goose Green.

Under Overseas Development Aid, it was considered prudent to provide the total available aid of £240,000 from the E.E.C. for the expansion of the Senior School. With the new proposed development programme for 1985/86 the local development fund will be reduced to just over £48,000 at the 30th June 1986. Local development expenditure for 1985/86 is estimated at £616,150 and overseas aid at £475,000 which, of course, excludes the projects which are financed direct by ODA and which do not pass through our books.

Turning to revenue proposals the Committee accepts the need to adjust the charges for services and keep the tax structure under constant review but did not agree to the levels proposed.

It was agreed to review the charges for Medical Services in respect of non residents. The need to review postal charges later in the year was accepted. The School Hostel boarding charges were approved. The proposed increases in Road Tax have been agreed and I shall introduce a Motion for implementing the increases during this Meeting. The Committee approved the abolition of the domestic radio receiving licence. The Committee would not approve the proposed increase in the electricity tariff for residents. The Committee considered the electricity tariff should not be increased by more than 1p for local residents. The new electricity tariff proposed is therefore 11p for residents, and the approved economic charge for persons who are not subject to local tax is 16.2p. The Committee considered that a local taxpayer should not subsidise persons who are not subject to our tax.

It was agreed to increase FIGAS charges to a maximum charge on a flight which is for 74 miles and the new charge would be £28.54. It is proposed to increase the present boarding charge from £12.50 to £13.00; mileage from 32p to 34p, the rebates remaining at 13p. The net result is that the mileage charge for a resident will be increased from 19p to 21p. Freight to be increased from 15p to 16p per pound.

The proposed 15% increase in Harbour Dues was accepted. It is agreed to defer any decision with regard to levying a tax on vacant plots of land in Stanley. The Committee agreed that the Attorney General should be given time to study this proposal and prepare suitable legislation. The proposed increase of 10% on alcoholic and tobacco products was accepted.

Standing Finance Committee also met during this round of meetings to consider Stanley rates. The Standing Finance Committee would not approve the full economic rate and very reluctantly agreed to a rate of £3.00. This is a 20% increase.

The President

Thank you.

Before we go into Committee and go through the Bill clause by clause I understand that the Honourable the Military Commissioner would like to take his leave.

I now declare the Council to be in Committee.

The Clerk

Clauses 1 and 2.

The Honourable the Financial Secretary

I beg to move that Clause 1 stands part of the Bill and that consideration of Clause 2 be left until after the Schedule has been considered.

The Honourable the Chief Executive

I beg to second the Motion.

The President

The Motion is that Clause 1 stands part of the Bill. Any objection? Clause 1 stands part of the Bill.

The Clerk

Enacting Clause and Title.

The Honourable the Financial Secretary

I beg to move that the Enacting Clause and Title stand part of the Bill.

The Honourable the Chief Executive

I beg to second the Motion.

The President

The Motion is that the Enacting Clause and Title stand part of the Bill. Any objection?

The Enacting Clause and Title stand part of the Bill.

The Clerk

Schedule.

The Honourable the Financial Secretary

I beg to move that the Schedule stand part of the Bill with the following amendments:

- 100 Aviation substitute £470,750 for £462,690.
- 150 Posts & Telecommunications substitute £527,020 for £529,900.
- 200 Medical & Dental substitute £400,090 for £401,210.
- 215 Education & Training substitute £485,290 for £493,480.
- 300 Customs & Harbour substitute £124,320 for £124,210.
- 350 Public Works substitute £2,319,460 for £2,196,900.
- 390 Fox Bay Village substitute £26,560 for £24,060.
- 400 Agriculture substitute £56,630 for £58,190.
- 450 Justice substitute £59,040 for £67,260.
- 500 Military substitute £47,050 for £58,200.
- 550 Police & Prisons substitute £81,850 for £78,120.
- 600 Secretariat, Treasury & Central Store substitute £380,470 for
£374,280
- 700 Social Welfare substitute £146,600 for £143,600.
- 800 Legislature substitute £25,810 for £22,960.
- 850 Falkland Islands Government Office substitute £84,240 for
£83,140
- Insert a new sub-head
- 870 Transfer to Development Fund, and figures, £100,000.
- For Total Ordinary Expenditure: substitute the figures £5,588,490 for
£5,371,510
- 951 Expenditure to be met from local funds substitute £616,150 for
£519,630
- 952 Expenditure to be met from UK Aid substitute £475,000 for £295,000
- Total Expenditure substitute £6,679,640 for £6,186,140.

The President

Thank you. The Motion is that the Schedule as amended stands part of the Bill. Any objection? The Schedule as amended stands part of the Bill.

The Clerk

Clause 2.

The Honourable the Financial Secretary

I beg to move that Clause 2 stands part of the Bill with the following amendments:

Delete the words and figures £6,186,140 and insert £6,679,640.

The Honourable the Chief Executive

I beg to second the Motion.

The President

Honourable Members, the Motion is that Clause 2 as amended stands part of the Bill. Any objection?

Clause 2 as amended stands part of the Bill. Council now resumes.

The Honourable the Financial Secretary

I beg to move that the Bill be read a third time and do pass.

The Honourable the Chief Executive

I beg to second the Motion.

The President

Honourable Members, the Motion is the Bill be read a third time and do pass. Any objection?

The Bill will be read a third time and passed.

The Clerk

A Bill for an Ordinance to provide for the Service of the year 1985/86.

MOTIONS BY THE HONOURABLE THE FINANCIAL SECRETARY

The Honourable the Chief Executive

I lay on the table, Your Excellency, a Certificate of Urgency in respect of the Customs (Amendment of Import Duties) Resolution 1985 and the Road Traffic (Increase of Road Duties) Resolution 1985.

THE CUSTOMS (AMENDMENT OF IMPORT DUTIES) RESOLUTION 1985

The Honourable the Financial Secretary

Your Excellency, this Motion implements the proposed increase of 10% on Alcoholic & Tobacco Products, the details of which I announced in my budget address earlier in this meeting. The Resolution states:

BE IT RESOLVED by this Council in accordance with Section 5 of the Customs Ordinance Cap. 16 as follows:-

1. That the Customs Order No.6 of 1948 be amended by the substitution for paragraph 2 thereof of the following -
2. The following import duties of customs shall be payable -

<u>Item</u>	<u>Article</u>	<u>Rate of Duty</u>
1.	Beer, ale, perry, porter, spruce, cider and stouts of all kinds	per litre £ 0.13
2.	SPIRITS - Whisky, gin, rum, brandy, vodka and other spirituous liquors and liqueurs	per litre £ 5.28
3.	WINES - Still wines, sparkling wines and champagne	per litre £ 0.34
4.	Vermouth, sherry and port	per litre £ 0.41
5.	TOBACCO -	
	(a) Cigars	per kilo £20.27
	(b) Cigarettes	per kilo £14.66
	(c) Tobacco	per kilo £13.33"

2. This Resolution may be cited as the Customs (Amendment of Import Duties) Resolution 1985 and shall come into force on the 3rd day of July 1985.

The Honourable the Chief Executive

I beg to second the Motion.

The President

Does anyone wish to speak to the Motion?
The Motion is carried.

THE ROAD TRAFFIC (INCREASE OF ROAD DUTIES) RESOLUTION 1985

The Honourable the Financial Secretary

Your Excellency, this Motion is necessary to implement the increase of 50% in Road Taxes.

Motorcycles are increased from £4.00 to £6.00.

Landrovers and cars are increased from £10.00 to £15.00.

Heavy Vehicles are increased from £16.00 to £24.00.

The charge for a trailer, which is at present £1.00, will be £1.50.

The Resolution may be cited as the Road Traffic (Increase of Road Duties) Resolution 1985 and shall come into force on the 8th day of July 1985.

The Honourable the Chief Executive

I beg to second the Motion.

The President

Does any Honourable Member wish to speak to the Motion?

The Motion is carried.

The Clerk

Orders of the Day: Bills

THE SUPPLEMENTARY APPROPRIATION (1980-84) BILL 1985

The Honourable the Financial Secretary

Your Excellency. This Bill is a formal piece of legislation which is necessary to legalise the expenditure for four years. There has been delay in legalising our expenditure. In particular, the accounts of the Colony were in arrears before the Argentine invasion. With the Argentine invasion they became even further in arrears and it is only recently we have been able to have an audit and have the necessary legislation drawn up. All items appearing on the Schedules have been approved by Standing Finance Committee and have been contained in the Reports of the Standing Finance Committee already passed through the Council. I beg to move that the Bill be read a first time.

The Bill was read a first time and passed through all its remaining stages without debate, or amendment.

The Clerk

THE OLD AGE PENSIONS AMENDMENT BILL 1985

The Honourable the Financial Secretary

Your Excellency, Honourable Members. During this week of Council we have discussed in Select Committee the Old Age Pensions Actuarial Report and we have also discussed, in general, the question of old age pensions. This Bill proposes increases in old age pensions for married couples of £3.00 per week and £2.00 per week for single persons. It also proposes that the contributions be increased by 25p for employees, that is from £2.00 to £2.25; by 35p for an employer - £3.00 to £3.35; and from £5.00 to £5.60 for the self-employed.

The opportunity has also been taken to increase some of the figures that have appeared in our legislation for a considerable time. This is the amount a female contributor may earn before becoming liable to pay contributions. At present it is £800 per annum. It is now proposed that it should be increased to £2,000 per annum. The addition for each child should, it is considered, be doubled, from £250 to £500. The last increase in these amounts was made in 1978.

I beg to move that the Bill be read a first time.

The Bill was then read a first time and on the Motion that the Bill be read a second time the following Honourable Members spoke to the Motion.

The Honourable L. G. Blake OBE JP

Your Excellency, in rising to support the Motion I would like to draw Council's attention to the financial state of the Fund and, in particular, to the gloomy portrait painted by the Actuary with regard to

contributions and income. It presupposes no increase in population and static income from contributions and a falling income in real terms of the income from investment. A fall of 19%. This surely portrays, particularly the latter, either exceptionally bad investment or a gloomy outlook on behalf of the Actuary. I think probably the latter is so and it is to be for this reason I, with other Members of Council, opposed an increase in the Government contribution because we felt it improper that a fund increasing at the rate of £160,000 a year should require further help from the general budget and hence the taxpayer. But I am assured by the Financial Secretary that he will discuss possible changes in the Fund with the Actuary when he is in Britain and hopefully the next Council will have a slightly happier picture set before them. I beg to support the Motion.

The Honourable A. T. Blake

In rising to support the Motion I would like to say that I am still a little bit concerned about the level of pensions. I really do think our elderly people who have worked so hard in the past, and those who are approaching retirement age, have the right to look forward to a relatively secure financial position during their last few years. I do think we ought to be pressing to increase even further old age pensions in general, to the extent that they are in actual fact able to live off them. To that extent I really do feel that the contributions we pay into the pension fund should reflect the desire to increase the pensions on an ongoing basis, not just to account for the increase in pensions from year to year. I will support the Motion.

The Honourable H. Bennett OBE JP

Your Excellency, I wish to support the Amendment although I feel the increases made by the Bill are inadequate.

The Bill was then read a second time and passed through its remaining stages without further debate or amendment.

The Clerk

THE NON-CONTRIBUTORY OLD AGE PENSIONS (AMENDMENT) ORDINANCE 1985

The Honourable the Financial Secretary

Your Excellency. We still have in the community a number of persons who for one reason or another are excluded from the benefits available to old age pensioners under the contributory scheme. In 1961 an Ordinance was introduced to cover such persons and it is considered from time to time that we should also adjust their pensions. They are few but they are often in difficult financial circumstances. So it is proposed to give a similar increase of £3.00 per married man and £2.00 for an unmarried person or man or woman living apart from his or her wife or husband.

I beg to move that the Bill be read a first time.

The Bill was then read a first time and on the Motion that the Bill be read a second time the Honourable Member for Stanley Division spoke to the Motion.

The Honourable H. Bennett CBE JP

Your Excellency, I support the Bill but again I feel the increases are inadequate.

The Bill then passed through its remaining stages without further debate or amendment.

The Clerk

THE LABOUR MINIMUM WAGE (AMENDMENT) ORDINANCE 1985

The Honourable the Chief Executive

Your Excellency, as it stands the Section 2 of the Labour Minimum Wage Ordinance provides for the Governor in Council to fix minimum rates of wage for occupation by Proclamation. This Bill proposes to substitute a new Section 2 which is clearer than the old section and allows a differential rate of wage according to qualifications, experience and the area in which the persons are working in the occupation. The Bill also allows for a general minimum wage to be fixed and for occupations or classes of persons to be excluded from minimum wage order. The mechanism for doing all this is by the Governor or Civil Commissioner in Council. I shall also point out that if so desired minimum wage orders can be made under the new Section for the purpose of endorsing minimum wage agreements freely entered into. Now, as usual, opportunity is also being taken to increase fines introduced by the Law when it was first enacted in 1942. The fines in Section 4(1) to which an employer who fails to pay them may be liable are increased from £20 to £500 on conviction and from £5 to £20 for each day of failure to comply after conviction. Likewise, an employer who does not keep proper records of wages, where minimum wage has been fixed, shall be liable to a fine increased from £2 to £100 and a daily fine thereafter increased from £1.00 to £50.00. Finally, the fine for obstructing officers exercising powers under the Ordinance has been increased from £5.00 to £100.00, and to producing false records from £20.00 to £500.00.

I beg to move the first reading of the Bill.

The Bill was then read a first time and on the Motion that it be read a second time the Honourable Member for Camp Division spoke to the Motion.

The Honourable A. T. Blake

Your Excellency. It may be some time before the public see this Ordinance and I would just like to point out that the Honourable the Chief Executive, in introducing the Bill, did say that the fine of

£5.00 in Section 4(1) was increased to £20.00. It is in fact increased to £100.00. I have no other comment.

The Honourable the Chief Executive

That was an error, Your Excellency.

The Bill was then read a second time and passed through its remaining stages without debate or amendment.

The Clerk

THE EDUCATION (AMENDMENT) ORDINANCE 1985

The Honourable the Chief Executive

As Honourable Members know, parents are obliged to send their children to school from the age of five to the end of the academic year in which they attain the age of 15 years. Now Section 7 of the present Ordinance provides for the service of school attendance orders on parents who fail to send their children to school. Under that Section there is a rather ponderous provision that a parent has seven days if he or she resides in Stanley and 30 days if he or she resides in camp to satisfy the Superintendent of Education that his or her child is receiving sufficient education. Clearly, this procedure is not a very swift or efficient way to enforce regular attendance, that is those cases where parents remove children from school for short periods.

This Bill also adds a new Section 7(a) to the Ordinance which provides for enforcement of regular attendance. It allows for absences because of sickness or unavoidable cause, or for religious observance, or, of course, if permission has been specifically given by the Superintendent. Again, as with other amending Bills, opportunity is taken Your Excellency to provide an increase in the fines provided for in Section 15 for offences against the Ordinance. The fines are increased from £5.00 to £25.00 for a first offence, from £25.00 to £100.00 for a second offence and £50.00 to £250.00 for a third offence.

I beg to move that the Bill be read a first time.

The Bill was read a first time and on the Motion that it be read a second time the following Honourable Members spoke to the Motion.

The Honourable W. H. Goss MBE JP

Your Excellency, Honourable Members, I do not oppose the Motion but I think this problem arose because some people kept their children back from school during the last Camp sports and objections were raised by the Education Department. Whether you are going to penalise some and favour others or not we will have to wait and see. The sports meetings in the Camp are vital to the people there, and their children, and I think there could have been some way in which the terms might have been adjusted so that children could have attended their main annual function of sport and entertainment: their only annual function.

When a person who held his child back to attend these sports is under a penalty, when somebody goes on leave and takes his children with him is he then not under a penalty too? They are taking them away from school. 90% of the children that leave this country and go to Britain on holiday do not attend school. Thank you Sir.

The Honourable A. T. Blake

Your Excellency, I am somewhat in a quandary here. There is an obvious desire, as the Honourable Member for Stanley East has indicated, for people to withdraw their children from school for the major cultural event of the Camp area. That being sports and it particularly affects people, I think, when the sports are actually held at their particular farm. It seems odd to me that we are bringing forth a law which enforces people to present their children for education without actually coping with the major area of the problem. I can see it would be technically impossible for someone to remove their children from school for the sports. It would be legal but I rather feel that if we have a law to counter something it should be very clearly stated where the problem exists and how we are going to counter it. The feeling obviously is, I would think, that we have a problem for which we do not have a solution. I do not think this law in actual fact does either one or the other. It does not prevent what the Education Department may, or perhaps it may only be a few teachers, wanted to happen. It does not prevent the person from withdrawing their children from school for sports. I am not very sure what the law is meant to do. That is, of course, if we take the basis for the law as resulting from the fracas we had earlier in the year. We seem to give concessions for religious bodies and various other things, but we do not give concessions for major cultural events. I do not think we can underestimate the importance of sports as a cultural event. I know some people view it as somewhat of a booze up but I must point out to those who have not attended, or do not intend to go to Camp sports, that all the major skills of the Camp are represented at such meetings and if we want to keep young children in Camp I, and I am sure many parents, feel that children who can understand what is going on should be allowed to attend those events. So, Sir, I find I cannot really support the Bill because I do not feel that it is effective in what it is intended to create.

The Honourable J. E. Cheek

Your Excellency, Honourable Members. I support this Bill. A number of Honourable Members have said that the main purpose of this Bill is to stop children going to Camp sports. Certainly it was not the reason and I doubt very much if it was the major reason. There are children who, with or without their parents' consent, do not go to school. I am talking apart from the sports. Because they miss school some of those children are going to miss out in life later on. They do not realise it at the time and it is a pity their parents do not realise that they are going to forfeit so much. I think it is up to legislation to ensure, as far as it can, that those children gain as much as possible from our education system. The other point that was raised regarding the Camp sports. I do not think any member of the Education Committee is trying to make children go to school just for that. It would be nice if a reasonable way around the

problem could be found so that children could go to Camp sports, but so far we have discussed various ideas, spent quite a number of hours thinking about it, and so far we have not found a satisfactory answer to the problem. And it is a problem; it is a problem which would be much better if we had an answer for it. But apart from those two comments I support the Bill, Sir.

The Honourable L. G. Blake OBE JP

Your Excellency, I oppose this Bill for one basic reason. Education is not just sitting in the classroom looking at books. It is a whole patchwork of outside influences which are brought to bear upon a child to prepare him for later life. Despite the disclaimer by the Chairman of the Education Committee that this is not designed to stop children going to Camp sports, it makes a pretty good stab at it. And if we fragment our rural communities very much further, we will cease to have communities. I believe it is a good thing that children whose education is not necessarily going to suffer because of age should take part, be able to take part, in such an event which is the main community event of the year, said by my Honourable Friend. I would therefore like to suggest a loophole to those parents who wish to send or take their children to Camp sports. The Ordinance does not state that your child shall attend a specific school. Therefore if they wish to attend Camp sports I suggest they register their children at a Camp school for the period before sports. Camp schools make allowances for the attendance at sports. They start school a week earlier than Stanley schools to make up for the week they will lose during the sports week which is a holiday. They will therefore be complying with the Ordinance. With regard to people going on leave which the Bill cannot touch because the moment they get on that TriStar, or shortly after, they get past the three-mile limit and we cease to have jurisdiction. But I believe that there is an effort being made to keep children from Camp in Stanley and prevent them from participating in such a major community event. They might also perhaps apply for a Camp teacher for the week of the sports. Your Excellency, I oppose the Motion.

The President

Does any other Honourable Member wish to speak? The Honourable the Chief Executive. We have two who have spoken for the Motion and two against so the Motion cannot be carried unless we have a vote or unless other Honourable Members wish to speak. Does any other Honourable Member wish to comment or can I just ask for a vote to be taken? In that case those who are for this Bill being read a second time would they put up their hands. Three. Those against having the Bill read a second time.

The Honourable W. H. Goss MBE JP

I beg to abstain.

The President

And two against. Those who wish to abstain? Three wish to abstain. So the Bill will be read a second time.

The Bill was then read a second time and passed through all its remaining stages without further debate or amendment.

THE ROAD TRAFFIC AMENDMENT ORDINANCE 1985.

The Honourable the Chief Executive

Your Excellency, the original Ordinance was enacted in 1948 and the volume of traffic in the Falkland Islands was obviously very much lower than it is today, and there were virtually no substantive roads outside Stanley. Since that time inflation has also reduced considerably the severity of the fines contained in the original Ordinance and in most cases they appear to be almost meaningless. Essentially, this amending Ordinance is mainly about moving from the sphere of legislation and putting into the area of regulations numerous aspects of road traffic control. The existing ordinance for example deals with the mechanics of motor vehicle registration and the administration of driving tests in the main body of the Ordinance, and these are clearly matters which are more sensibly left in practical terms to regulations made by the Civil Commissioner-in-Council. In particular, the Ordinance as now amended has a whole lengthy Section, Section 18, which gives the Civil Commissioner-in-Council powers to make a very wide variety of appropriate regulations. Now, opportunity has also been taken to make amendments of substance to Section 6(1), which deals with insurance risk, giving the Civil Commissioner-in-Council power to prescribe insurance requirements beyond third party risks only, and to Section 8(3) relating to speed limits, extending the application of speed limits. The application of Road Traffic Regulations in general is extended to all roads in Section 2(a)(2). Those Sections, this is I am afraid rather complex but those sections 8(3) and 16 which are repealed are now dealt with in the regulations under Section 18. Penalties are as I say also so increased in line with inflation and the growing significance of road traffic offences. I should also, Your Excellency, give notice that there are a number of amendments, mainly not amendments of substance, which will have to be made, at the Committee stage, to the original paper presented for Honourable Members.

I beg to move the first reading of the Bill.

The Bill was then read a first time and on the Motion that the Bill be read a second time the following Honourable Members spoke to the Motion.

The Honourable J.E. Check

Your Excellency, Honourable Members. I support the Motion but I hope to introduce some amendments in Committee stage. Basically they are to decrease the proposed increase in the speed limit which, I believe, increases to 30 miles per hour. I would propose that it remain at 25 miles per hour for Stanley and any other urban road, and in the case of roads outside of those designated 25 miles an hour a limit of 40 miles per hour be set. The main reason for that is because I understand that the airport road as we call it, the Mount Pleasant Airport Road, has been designed for a speed limit of forty, and I would hate for us to be, if the road falls to pieces, told we had set too high a speed limit on it. I support the Motion.

The President

Does any other Honourable Member wish to speak? The Honourable Member for Stanley Division.

The Honourable H. Bennett OBE JP

Your Excellency, I rise to support the Motion. I also rise to support the Honourable Member for Stanley West.

The Honourable A.T. Blake

I also rise to support the Honourable Member for Stanley West. I do think we could get ourselves into rather deep trouble by increasing the limits on roads outside Stanley to more than 40 m.p.h., particularly with the reference he made to the design of the Mount Pleasant Airport road. It would be a rather interesting court case, I would think, if somebody was hit at 49 miles per hour, on a road which was designed for 40 miles per hour, by someone who was travelling at the designed speed. Plus the fact that I am sure that if the road cracks up in a short time we will be blamed for breaking it up by increasing the speed limit. So I intend to support the Motion that may be moved by the Member for Stanley West.

The Bill was then read a second time and at the Committee stage the following amendments were made.

The President

The Motion is that Clauses 1 and 2 stand part of the Bill. Any objection to the Motion? I believe Clause 2 will need amendment in the way proposed by the Honourable Member for Stanley West.

The Honourable J.F. Check

Before proposing my amendment I understand the Chief Executive has a number of amendments that he wishes to propose.

The Honourable the Chief Executive

Can I, thank you very much Your Excellency, propose the various amendments I feel are required at the Committee stage. The first is not an amendment of substance. Its in Section 2(c). There should be a change from 3(a) to (3a) and like wise with 3(b).

I understand the learned Attorney General wishes us to make that amendment. In the body of the Ordinance, in Section 2(e), 3(a), & (b): 3(a) not to be amended, but 3(b) to be amended as follows: "on any other road designated by the Civil Commissioner in Council as a restricted road at a speed greater than 50 miles per hour or greater than such as the Civil Commissioner may by order in council prescribe for that road". That ofcourse is an amendment of substance it is not merely a presentational amendment.

The President

I take it that that would not meet the wishes of the Honourable Member for Stanley West. Would you wish to propose your amendment?

The Honourable J.E. Cheek

Yes, Your Excellency, I have an amendment to this particular section which is (b). My proposal would have been and still is infact, just to in 3(a), that is section 8(3)(a) to replace 30 miles per hour by 25. My main reasons are that I do not believe a speed limit of 30 miles per hour is safe in Stanley because the police normally give a certain latitude of error. I can see that in fact means 35 miles per hour in practice. For Section 8(3)(b) retains the speed limit at 50 m.p.h., replace it by 40. I would not agree with the proposal just made by the Chief Executive which also empower the Civil Commissioner by Order in Council to then alter those speed limits as he or they see fit. I would prefer it remain part of the Bill.

The President

I see. The difference between this proposal and the Chief Executive's proposal is that you would wish to see any road designated by the Civil Commissioner in Council as a restricted road that speed is laid down by Legislative Council as forty miles an hour. Whereas the Chief Executive's proposal was that he leave it for the Civil Commissioner in Council to prescribe the speed limit on any road designated as a restricted road and it could be lower than 50 miles per hour for example on the Mount Pleasant to Stanley road if the Civil Commissioner in Council so prescribed. That is, the achievement of the Mount Pleasant to Stanley road could be done by the amendment as suggested by the Chief Executive. That is a forty mile an hour limit on that road but you would like to see a forty mile limit on any road designated by the Civil Commissioner in Council as a restricted road.

The Honourable the Chief Executive

Your Excellency, the learned Attorney General has suggested to me that one possible amendment which might be acceptable would be to include before "greater than such lesser speed as the Civil Commissioner may by Order in Council prescribed/that road".

for

The President

I take it that the proposal from the Honourable Member for Stanley West is that anywhere in the Falklands you do not want a maximum of more than forty miles per hour?

The Honourable J.E. Cheek

At the moment Sir I do not think the roads warrant that speed. If we have roads that will warrant that speed fine.

The President

The asphalt road from Mare Harbour to Mount Pleasant which will be built to much higher specification than the Mount Pleasant/Stanley road, presumably a maximum speed along that road of more than forty would not be objected to by the engineers who built the road, but if Honourable Members think the maximum speed should not exceed forty then so be it. That is it. is up to Honourable Members to decide.

The Honourable H. Bennett

I rise to support the amendments proposed by the Honourable Member for Stanley West.

The Honourable R.E. Binnie

Your Excellency, I would support the Honourable Member for Stanley West in his altering the thirty to twenty-five but I would like some advice perhaps from the Attorney General that if the limit goes to forty miles, and I believe the Member for Stanley West is not accepting the amendment proposed by the Chief Executive, therefore the Governor in Council would not be able to restrict the speed limit for heavy traffic, such as lorries. Would that be correct?

The Attorney General

I think you are covered for that under the new regulation making power because under there you can actually control different types of vehicles.

The President

The maximum speed for different types of vehicles?

The Attorney General

Yes. And you can also prohibit the use of roads by certain types of vehicles. Which we may have to do for that road. We are going to have to prohibit vehicles over a certain tonnage.

The President

Can we refer to the exact regulation. I do not see it myself yet.

The Attorney General

18J

The President

18J. Controlling or restricting traffic whether vehicular or pedestrian including the imposition of a one-way traffic system. Where can we impose this speed limit?

The Attorney General

Probably over the page - a motor vehicle of any specific type or class may be used on the road.

The President

You can impose a limit on say an eight ton lorry, you can impose a speed limit on that, under that section in the regulations?

The Attorney General

Just as you do in UK. If you drive behind the big lorries you see a plate saying twenty or thirty or something.

The President

And that enables us in the regulation to do that with certain classes - your point is covered the Honourable Member for East Falkland. Is there anyone who objects to the amendment proposed by the Honourable Member for Stanley West? First that the road within the boundaries of Stanley should have a maximum speed limit of twenty five miles per hour and not thirty, and that any other road outside the boundaries of Stanley designated by the Civil Commissioner in Council as a restricted road should have a maximum speed limit of forty miles per hour. Is there any objection to that? No, but does the Attorney General see no legal objection to that?

The Attorney General

The only suggestion I would have made is that we compromise on the Chief Executive's amendment and say "at a speed greater than forty miles per hour or greater than such lesser speed as the Civil Commissioner may by Order in Council prescribe". What is worrying me is that some roads outside Stanley, particularly say in Mount Pleasant Airport which is a public place, may have to be restricted.

The President

With that addition we can actually lower it by the Civil Commissioner in Council to less than forty. What we are doing is meeting the Honourable Member for Stanley West's wishes about a maximum of forty but keeping that amendment in so we can lower it in certain areas where we think forty is too fast, outside Stanley.

Could I ask the Chief Executive to read out the amended version.

The Honourable the Chief Executive

"On any other road designated by the Civil Commissioner in Council as a restricted road at a speed greater than 40 miles per hour or greater than such lesser speed as the Civil Commissioner may by Order in Council prescribe for that road".

The Attorney General

Lower would be a better word.

The Honourable the Chief Executive

Lower rather than lessor, Your Excellency.

The President

Good. That is Clause 2(e), 3(a) now reads - On a road within the boundaries of Stanley or on any other road designated by the Civil Commissioner by Order in Council as an urban road, at a speed greater than twenty-five miles an hour or (b) on any other road designated by the Civil Commissioner in Council as a restricted road at a speed greater than forty miles per hour or greater than such lower speed as the Civil Commissioner may by Order in Council prescribe for that road. Does that satisfy Honourable Members?

Fine. So Clause 2 as far as we have got - now, are there any other amendments, the Honourable the Chief Executive, in Clause 2.?

The Honourable the Chief Executive

In Clause 2 there are none. The other amendments are all in the Schedule in fact.

The President

Thank you. So then the Motion is that Clauses 1 and 2 as amended stand part of the Bill. Any objection to the Motion? The Honourable Member for Camp Division.

The Honourable A.T. Blake

Yes, Your Excellency, far be it for me to consider that you may not consider a road restricted or unrestricted, why do we have the word restricted in front of road in Clause 3(b). Why not just a road?

The President

The restricted road has a definition of in the Act there are tracks in Camp that are not restricted in any way. Perhaps the Attorney General would like to confirm that or advise. There is a special meaning for Civil Commissioner in Council to designate a road as a restricted road.

The Attorney General

It is in the beginning of the Bill.

The President

In Clause 1 we are proposing that the Road Traffic Ordinance be amended by the deletion of the words "the Stanley to Darwin road" which is the only road we have control over at the moment, outside Stanley, from the definition of road in the same section and the substitution of those words of the following: "any other street, thorough-fare, highway, lane, court, alley, passage or open place declared by the Civil Commissioner in Council by Order in Council to be a road for the purpose of this Ordinance." That makes it a restricted road does it?

The Attorney General

It does. At one time the intention was that roads, as you say, only certain roads would be declared. It is in (b), in the paragraph we are discussing, on any other road designated by the Civil Commissioner by Order in Council as a restricted road. The idea is that certain roads will be designated as restricted, in Camp, then a decision will be made as to what speed, and if no decision is made by Order the speed will be obviously forty miles per hour.

The President

But if I take the point made by the Honourable Member for Camp Division - if a road is not declared by us a restricted road, does that mean there is no speed limit on it?

The Attorney General

Yes. You see there will be two types of road in camp - roads declared roads for the purpose of the Road Traffic Ordinance, so if you are driving badly, or something like that in Camp, for example Goose Green or somewhere, you might have some well kept track there you might declare a road for the purpose of the Road Traffic Ordinance. There is no necessity to start imposing speed limits but there may be certain roads like the Stanley to Darwin Road that definitely will have to have speed limits put on. In other words you have a type of road where if you were caught driving drunk you could be charged under the Ordinance but you could not necessarily be charged for speeding.

The Honourable A.T. Blake

This rather smacks me of creating an Ordinance for today. I really think perhaps we should have looked a little bit further ahead. For instance, we are making an input into roads in the form of machinery which are going to be used for public purposes I'm sure, ultimately, and although they are roads which are constructed by the farming companies on their property there is a public input which I would think would demand that we classify those roads as public roads, and I just wonder how we could be placed putting restrictions on their roads, one for the protection of the financial input for both parties. In other words it is the road, it is only really basically designed for 20/25 miles per hour, should we not be protecting the investment of both Government and the private farm owner because there will be on going maintenance on these roads. I just wonder whether we have not perhaps

provided adequately for the future. We are only producing an Ordinance for the day. I do not want to prolong the Bill but I think we should be considering a few things.

The President

Well this does leave it to the Civil Commissioner in Council to declare any road, to designate any road, a restricted road, which would then automatically carry with it the maximum speed limit of forty miles per hour. So this gives us the flexibility without changing the Ordinance again, it gives us the flexibility of Civil Commissioner in Council, or Governor in Council as from the 3rd of October, to declare/designate a road a restricted road and then automatically under this Ordinance a forty mile an hour maximum, unless we use our powers as given us under this amendment to declare a lower speed than forty. So I think that does give us flexibility for the future development of the road network system.

The Motion is that Clauses 1 and 2 stand part of the Bill. Any objection to the Motion? No objection. Then Clauses 1 and 2 stand part of the Bill.

The Clerk

The Enacting Clause and Title.

The Honourable the Chief Executive

I beg to move that the Enacting Clause and Title stand part of the Bill.

The Honourable the Financial Secretary

I beg to second the Motion.

The President

The Motion is that the Enacting Clause and Title stand part of the Bill. Any objection to the Motion? No objection. The Enacting Clause and Title stand part of the Bill.

The Clerk

Schedule

The Honourable the Chief Executive

I beg to move that the Schedule stands part of the Bill. I have some amendments on the Schedule, Your Excellency.

First of all the Schedule should read Schedule, it should have the word Schedule at the top of the page. The other amendments Section 3(6) and Section 3(7) to be deleted because they refer to sections which have in fact already been repealed in the amending Ordinance.

And the same also with section 16(3) at the bottom, again that has been repealed and that should be deleted right across the page including columns (b) and (c) of course. The other alterations are purely for consistency in the numbering of certain sections. The proposed amendments are that Section 8(b)(1) becomes Section 8(2)(a), Section 8(c) becomes Section 8(3). Section 8(d) becomes Section 8(4), Section 8(e) to be deleted and to 8(f) an alteration to 8(6).

The President

Thank you. The Schedule as amended by the deletion of Section 3(6) and Section 3(7) and Section 16(3) and the alteration of Section 8(b)(1) to 8(2)(a). And Section 8(c) to 8(3). Section 8(d) to 8(4). Section 8(f) to 8(6). That is the Motion. Is there any objection to that? The Motion is that the Schedule as amended stands part of the Bill. No objection? The Schedule as amended stands part of the Bill and the Council resumes.

The Bill was then read a third time and passed.

THE LAND AMENDMENT ORDINANCE 1985

The Honourable the Chief Executive

Your Excellency, I turn with some relief, which will probably be misplaced, to the Land Amendment Ordinance. The main purpose of this Bill is to expand the definition of public purpose contained in Section 2 of the existing Land Ordinance. The definition essentially relates to part 4 of the Land Ordinance which provides for the acquisition of land by the Government. By this provision the Governor-in-Council may only acquire land compulsorily if it is required for a public purpose which is defined in the interpretation of the Ordinance. The new definition in the Ordinance repeats most of the old definition but breaks it up into paragraphs and sub-paragraphs. That is the first thing. Then two new paragraphs have been added to the definition, namely paragraph (a)7 which refers to a purpose connected with the promotion or creation of healthy or sanitary surroundings and the prevention or abatement of what the Civil Commissioner in-Council shall consider to be a nuisance, dangerous to health or limb. And paragraph (b), any purpose intended to result in a benefit or advantage to the community and without prejudice to its generality to include the development, utilisation or disposal of property in whole or in part for the promotion of the physical, economic, social or aesthetic well-being of the community. The former clause, that relating to the promotional creation of healthy and sanitary surroundings will allow an acquisition of any lands or premises that have as it were become a public nuisance or health hazard. An example of this would be a semi-abandoned property that is falling into serious disrepair or is perhaps infested with vermin. The main purpose of the second amendment, that is to say any purpose intended to result in benefit or advantage to the community is to allow acquisition of land for sub-division but would cover acquisition for other purposes of economic or other benefit to the community. Once again opportunity has been taken to increase the penalty contained in Section 35/2 for obstructing a person entering on land or taking possession of it under the Ordinance from £50 to £1,000. The alternative penalty, imprisonment for three months, it is proposed, should remain unaltered. The Bill also proposes to impose a standard ad-valorem duty for the conveyance of land. The existing duty is $\frac{1}{2}$ of 1% up to £1,000 and 1% thereafter and the Bill proposes an all round rate of 1%. Finally the Bill introduces a flat rate assents duty of one pound only to be charged on assents or transfers of property to trustees or beneficiaries of estates of deceased persons. The latter duty is not new; it was included in conveyance duty at a flat rate of 50p. in 1942.

I beg to move the first reading of the Bill.

The Bill was then read a first time and on the Motion that the Bill be read a second time the Honourable Member for Camp Division spoke to the Motion.

The Honourable A.T. Blake

Yes Your Excellency, here again I find myself wondering what we are doing. I think everybody in the Falkland Islands knows we want to be able to purchase land for the purpose of sub-division. I do not really see why we do not say so. I can see long, involved court cases over Clause (b), most probably held outside the Falkland Islands. With this we have to bear in mind the fact that we have had land disputes settled outside the Falkland Islands, which has annoyed us intensely. I refer to the purchase price agreed for the airport. I just fail to see the reason why we should hide our intention behind such a long and lengthy Clause. That Clause could stay there, but I think there should be a Clause which clearly states that the Government may purchase land compulsorily for the purpose of sub-division. I must say that I think the Honourable the Attorney General has, to a large extent, clarified our laws into what I would call plain English, but I feel this particular area did in fact fail in that line. I do think that we should have in here a Clause that states what we want to do with it. I would very much like to have seen included in this Ordinance something stating that all land disputes, concerning land within the Falkland Islands, would be settled in this country. If a local citizen becomes in dispute with an absentee landlord over boundaries, or over purchase etc. of land, he is at a gross disadvantage if anything under this Ordinance is settled outside the country.

So I will oppose the Bill because I do not think it clearly shows our intention and it does not allow for protection for local residents in the event of dispute.

The President

Does any other Honourable Member wish to speak to the Motion?

The Honourable the Chief Executive

I think I should just add on a point of information, Your Excellency, that I have been reminded by the Attorney General that the wording used in this proposed amendment 'Any purpose intended to result in a benefit or advantage' and so forth is in fact taken from the wording of the Constitution.

The President

This is in the Preamble on rights and self determination.

The Honourable A.T. Blake

I am aware of that, Your Excellency. The wording was not prepared by this Government; and I really do think the wording on various Bills and Ordinances should clearly indicate the intention of the Falkland Islands Government and protect its citizens under its various laws.

The Bill was read a second time and passed through its remaining stages without debate or amendment.

THE APPLICATION OF ENACTMENTS (AMENDMENT) ORDINANCE 1985

The Honourable the Chief Executive

This rather obscurely worded title refers essentially to the problem of dealing with persons of unsound mind and whom the Court is satisfied cannot manage their own affairs. Under the British Lunacy Act of 1890 which applies in the Falkland Islands, the property of persons found to be of unsound mind can be administered by the Courts of the Falkland Islands. This Bill proposes to apply an amending Act of 1908, which enables the Court to provide for the administration of the property of persons not found to be of unsound mind, but whom the Court is satisfied cannot manage their own affairs; this particularly applies in the case of aged or infirm persons. The Bill also provides that the Senior Magistrate, or not less than two Justices of the Peace, can act in the Falkland Islands instead of a Judge.

I beg to move the first reading of the Bill.

The Bill was read a first time and passed through its remaining stages without debate or amendment.

THE PUBLIC HEALTH (AMENDMENT) ORDINANCE 1985

The Honourable the Chief Executive

I have in the first place, Your Excellency, to lay on the table a Certificate of Urgency in respect of this Bill and the Immigration (Amendment) Ordinance. Section 2 of the Public Health Ordinance provides that the Public Health Board shall consist of the Senior Medical Officer, the Government Medical Officers and five other appointed members. When the original law was passed in 1868 it was not envisaged that there would be the number of medical officers in the Colony that we have today. The Bill proposes to change the Board to the Chief Medical Officer and five appointed members to give a more balanced bench. Section 18 of the existing Ordinance provides for the making of By-Laws by the Board with respect to the structure, drainage and the like of new buildings, but confines this power to towns and settlements. This Bill seeks to delete the reference to towns and settlements so that By-Laws should relate to the whole country. There should in fact be an amendment to the Chapter number as quoted in the papers. It should be Chapter 54, not Chapter 48.

I beg to move the first reading of the Bill.

The Bill was read a first and second time. During the Committee Stage the Bill was amended by the substitution of "Chapter 54" for "Chapter 48" where it appeared in the Bill.

The Bill then passed through its remaining stages without further debate or amendment.

THE IMMIGRATION (AMENDMENT) ORDINANCE 1985

The Honourable the Chief Executive

The Certificate of Urgency, Your Excellency, has already been laid on the Table in respect of this Bill.

The amendment seeks essentially to deal with the problems of immigration officials who have experienced some difficulties in excluding people with criminal records from the Falkland Islands.

Paragraph 8 of the present Ordinance, in defining a prohibited immigrant, defines one category of prohibited immigrant as a person who, not having received a free pardon, has in any country other than the Colony or the Dependencies been convicted of murder or an offence for which a substantive sentence of imprisonment exceeding six months has been passed, and who by reason thereof is deemed by the Governor-in-Council to be an undesirable immigrant. This definition, in terms of practicality, is essentially unhelpful. The words in the definition requiring the Governor-in-Council to deem such a person undesirable can make it difficult, if not impossible, for the immigration authorities to send back, on arrival, a person with a criminal record who he may be warned about shortly before that person arrives because there just is not the machinery for having him defined as an undesirable immigrant by the Governor-in-Council in time. So the Bill essentially seeks to repeal those words. It seeks to delete 'who by reason thereof is deemed by the Governor-in-Council to be an undesirable immigrant'. It will not of course deprive the Civil Commissioner-in-Council of the power to declare a person an undesirable. Such power is still contained in paragraph (c) of the definition of a prohibited immigrant. Nor will it prevent the Civil Commissioner-in-Council from allowing a person with a criminal record to actually remain in the Falkland Islands. Power to do this is contained in Section 4(2).

The Bill also seeks to provide an amendment to Section 11 that the work permits of persons who become, or are found to be, prohibited immigrants will terminate. So a decision can then be reached as to whether or not to permit them to stay.

Finally the Bill provides for the repeal of Section 7 of the Ordinance which it is considered, if other amendments are made, would not be required.

I beg to move the first reading of the Bill.

The Bill was then read a first time and passed through its remaining stages without debate or amendment.

MOTION FOR ADJOURNMENT

The Honourable The Chief Executive

I beg to move, Your Excellency, that this House stands adjourned sine die.

The Honourable the Financial Secretary

I beg to second the motion.

The President

The Motion is that this House stands adjourned sine die. Does any Honourable Member wish to speak to the Motion? The Honourable Member for Stanley East.

The Honourable W.H.Goss OBE JP

Your Excellency, Honourable Members. I would first like to mention electricity. I am staggered that our charges are so high here compared with what they are in Britain. We were told a few years ago before the conflict, when we considered the price of electricity very high the reason was that we were not using enough: if we had consumed more the price could have been reduced. Engines were not running to full capacity. We know they have been running to full capacity in the last year or so, and perhaps, the capacity has been somewhat stretched but I did not see any indication of the price coming down. It was only the other day that I and another Councillor compared electrical charges in Britain to the electrical charges here and there is no comparison whatsoever. Let us hope that this can be looked into again in the not too distant future.

We passed a bill this morning on an amendment to education, compulsory education. The bill was passed on the strength of a vote by ex-officio members. Of course, in the next Council that will not be able to happen. I would like listeners to know there was only one elected member who voted in favour: some abstained and some were against. I abstained on the grounds that there is plenty of time for the next Council to have another look at this before it will affect any of the children that this Bill will affect in the Camp. They have six months to reconsider this Bill and have it amended if need be.

The supply of fuel. There will have to be a lot more thought put into the supply of fuels in the not too distant future. We will probably not be getting it from the Armed Forces as we are now. When this comes about there is going to have to be a lot of thought put into how we get the fuel for the town or, if fishing fleets are going to be encouraged and we are going to supply, how do we get the oil to the fishing fleets. If we took over the tanks at the Camber and the oil barge I would think we should seriously consider putting an engine in the oil barge. We have nothing here to tow it with, but if she was self powered she would be able to supply ships in Port William or Berkley Sound. It would be costly putting an engine in but it would pay in the end. Other than that we would need to have a tug. We have nothing here suitable to tow it outside of Port William. The Forrest or the Monsunen could take her on long tows but they would have problems at the end when it comes to mooring and tying up and you want something that is manouverable.

CONFIDENTIAL AND PROPRIETARY

We have spent the last week on the annual house-keeping exercise and as a result of that effort the Financial Secretary, in his splendid fashion, has been able to channel funds in various directions so that we still have a surplus, but we are also able to increase our contribution to local development. I think £600,000 from local funds for development, provided by a total population of just under the 2,000 mark, is not too bad an effort on our part and I think we can draw some satisfaction from it. We have looked at the rates, mentioned by the Honourable Member for Stanley East, and accepted the need to make sensible charges for a number of things that we have not in the past. But I am assured by the Administration that they will publish the full list of charges to all rate payers. I think when the ratepayers see those charges they will feel a little less hard done by than they might otherwise.

Yesterday evening once again, we listened to a Labour Member of Parliament, I think in the European Parliament, telling us that we should be talking to Argentina. He said at the end that he would like to know our reasons for not talking with Argentina. I have tried to set out logical reasons against that which I hope leaves aside our own personal feelings on the subject. In the recently settled Beagle Channel dispute, the settlement has been hailed as a great triumph. It is. It's a tremendous triumph for Argentina. They have taken the dispute to arbitration three, possibly four times and until they got a settlement that gave them virtually all they wanted they refused to accept the results of the arbitration they asked for. With regard to these Islands they have said over and over again that their answer to negotiations is to draw up a timetable and the mechanics for a transfer of sovereignty and the conditions of these Islands. That is my number one reason for not entering negotiations. My number two, which perhaps should come first, is we are still in a state of hostilities. Number three, we were in a negotiating position with the Argentine Government at the beginning of hostilities. The person leading those negotiations was a civilian, not a member of the Junta. We had reached certain agreements at that time, one of which was that we should have a chance to report to our Governments before publishing the outcome of our discussions. Before we reached these Islands the Argentine Foreign Ministry had published them. Is there any reason why today we should trust their diplomats any further than we did in 1982.

My next reason, perhaps, is a little less specific but the politicians, particularly in the United Kingdom Labour Party, seem to think that this is the first time that Argentina has had a democratic Government and it is being hailed as something new and fine and splendid. In the last 20 years there have been two democratic governments. One led by that distinguished gentleman Juan Domingo Peron, and one led by a series of politicians who were eventually overthrown by the military. Those Governments were well supported in the country at the time but the Military's patience wears thin after a few years and they come back. I do not see any more reason now for supporting the splendid democratic regime in Argentina today than under the auspices of General Peron.

And these splendid commercial advantages - what are they? We produce wool. Argentina produces wool and they ship that wool to Europe to sell it - other than what is needed for their local currency. Therefore the first splendid advantage would be that

we could add a few more middle men into the wool sale chain and so reduce our profits. Secondly shipping - the shipping traffic between Argentina and Europe. It is a fact which is proven with figures that the River Plate conference rates for freights are higher than anywhere else in the world. At least we do not have to pay conference rate freights on the charter vessel which brings our cargo.

The air passage is a debatable point. But we have already been able to show that under charter arrangements we can probably travel more cheaply than we could to Argentina where we were forced to travel under full I.A.T.A. rates having first of all paid a ferry price from the Falklands to Buenos Aires. So that is a doubtful one also.

And finally fuel. This is perhaps the one area where we might benefit on lighter fuels - petrol, kerosene and gas. Argentinas oil produces light grade fuel, not the heavy grade fuel, and so we would probably find, assuming we were working on a free market price that our gas oil which is our major commodity would be as expensive as it is today. Therefore I would commend these arguments to those people who say we should enter negotiations and ask them to refute them.

I leave out our feelings about Argentina. I leave out the fact that their currency under their splendid financial control in no way matches our financial wizard here. I leave out the problems of the language. The problems of arranging all sorts of deals with a back-hander. I leave these out.

Sir, in closing, I commend to the next Council the care of these Islands. I believe it will be hard work as it has been in the last four years but I believe that the effort is worthwhile and I thank you and the official section of Government for their assistance to me. I thank my colleagues for their understanding during the last four years. I beg to support the motion.

The Honourable R.E.Binnie

Your Excellency, Honourable Members, I would like only to touch on a few of the subjects already spoken about. First I would like to thank Honourable members for at least going half way to meet my requests earlier in this meeting, by making a better provision for local development. Although we have not produced a surplus as well.

This brings me to the topic which I feel very strongly about and that is the taxes for non-residents. I feel that where non-residents are using our facilities they must pay the full cost and not be subsidised by the local taxpayer.

I would like to say a brief word, Sir, on the Stanley to Mount Pleasant road. I would like the administration and future Councillors to ensure that road safety signs are erected before it is passed over to local Government.

Finally Sir, I would like to thank yourself and the Administration for their advice and help during my period on this council. Thankyou.

The Honourable J.E.Cheek

Firstly I would like to join the Member for West Falklands in extending our sympathy to the families of those four from The Royal Navy who recently died while protecting us in these Islands.

I feel that over these past three years this Council has been largely forced to react to crisis after crisis. Not entirely, but that has been a large part of our life for the last three years.

I would hope that the next Council will move away from that reacting to crisis and will look more to the future, more to formulating long term plans for that future and I believe we do have a future in these Islands. I wish them luck in producing those plans and looking after these Islands for the electorate.

Apart from that, Sir, I would like to extend best wishes to you and your wife in your retirement, and best wishes to the General and his wife on his new post in, I believe, Wales. Thankyou Sir.

The Honourable A.T.Blake

Sir, I rise to support this Motion. I suppose most of us are making our last public speeches as Councillors to this particular Council.

I would personally like to thank all other Councillors for putting up with my rantings, ravings and arguings. When I serve the people I represent I do so forcefully on most occasions but, inspite of all my rantings and ravings, I can still walk down the road and hold civil conversations and crack jokes with them and that is the way it should be.

I must also of course thank all members of the Civil Service. I do not just mean Heads of Departments, the whole of the Civil Service from the bottom to the top who have helped us to carry out the things that we have decided have to be done for the good of the Colony. Without them the Council would be very ineffective.

There is one person, of course, who seems to be totally overlooked in all the words of thanks and I refer to the Clerk of Councils. He has to put up with a tremendous amount, from ascertaining when Councillors want to be moved from place to place and at what time; tracking us down so we get our papers, particularly the Camp members who live in Stanley at varying places. I think perhaps the general public do not realise how hard the Clerk of Councils has to work. Most of his work is unseen and it is not only restricted to work within the Falkland Islands. He has to keep in touch with Parliamentary Associations and with counterparts throughout the world. I personally would like to thank him very much for all he has done for us.

I am delighted, Sir, that Council has agreed to spend more on development. I think it prudent to point out that in fact we did make quite a substantial surplus on the original budget. The surplus was increased quite remarkably and in our wisdom we have decided to transfer that surplus to development and I think that is a very good decision. I must point out that it was actually

inspired by the Honourable The Financial Secretary and I think this is the way that the Islands have got to go. We have got to spend more money on development and should we be in a situation where we do not actually create a surplus to do that, we must consider loans in order to develop the Colony at the right pace.

One thing that has so far not been commented on is the concern that some Councillors show^{ing} the Civil Service. The Civil Service has a number of problems and these are very worrying in that they do not seem to have success in filling empty posts, and competition for senior posts seems to be lacking. In fact some posts may be rather difficult to fill if they become vacant by form of accident or sudden retirement. I commend that the future Council have a very close look at the state of the Civil Service. I think it is almost in a state of collapse and will collapse if we do not do something about it.

I thank Councillors very much for increasing quite remarkably the amount of money which has been directed in the direction of Fox Bay. I have become a very strong supporter of the Fox Bay Development. I think perhaps some of the heated arguments I have had during Council have been a result of this. I can ensure the people on the West Falklands, at Fox Bay in particular, that I did not have to work very hard to get this particular amount of money, or the increases we have managed to put in that direction. They were given with a quite unanimous feeling I believe.

The Honourable Member for West Falkland spent quite a long time referring to the reasons why we should not lean towards Argentina, or talk to Argentina, or have anything to do with Argentina. Although he has obviously spent quite a lot of time thinking about it, I think the over-riding fact that the people do not want anything to do with Argentina is what has influenced my decisions in the past and I would hope future Councils will continue to operate not on facts and figures, but on the feelings of the people. It is most important that we retain a nationalistic approach to this and not let politicians from other countries, including Great Britain force us into an area which could lead us astray and lead us to say things which are not totally accurate. So the personal feelings of the people over-ride any other reason why we should not go and have another look at Argentina.

I have had a rather fantastic year. In fact we may well have not had enough meetings of Council this year. So much happens between Council Meetings which makes these speeches rather long. We have had openings of Airports and other things, all of which were grand occasions and all attended with matters of pride, but for sheer thrill and joy the result of the March and Shoot competition, run by the Military, which the Falkland Islands Defence Force won was, I think, one of the biggest thrills I have had for quite some considerable time. There was an instant thrill and feeling of pride and I congratulate those members of the Falkland Islands Defence Force for that particular win and subsequent wins they have had in other competitions. It is both an indication of the dedication of the members concerned, with the cooperation of the Military in training, and I am very glad that has borne such pleasant fruit.

I have already referred to land disputes and I would commend to the next Council that they do seek means by which all land disputes, and property disputes over Falkland Island property, be settled within the Islands to protect the people who may be placed in a legal situation at which they will be at a great disadvantage. I cannot stress that strong enough.

I wonder, Sir, if the Foreign Office has considered, in view of the rather vast figures they have managed to come up with, what it would cost us to defend a 200 mile fishing zone. Have they thought how much it is now costing them to protect all of the foreign fishing vessels that are in and around our waters at the moment? There can be no doubt, I am sure, that should an Argentine gun-boat appear on the horizon most of the fishing vessels in that area would make a very quick dive for the Falkland Islands Protection Zone. So within the price of the defence of these Islands there is a factor now which should be deducted for the protection of foreign fishing vessels.

We have talked at length Sir, about the good points, which are by far in the majority, which have led to good civil/military relationships. These are at a very high level but I think we would be lacking in our duty if we did not point out that these are not 100%. I believe that the principles used in dealing with Military matters of a financial nature overseas by some countries tends to be the attitude that they will screw the living daylights out of the M.O.D. and let themselves be mocked back by the Command Secretariats in the various countries and come to some sort of mutual agreement which usually favours the person making a claim and I do believe, Sir, that the majority of Falkland Islanders who do have financial dealings with the Military, particularly the Command Secretariat here, do not wish to screw the living daylights out of the Command Secretariat. There is quite serious criticism of the actions of the Command Secretariat in dealing with those claims and in one or two cases which I have been associated with, on the periphery I cannot say that all is well in that particular area and it may well want to be discussed perhaps further at Civil/Military relations meetings.

The F.I.D.C. also comes under some criticism, or perhaps not criticism so much as question. A number of people have asked me how much of the £31 million is left. Although the accounts have been presented I find it hard to exactly say how much has been spent. I know a lot has been committed but I think people would really like to know how much has been spent on agriculture, and how much has been spent on other things. We do not want to know the individuals or the individual amounts concerned but people would like to know exactly how much has been spent in the very simplest of terms, and how much is left.

I was caught somewhat unguarded by the Honourable Member for West Falklands comments about Coastal Shipping and the Forrest. I have given some considerable thought to this and as I look out the window now I see the Forrest loading for a forthcoming voyage. Coastal Shipping is a non profit making organisation and I presume therefore, that its running costs are laid against the cost of freight. The only thing we can do to alter that is to increase the freight in the hope that the costs of Coastal Shipping will decrease. If we reduce the freight we cannot possibly hope to reduce the costs of running the ship. The ship still has to go to a port, whether it's got to go there for 1 ton of shipping or whether its got to go for 20 tons so the actual cost of getting that ship around is going to increase the price of coastal freight quite considerably. I think I can predict this with quite a lot of

confidence, and I think the price of freight around the coast is going to go up quite dramatically. Now, as all the other shipping companies that operate, be they Government or Military, use the coastal shipping freight rates they will go up all round. There is not an element of competition. It is not as though it is helping competition- everybody will charge the same. It will be based on the coastal shipping rate because it is a non-profit making organisation. I did however query where the money was coming from to provide what appears to be a free service in shifting freight from one warehouse to the other, but I will warn the public that present action on the ships is only going to result in quite a dramatic lift in the price of freight.

The last thing I wish to raise, Sir, is the matter of roads. I have been able to travel around Camp quite a bit in the last twelve months, and the representations that have been made to me about roads are fairly universal. I might add that one of the strongest representations was made from people on one of the outlying Islands. I think that we have not examined adequately the need for roads, an internal transport system, or given enough consideration to what we are going to do about roads. If you look back, Sir, at the history of reports made by experts to the Islands you can go back a long way. There was I believe, just before the 1976 Shackleton report, a Report produced by a Committee which reported on Reports; we must be about due to have another one of those. We have had so many reports. Our job in those days was to report on what had been done by all the experts, or what had been done by the Falkland Islands Government on reports by experts. Plus recommendations made on those reports. Lord Shackleton, in both of his reports, said that we should have more roads and I feel this year, although we have rather left it to the private sector, the Government should perhaps pass quite a bit more money that way. I am sure that the incoming Government will look at that one a little more closely.

I can imagine that particularly with the camp it is going to be quite an election this year.

I will close, Sir, by thanking you and Lady Hunt for everything you have done for us over the last four years. I must admit there are times when it seems a lot longer than that and we are going to miss you sorely as we are also going to miss General Peter and Bridget.

Sir, I beg to Support the Motion.

The Honourable H. Bennett

I rise to support the Motion Your Excellency. As I joined this Council only last November I am of course the junior Member. The Budget was the first I have considered as a Councillor and I found the experience very enlightening.

There are one or two points I wish to raise. There is little left for me to say really, to my colleagues. I give a word of warning about the escalating costs of Government passages. Whenever a post is regraded it must be borne in mind that more senior posts carry with them, in addition to higher wages, a higher leave entitlement.

Immigration should be more actively encouraged and to this end more housing is required in Stanley for immigrants and for local people.

I trust we can look forward to a lively General Election. I wish you Sir, Lady Hunt, General Peter and his wife well in the future. I support the Motion.

The Hon the Financial Secretary

Your Excellency, in rising to support the Motion for the Adjournment I would like to express my gratitude for the help I have received over the years from the elected Members of this Council. I must say that in no way has it been a very easy going affair. There have been some very frank views expressed and, as the Hon. Member for the Camp Division has said, that is how it should be. We should go into every possible detail we can and I have noted the requests of Honourable Members. In particular the elected Member for the West Falkland's request that we send to the rate payer details of the costings, and of course there is no reason why this should not be done. We will arrange to send a summary or have summaries available at some office. The Old Age Pensions Ordinance was remarked upon and it does require actuarial review every five years but I have agreed, with Honourable Members in Select Committee, that I should call on the Government actuary when I am on my leave and make the points that Council have mentioned to me. This I can assure them will be done. I will say that I do not agree that the actuaries view is gloomy but I do think that he does take a conservative look at the fund. I think that is a proper way to do it. This, the future of Old Age Pensions in this Colony, will become more and more important all the time, not to say that they are not important at this moment, but we do not know how the costs are going to escalate.

The Honourable Elected Member for Stanley Division has just pointed out how costs can escalate for the Civil Service which is quite true. It also escalates with prices from abroad and we may not always experience the rate of inflation that we have with us today. It may grow.

I would like to thank the Honourable Members for their remarks, and of course I would like to pass these down to my staff who ably supported me-my Deputy and my Assistant Secretary Finance, Mrs. Clarke, who have been running the Treasury. We always tried to form the best financial wizardry but our style has been cramped just at the moment because the heating system has collapsed. However, after we get over those icy patches we should be up to standards once more. I beg to support the Motion.

The Honourable the Chief Executive

Your Excellency, Honourable Members, I would like also to add my own word of sympathy to the families of those servicemen who lost their lives in the Sea King disaster recently. I was talking last night to an officer from the Reliant who was so much involved in the Sea King operations and that brought home to me the full horror of this event, and reminded me, as it should remind us all, of the sacrifices that servicemen continue to make in order that the Islands may be preserved in freedom and security.

I would like to go on to express my appreciation to a number of different people without whose help this budget could not have been produced. First of all, of course, to Honourable Members who have examined the Honourable the Financial Secretary's proposals line by line with such diligence. I would like to thank all those Heads of Departments and other officials who stood up so well to their questions, and I would like to add my own thanks to the Clerk of Councils for his amazingly efficient yet unobtrusive work on behalf of us all.

I would also like to add my own appreciation of the work done by the staff of Treasury, especially the Deputy Financial Secretary who, as the Honourable the Financial Secretary has said, has once again defied the best efforts of the Power and Electrical Department to prevent them from producing a Budget at all.

Finally I would like to express my appreciation to the Honourable the Financial Secretary for not this year, so to speak, falling down on the job !

Nor should I forget, Your Excellency, the kind hospitality afforded to us this year by Government House. The numerous cups of tea and coffee provided by your efficient staff when we were forced to flee from the Secretariat, and we are indeed considering recommending to the next Council that they co-opt Don Bonner personally as an adviser to the Select Committee.

Now, as can be seen I think by the length of time we took, some five days in all, we did I believe take great care and made some very difficult decisions. Politics, said Mr. Butler, Mr. R.A. Butler, is the art of the possible but politics has also been described as choosing between the disastrous and unpalatable, and I think that sometimes with the very limited choices available to us for the allocation of scarce resources, that really is just what we seem to be doing. The room for manoeuvre in agreeing a budget is much more limited than the electorate sometimes suppose. I hope that, in general, if we have sometime made an unpalatable decision at least we have made no disastrous ones.

And now I turn, as tradition demands, to the various points made by Honourable Members in their speeches and as I always say on these occasions, if I fail to answer all the various points made, all the rantings and ravings as the Member for the Camp would perhaps describe them, you will have to forgive me in that particular respect.

The Honourable Member for Stanley East set the tone with considerable emphasis on the problems of our infrastructure. The fact is that within replacing our electricity, replacing our water supply, we have spent a great deal of money which we now to some degree have to recover in the kind of charges which we make to the general public. This is, I am afraid to some extent, the price we pay for the neglect of past years. However, I would not like to think that in this we ever neglected those who had real need, the poor and the sick. I believe that this is something which all Honourable Members of future Councils will wish always to have in mind.

The Honourable Member for Stanley East also mentioned the considerable problem which we have in settling our future fuel policy. It is a complex situation and it is made more complicated by all the various involvements which we have in this conundrum with the Ministry of Defence and we have to sort this out, and I take note of the very practical suggestions which he made from his long experience of these matters.

I turn now to the question of the Falkland Islands Development Corporation. I always expect to be caught out by the Honourable Member for West Falkland and I think to some extent I have to concede that he has once again done so on this occasion. I do believe in looking again at the document submitted by the Development Corporation to this House that it should in fact have had rather more about the proposed expenditure during this current financial year. It does describe, broadly speaking, what the Corporation intends to do, but I believe there should have been more detail and I will undertake that that will be so in future.

I would like to say in answer to the Honourable Member for the Camp Division that there is on page 10 of the Report a breakdown by sector of the expenditure committed during the first phase of the Development Corporation to various forms of expenditure, but this is ofcourse quite a broad brush.

The Honourable Member for the Camp Division drew attention to two particular on going problems. Both really related to communications. Now as far as roads are concerned I agree we do not need any more reports, and indeed what we as a Government have done is in fact to put the question firmly to the Falkland Islanders. What do Islanders want in the way of roads? We have sent a consultative document to the Sheep Owners Association, to the General Employees Union, to the Traders, to Falkland Islands Development Corporation. We have asked them what it is they want. I hope that this consultative document which was available in large quantities, has provoked a lot of discussion throughout the Islands which perhaps we can try to analyse and from which we can draw conclusions when we, as I hope, discuss it during Farmers Week. So this is not, I think, one of those things where we are expecting an expert from London to come down and issue yet another report which we do not act on.

He also spoke on the problems of shipping. Here I suspect that we do need further study and in fact the Development Corporation have commissioned a transport study to look at the whole problem of transport in the Islands which I think will be very helpful to Government along with the study of F.I.G.A.S. which will be conducted over the coming months by the committee which has recently been set up by Executive Council for this service.

Now, I want to make one further comment. There was at least a suggestion from one Honourable Member. I believe it was again the Honourable Member for the Camp Division, that the Civil Service was somehow in a state of collapse. I do not accept that. I do believe that there are concerns on the part of some Civil Servants that they are falling behind the private sector in the kind of remuneration package which they get and some concern over erosion of differentials between skilled people and those wages paid to unskilled people on an hourly basis. These are things which we must continue to bear in mind. But my impression of the Civil Service, in the time that I have been here, is that it is an efficient Civil Service, that it is a hard working Civil Service and that it is. Morale is good, and let us hope that we can maintain that situation.

In conclusion I would simply like to return to the theme of my

opening speech at this session of this Honourable House. Three years after the Liberation we have already achieved much but a great deal more remains to be done as can be seen from all the discussions we have had at this Budget Session and I agree with the Honourable Member for Stanley West that we must move away from crisis management into trying to build more carefully and thoughtfully for the future. This I believe is the next phase in our development which will be the main task of the next Council.

Your Excellency, this session began with Honourable Members well deserved tributes to yourself and it has ended also with further well deserved tributes. But I believe the best tribute that we can pay you is to continue your work, to take up the burden which you have so ably borne and to succeed in making the Falklands a better place for all to live in prosperity and freedom. Thankyou.

The Honourable the Military Commissioner

Your Excellency, Honourable Members. May I first of all express my personal thanks to you all for your good wishes to myself and Bridget. It is indeed a sad day for us that we are leaving these Islands - I hope not for good. May I also, on behalf of the Services, express our gratitude for your words of understanding in our sad loss of the four Naval Servicemen who lost their lives last week and may I tell you that I shall see that your remarks are passed on to the Unit concerned.

I should just like to say a word about the Honourable Member for Camp Division's comments concerning the role of the Command Secretariat. The Command Secretariat is not in fact a policy forming organisation. They are not sent here to decide how matters should be conducted as between the Ministry of Defence and the Civilian Community. They are here to carry out a directive which is given to them, rather perhaps they should be looked at like accountants carrying out the policy of their management, in this case being the Ministry of Defence. Perhaps to compare to civilian life we might consider them being the income tax collector who, however unpopular he may be, has a job to do for his Government, and indeed as I speak today you may wish to know that no less than 5 defence auditors descended out of the sky yesterday and this meant going through not only every account I run and am responsible for in the Islands, but also those of the Command Secretary himself, so, I would like to suggest that whilst I am very understanding about the matters that the Honourable Member for Camp Division has raised, it is not in fact the Command Secretary that he is criticising but rather the Ministry of Defence and it is to the Ministry of Defence that policy matters, where they ^{are} not acceptable or where they are contravening the work we are all trying to do together down here, should be directed. Of course, in the case of Honourable Members this criticism of the Ministry of Defence is properly placed through the Foreign and Commonwealth Office. Having said all that I would like to say to Honourable Members that they are free, indeed encouraged at any time, to approach the Command Secretary, or myself, on any matter which gives them concern, and where agreement is not possible I know that he will be quite prepared to represent their views to the Ministry of Defence and that they can be considered in parallel with similar

matters presented through the Foreign Office.

I would like now to conclude very briefly by just saying a few words about the impression that I shall take back to England, after my happy time here. I take back the impression of the three spirits - first of all the spirit of hope, and of course without hope there can be no future. There is plenty of that spirit abundant in these islands today.

Secondly, I take back a sense of spirit of determination. Determination to overcome difficulties, to get things done, and try out new ideas.

And finally I take back a sense of spirit of confidence in the future of these islands. I share your confidence and I shall watch with interest, not little pride, and great affection as you manage the challenges that lie ahead.

The President

Honourable Members if I may, unlike the Honourable the Chief Executive, break with tradition and end with a final comment. I am not normally allowed to when winding up this debate on the Adjournment but I have been most encouraged by the remarks of Honourable Members at this last session of Legislative Council, the life of this Legislative Council. It would have been excusable to have looked back but I think what is most encouraging is that every speech that I have heard, both at the beginning of the session and now on the Adjournment is looking forward, people are looking forward and I entirely agree with the Honourable the Military Commissioner that the spirits of hope, determination and confidence will, I am sure, see you and your successors through here.

I should like to thank all Honourable Members for their unfailing courtesy, co-operation, kindness and consideration, and I hope there will be some familiar faces here in the new Council to help my successor as much as you have helped me.

The House stands adjourned accordingly.

QUESTIONS FOR WRITTEN REPLY

QUESTION NO. 1/85 TO LEGISLATIVE COUNCIL BY THE HON. J.E. CHEEK

"In the Hall Salary Report of 1984, which was accepted by the Administration, he recommends in paragraph 7.8 that 'In due course the membership of the Housing Committee and the rules for the allocation of housing should be published for all persons to see'.

Would the Administration please indicate when this recommendation is to be implemented?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

The membership of the Housing Advisory Committee is as follows:

- | | | |
|-----------|---|---|
| Chairman | - | The Government Secretary |
| Members | - | The Hon. W.H. Goss |
| | - | The Chief Medical Officer |
| | | (or in his absence the Social Welfare Officer) |
| | - | The Building Superintendent |
| | - | A representative of the General Employees Union |
| | - | A representative of the Civil Servants Association |
| | - | A Government nominee to represent the interests of OSAS/TCO |
| | - | A representative of the younger generation |
| Secretary | - | The Deputy Government Secretary |

In regard to the second part of the Honourable Member's question, I have nothing to add to the answers given to the Hon. T.J. Peck on 22 November 1983 and to the Honourable Member himself on 8 March 1984.

QUESTION NO. 2/85 TO LEGISLATIVE COUNCIL BY THE HON. J.E. CHEEK

"Would the Administration please give details of plans for the repair of those roads which, badly damaged by heavy military traffic in the months following the end of the war, were excluded from the renewal scheme completed some time ago?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

I assume that the stretches of road to which the Honourable Member refers are John Street, Ross Road East and Ross Road West, the latter two having suffered extensive damage from military activities and traffic.

A claim against the Ministry of Defence for £271,124 in respect of the road to Moody Brook was made on 20 July 1984 and is still with them.

The Director of Public Works has been instructed to prepare a claim in respect of Ross Road East but has not yet been able to complete his calculations. John Street was left untouched because it was anticipated that contractors building the School Hostels would use heavy plant and equipment on it, and it will have to be dug up for the installation of water mains and telephone ducts.

QUESTION NO. 3/85 TO LEGISLATIVE COUNCIL BY THE HON. J.E. CHEEK

"When will work on the Town Hall be completed so enabling the current restrictions to be lifted?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

Work planned for the Town Hall is in three parts: the emergency escape system, the installation of the fire alarms and the electrical rewiring.

The delivery of the necessary electrical stores is expected to be completed this month. The escape systems should arrive during September; then two parts of the work should be completed by the end of the year.

The rewiring of the Town Hall will take longer but once the first two parts of the recommendations made by Fire Officers in April last year have been completed it will be possible to review the current restrictions.

In any case, it has been the practice to modify or waive these restrictions where the hirers are able to satisfy Government that they have made plans to provide adequate precautions of their own.

QUESTION NO. 4/85 TO LEGISLATIVE COUNCIL BY THE HON. J.E. CHEEK

"Would the Administration please give details of the progress to date on obtaining finance from the EEC to provide additional and essential classrooms for Stanley Senior School?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

Details of the proposed extension to the Senior School were forwarded to the Overseas Development Administration on 18 March 1985. Consultations are now taking place between this Government and advisers in the ODA to clarify certain aspects of the proposals. When these have been completed to the satisfaction of the ODA, they will make a formal approach to the European Development Fund for the necessary finance.

QUESTION NO. 5/85 TO LEGISLATIVE COUNCIL BY THE HON. H. BENNETT OBE JP

"Does Government intend to explore further the process of cutting peat mechanically in order that pensioners may have fuel readily available, thereby saving them the labour, expense and worry of their peat supplies?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

Yes. It was for this reason that the Falkland Islands Government encouraged the Falkland Islands Development Corporation to carry out a trial with the 'Herbst' cutter, hired from the Falkland Islands Company Ltd. earlier this year.

It remains the objective to establish a mechanised peat-cutting operation in Stanley as soon as practicable.

However, the trial revealed a number of problems associated with the system which have yet to be solved.

/The Corporation is

The Corporation is seeking solutions to these problems and also investigating other mechanical systems which might be more suitable for local conditions.

Only when it is confident that a totally reliable service can be offered to consumers will the Corporation proceed with the project. It may well be, therefore, that mechanically cut peat will not become generally available to Stanley households next season.

QUESTION NO. 6/85 TO LEGISLATIVE COUNCIL BY THE HON. H. BENNETT OBE JP

"What plans have been made for the maintenance of a good surface on the Stanley to Mount Pleasant Road during the 1985/86 financial year?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

No plans have been made or are needed for the Financial Year 1985/86. The Stanley to Mount Pleasant Airport Road is still under construction by contractors to the Ministry of Defence. The Ministry of Defence will be responsible for the maintenance of the road until it is handed to the Falkland Islands Government which is not expected to occur until the next Financial Year, 1986/87.

QUESTION NO. 7/85 TO LEGISLATIVE COUNCIL BY THE HON. H. BENNETT OBE JP

"Are funds to be made available for the resurfacing of John Street and St. Mary's Walk to commence immediately the cables and sewers are completed in the area?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

It is obviously most desirable for John Street and St. Mary's Walk to be resurfaced but it would not be sensible to do so before the telephone ducts and water mains have been installed and in the case of St. Mary's Walk before the construction of the new joint hospital.

It will, of course, be for Honourable Members to take into account the work that needs to be done on both these roads in their Budget deliberations but the timetable for the other related works has not yet been finalised.

QUESTION NO. 8/85 TO LEGISLATIVE COUNCIL BY THE HON. H. BENNETT OBE JP

"What compensation has been offered to property holders in the area to be occupied by the new hospital?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

The site of the new hospital incorporates the land of three land-owners. The land and house of one of them have been acquired. The amount of compensation has still to be settled. The other two pieces of land are being acquired on terms currently under negotiation.

QUESTION NO. 9/85 TO LEGISLATIVE COUNCIL BY THE HON. H. BENNETT OBE JP

"When the new hospital foundation site is excavated what are the plans to dispose of the soil and clay with the least amount of fouling of the roads and consequent annoyance to householders etc. in the vicinity?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

The details of the new hospital contract are still being negotiated. Where excavated soil is to go is part of that detail.

Clearly the top soil should be saved for re-use when the project is completed, the excavated sub soil could be used as sea fill along Ross Road West or wherever it would be of use to the community. If the Honourable Member would care to make suggestions to the Director of Public Works I am sure he could be pleased to feed them into London for the attention of the consulting architects.

QUESTION NO. 10/85 TO LEGISLATIVE COUNCIL BY THE HON. H. BENNETT OBE JP

"The excessively high cost of hand-held fire fighting appliances puts such equipment out of reach of the ordinary householder.

Will Government give urgent consideration to subsidising the cost of appropriate appliances so as to make them available to every householder and owner?

In cases where householders already have fire appliances, could consideration be given to make available the services of a suitably qualified officer to inspect and test the appliances?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

No, Sir.

The charge on public funds to subsidise the purchase of appropriate and adequate fire fighting appliances for every private building in the Colony would be beyond the resources of the Treasury.

Advice on the maintenance of such appliances is already available through the Superintendent of Fire Services and the Fire Officer.

QUESTION NO. 11/85 TO LEGISLATIVE COUNCIL BY THE HON. H. BENNETT OBE JP

"At present only Falkland Islands residents are denied duty-free privileges when departing the Islands and returning from the United Kingdom via Brize Norton.

Will Government take steps to allow present residents to receive these privileges which are permitted on any international flight?"

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

The position is slightly more complex than the question assumes.

On departure from the Islands servicemen and employees under contract to the Ministry of Defence who have access to duty free liquor can

/make their purchases

make their purchases from their normal sources of supply in the Islands and take them with them into Britain in accordance with H.M. Customs and Excise limits. There are at present no facilities for the purchase of duty-free merchandise by other categories of passenger. However, it is Government policy to encourage the establishment of shops at Mount Pleasant and there appears to be no reason in principle why a duty free shop should not be established at some future date; such a shop would be privately managed but under the supervision of the Customs and Harbour Department.

At Brize Norton the position is that there are no duty-free facilities for departing passengers whether they be military or civilian; this is the normal situation in any regular RAF base and is unlikely to change.

QUESTION NO. 12/85 TO LEGISLATIVE COUNCIL BY THE HON. H. BENNETT OBE JP

"Will Government consider giving tax concessions to owners of property in Stanley who carry out repairs/improvements to their property?"

If such incentives were offered owners would be able to afford a great deal more to effect improvements; costs of materials and labour make it prohibitive on the present low wages for them to do so."

REPLY BY THE HONOURABLE THE FINANCIAL SECRETARY

Certain aspects of this question have much to commend it, but it would be inequitable that the taxpayer reaching the higher tax bracket would derive a greater benefit than the taxpayer who is only subject to the lower tax bands.

In fact some of our senior citizens, who are not taxable, and who have in all probability greater difficulties in maintaining their properties would not derive any benefit whatsoever from such a scheme.

A more equitable method to encourage repairs to and maintenance of property would be the introduction of improvement grants. However, owing to the financial situation of the Colony at the present time such a step could not be recommended.

QUESTION NO. 13/85 TO LEGISLATIVE COUNCIL BY THE HON. H. BENNETT OBE JP

"Government has a very large sum invested on behalf of the Old Age Pensions Equalisation Fund. Pensioners receive a pension of less than 50% of an actual minimum liveable income. A year has passed since the Financial Secretary assured Council that steps were being taken to rectify this situation. Can the latest report of the Government Actuary be made available to the Legislative Council?"

REPLY BY THE HONOURABLE THE FINANCIAL SECRETARY

Yes, Sir.

The latest report on the Old Age Pensions Equalisation Fund by the Government Actuary has been forwarded to all members of the Legislative Council.

/In answering

In answering your question I must point out that you have misquoted me.

In my 1984 Budget Speech I said that the pension increases and adjustment of the contributions payable by contributors were an interim measure as the report by Government Actuary was awaited. I must also point out that a minimum liveable wage has not been defined in the Falkland Islands nor has any indication been given that the Colony could afford to pay Old Age Pensioners a pension that would provide a sole means of support.

The report on the Falkland Islands Old Age Pensions Ordinance 1952 Review as at 30 June 1981 was sent to His Excellency the Civil Commissioner on 25 February 1985.

The Old Age Pensions Fund Board of Management met on 3 April 1985 and accepted the recommendations made by the Government Actuary that any increase in pensions would have to be matched by increases in contributions including an increase in the Government subsidy. The Board of Management proposed that weekly pensions should be increased with effect from 1 July 1985 as follows:

Married couples from £25.50 to £28.50 (11.76%)

Single pensioners from £17.00 to £19.00 (11.76%)

and to finance the cost of the increases the Board proposed the following increases in weekly contributions:

Employee £2.00 to £2.25

Employer £3.00 to £3.35

Self-Employed £5.00 to £5.60

Annual Gov't Subsidy £25,000 to £28,000

The Executive Council advised His Excellency the Civil Commissioner to accept the recommendations of the Government Actuary and those of the Board of Management.

The Bill to amend the Ordinance proposing the recommended increases will be debated by Legislative Council in its current session.

QUESTION NO. 14/85 TO LEGISLATIVE COUNCIL BY THE HON. H. BENNETT OBE JP

"Why do married women who are employed continue to be exempt from paying Old Age Pensions Contributions?

Contributions from such married women would reduce the amount by which contributions at present need annually to be raised."

REPLY BY THE HONOURABLE THE FINANCIAL SECRETARY

It is only the husband of a married couple who is required to pay pension contributions under the Old Age Pensions Ordinance. On reaching pensionable age, the husband receives a pension at the married rate.

If both husband and a working wife were required to contribute more than other married couples where the wife did not work the former would appear to be justified in demanding additional benefit which could nullify any advantage which the scheme received by way of increased income.

Appendix B

Summary of amendments made to the 1985/86 Draft Estimates in Select Committee:-

HEAD 100 AVIATION

Revenue:- Item 101 Passenger revenue, increase from £195,000 to £200,000.

Expenditure:- Item 202 Materials and Spares, increase from £45,000 to £50,000.
Item 310 Salaries - established staff, decrease from £75,000 to £68,480.
Item 331 Medical Services Levy, decrease from £1,390 to £1,290.
Item 333 Overseas Passages - OSAS, decrease from £6,300 to £4,800.
Item 600 Insurance, increase from £25,000 to £33,750.
Item 700 Transfer to Aircraft Replacement Fund, decrease from £75,000 to £62,500.
Insert Item 805 Repair to damaged aircraft £15,000.

HEAD 152 POSTS

Expenditure:- Item 605 Subsistence and Duty Allowances Camp Post Offices, decrease from £1,500 to £1,000.
Item 606 Transport Camp Post Offices, decrease from £1,500 to £100.

HEAD 153 PHILATELIC BUREAU

Expenditure:- Insert item 801 Ameripax Exhibition 1986 £5,000.

HEAD 154 TELECOMMUNICATIONS

Expenditure:- Item 310 Salaries, established staff, decrease from £52,630 to £48,050.
Item 606 Domestic fuel Fox Bay £1000 delete.

HEAD 155 BROADCASTING

Expenditure:- Item 801 Portable tape recorder, decrease from £1,000 to £600.

HEAD 200 MEDICAL

Revenue:- Item 102 Dental Charges increase from £1000 to £10,000.
Item 106 Reimbursement Medical Officers services, £10 delete.

Expenditure:- Item 310 Salaries established staff decrease from £146,960 to £130,000.
Item 335 Recruitment costs, increase from £10 to £1,000.
Item 501 Local Air fares, increase from £13,000 to £18,000.
Item 608 Medical Treatment Overseas, increase from £51,500 to £60,000.
Item 616 Amend to read "Military Health Charges", increase from £1,000 to £11,000.
Item 617 Medical treatment by HM Forces £10,000 delete.
Insert Item 813 Bath Hoist, £1,350.

Establishment: Item 9 Delete 2 Senior Clerk S14, Insert 2 Clerk S25 and/or S14.

HEAD 251 EDUCATION AND TRAINING-ADMIN

Expenditure:- Item 335 Recruitment costs, decrease from £2,000 to £1,100.

HEAD 253 CAMP TEACHING

Expenditure:- Item 504 Radio Licence fees, Increase from £120 to £500.
Item 804 Two metre Transceivers, decrease from £2,800 to £400.

HEAD 254 ACCOMMODATION FOR CAMP CHILDREN

Expenditure:- Item 320 Hourly paid staff decrease from £32,100 to £29,400.
Item 501 Local Air Fares, increase from £5,880 to £6,830.
Item 605 Gardener Stanley House £10, delete,
Item 801 Purchase two Greenhouses £10, delete.

HEAD 256 OVERSEAS TRAINING

Expenditure:- Item 602 Course fees increase from £500 to £2,000
Item 604 Training salaries, decrease from £20,000 to £15,000.

HEAD 301 CUSTOMS & HARBOUR

Establishment: Item 3 Delete 1 Clerk S25; Insert 1 Clerk S14 or S25.

HEAD 302 MV FORREST

Expenditure: Item 331 Medical Services Levy, increase from £520 to £630.

HEAD 351 PUBLIC WORKS - ADMIN

Expenditure: Item 310 Salaries, established staff, decrease from £38,100 to £32,230.

HEAD 352 BUILDINGS & GENERAL

Expenditure: Item 310 Salaries, established staff, decrease from £64,200 to £52,000.
Item 807 Amend to read "Maintenance costs Uniflote", increase from £100 to £2,000.

HEAD 354 PLANT & VEHICLE WORKSHOP

Revenue:- Item 101 Servicing charges, decrease from £108,000 to £97,900.
Item 102 Issue of vehicle spares to Departments, decrease from £144,800 to £124,690.

Expenditure:- Item 310 Salaries, established staff decrease from £38,440 to £33,000.
Item 605 Instalment due for purchase of plant under ECGD Scheme, £32,630 delete.

HEAD 355 POWER GENERATION

Revenue:- Item 101 Sale of electricity, increase from £500,000 to £660,000.

Expenditure:- Item 201 Fuel, increase from £325,000 to £347,750.
Item 606 Contribution to Stanley Power Station Renewals Fund, increase from £45,000 to £182,250.

HEAD 356 MUNICIPAL SERVICES (EXCLUDING WATER)

Revenue:- Insert Item 102 Reimbursement from MOD for use of garbage tip £12,000

Expenditure:- Item 310 Salaries, Established staff decrease from £13,880 to £13,000.
Item 403 Spares, decrease from £26,110 to £6,000.
Item 404 Servicing charges decrease from £18,100 to £8,000.
Item 602 Garbage Disposal Contract, decrease from £11,480 to £10,440.
Item 605 Stanley Roads, Bridges & Drains, increase from £3,000 to £13,000.
Item 606 Street Lighting, increase from £6,000 to £6,600.

HEAD 357 MUNICIPAL SERVICES - WATER

Revenue:- Item 102 Reimbursement for water used by MOD, increase from £87,000 to £140,000.

Expenditure:- Item 310 Salaries, established staff, decrease from £22,290 to £6,000.
Item 502 Electricity, increase from £26,960 to £29,660.
Insert Item 604 Transfer to Water Supply Plant Replacement Fund £53,000.

HEAD 358 HOUSING

Revenue:- Item 105 Sale of containers, £1,000 delete.

HEAD 359 REHABILITATION

Revenue:- Insert Item 104 Sale of containers £1,000.

HEAD 390 FOX BAY VILLAGE

Revenue:- Item 105 Sale of Diesel Fuel, increase from £200 to £1,000.

Expenditure:- Item 320 Wages, hourly paid, increase from £10 to £3,000.
Item 331 MSL contributions, increase from £20 to £50.
Insert Item 400 Vehicle costs £300.
Item 402 for vehicles £100, delete.
Item 403 Spares for vehicles £100, delete.
Item 404 Servicing charges £100, delete.
Item 607 generator maintenance & spares, increase from £1,000 to £3,000.
Item 612 Fire precautions & Equipment £2,520, delete.
Item 613 amend to Item 612.

HEAD 400 AGRICULTURE

Expenditure:- Item 502 Electricity £1,500, delete.
Item 503 Telephone £60, delete.

HEAD 450 JUSTICE

Revenue:- Item 101 Court fees and fines, increase from £4,000 to £6,000.
Item 102 Registration Fees, increase from £8,000 to £10,000.

Expenditure:- Item 310 Salaries, established staff, decrease from £42,250 to £35,000.
Item 334 Overseas passages - local, insert £530.
Item 801 Office equipment, decrease from £7,000 to £5,500.

Establishment: Item 3 Amend 1 Senior Magistrate/Registrar
High Court S2 to read "1 Senior Magistrate S1".

HEAD 500 MILITARY

Expenditure:- Item 323 Wages, decrease from £26,950 to £15,000.
Item 610 Transport, increase from £2,000 to £2,800.

HEAD 550 POLICE & PRISONS

Expenditure:- Item 310 Salaries, established staff, increase from £46,970 to £51,000.
Item 807 Traffic signs, decrease from £500 to £200.

Establishment: Item 1 Delete "Superintendent" insert "Chief Police Officer".

HEAD 601 SECRETARIAT

Expenditure:- Insert Item 333 Overseas passages, OSAS £3,600.
Item 335 Recruitment costs, decrease from £500 to £10.
Item 501 Local Air Fares, increase from £2,800 to £3,920.

Establishment: Item 6. Substitute Administrative assistant for Assistant Secretary - Liaison.
Item 10. 3 Clerks S25, Delete. Insert 1 Senior Clerk S14 and 1 Clerk/Secretary S25 or S14.
Item 11. Delete 1 Messenger S27. Insert 1 Clerk/Messenger S25.

HEAD 604 PRINTING

Expenditure:- Item 502 Electricity, increase from £6,600 to £7,260.
Item 601 Printing materials, increase from £3,820 to £5,120.

HEAD 700 SOCIAL WELFARE

Expenditure:- Item 601 Welfare Grants increase from £7,000 to £13,000.
Item 603, Subsidy to OAP Fund, decrease from £28,000 to £25,000.

HEAD 800 LEGISLATURE

Expenditure:- Item 601 Travel & Subsistence allowance, increase from £2,350 to £5,200.

HEAD 850 FALKLAND ISLANDS GOVERNMENT OFFICE

Expenditure:- Item 601 Travel Expenses, increase from £2,450 to £2,550.
Item 610 Rents & Rates, increase from £11,850 to £12,850.

HEAD 860 AGRICULTURE RESEARCH CENTRE

Expenditure:- Item 320 Wages, hourly paid, decrease from £7,200 to £7,000.
Item 502 Electricity, decrease from £13,200 to £13,000.
Item 603 Stores and materials, increase from £1,800 to £2,200.

HEAD 870 TRANSFER TO DEVELOPMENT FUND, insert £100,000.

HEAD 930 REIMBURSEMENT FROM HMG IN RESPECT OF OVERSEAS OFFICERS

Item 101 Passage costs, increase from £68,500 to £70,450.

APPENDIX E PLANT AND VEHICLES REPLACEMENT FUND

Expenditure:- Insert Item "Instalment due under ECGD Scheme for purchase of plant £32,630".

HEAD 951 DEVELOPMENT REVENUE - LOCAL FUNDS

Item 101 Transfer from Development Fund, increase from £72,010 to £168,530.

HEAD 951 DEVELOPMENT EXPENDITURE to be met from local funds

Item 903 Telecommunications, decrease from £1,000 to £10.
Item 911 Expansion Stanley Senior School, increase from £10 to £25,000.
Item 913 New Police Station & Cell Block, £10 delete.
Item 915 Jetty, Fox Bay Village, increase from £20,000 to £50,000.
Item 916 Four new houses, Fox Bay Village, increase from £60,000 to £62,520.
Item 919 Development of Philatelic Bureau/Library, decrease from £4,000 to £10.
Delete Item 927 Caravan Site, services £25,000. Insert Item 927 Transfer of Mobile Homes to Fox Bay Village £6,000.
Delete Item 931 Transfer of 4 additional Mobile Homes to Fox Bay Village £6,000. Insert Item 931 Caravan Sites, services £25,000.
Item 932 improvements Water Supply Fox Bay Village, increase from £3,000 to £30,000.
Item 934 Re-name "Renovation Diesel Tank, Fox Bay Village" decrease from £10,000 to £1,000.
Item 937 re-name "Assistance, Camp Link road" increase from £7,000 to £30,000.

HEAD 952 DEVELOPMENT REVENUE - UNITED KINGDOM AID

Item 107 Expansion Stanley School, increase from £60,000 to £240,000.

HEAD 952 DEVELOPMENT EXPENDITURE - to be met from UK aid

Item 907 Expansion Stanley Senior School, increase from £60,000 to £240,000.



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 3

28th OCTOBER 1985

Minutes of Meeting of Legislative Council
held 8th October 1985

MINUTES OF THE MEETING OF THE LEGISLATIVE COUNCIL
HELD ON TUESDAY, 8TH OCTOBER 1985

The Council assembled at 11.00 am on Tuesday, 8th October 1985,
His Excellency the Governor, Sir Rex Hunt, CMG, presiding.

PRESENT:

MEMBERS

Ex-Officio

The Honourable The Chief Executive
(Mr. D.G.P. Taylor)

The Honourable The Financial Secretary
(Mr. H.T. Rowlands OBE)

Elected

The Honourable A.T. Blake
(Elected Member for Camp Constituency)

The Honourable D.L. Clifton
(Elected Member for Stanley Constituency)

The Honourable C.D. Keenleyside
(Elected Member for Stanley Constituency)

The Honourable L.G. Blake OBE JP
(Elected Member for Camp Constituency)

The Honourable J.E. Cheek
(Elected Member for Stanley Constituency)

The Honourable R.M. Lee
(Elected Member for Camp Constituency)

The Honourable T.J.D. Miller
(Elected Member for Camp Constituency)

The Honourable Mrs. Norma Edwards
(Elected Member for Stanley Constituency)

PERSONS ENTITLED TO ATTEND

The Commander British Forces
(Air Vice-Marshal R.J. Kemball CBE RAF)

Attorney General
(Mr. M.C.Ll. Gaiger)

Acting Clerk: Mr. A.S. Brownlee

OPENING OF COUNCIL BY HIS EXCELLENCY THE GOVERNOR

Lady and gentlemen. In welcoming you to this first meeting of the Legislative Council under the new Constitution, I should like to congratulate you on your election to the Council and to wish you a fruitful and constructive term of office.

If I may say so, I consider that you have a very useful blend of youth and experience and, under your wise guidance, I am sure that these Islands will be well led over the next few years.

The purpose of calling this meeting so shortly after the general election is to enable you to elect from your number three members of Executive Council. Under normal circumstances the Executive Council would remain in being until the new Legislative Council meets after a general election. But I am advised that we are without an Executive Council this time because of the changeover from the old to the new Constitution. Standing Order number one of the Standing Rules and Orders of the Legislative Council provides for members of Legislative Council to be given not less than twenty-one days notice of a meeting. In cases of emergency Legislative Council may be summoned on such shorter notice as the Governor shall determine. I have used my power in this case as it is vital that we should not be without an Executive Council.

Before you can conduct business you must, as you know, swear or affirm allegiance. The procedure will be that each Member, commencing with the Chief Executive, will stand, face the Attorney General, swear or affirm, sign the oath or affirmation and hand it to the Clerk and sit down. All other members will remain seated. After the oaths have been sworn or affirmed we shall move to the election of Executive Councillors. The Constitution requires that elected Councillors should elect three of their number to Executive Council at the first meeting of Legislative Council after the general election. In the absence of a Standing Order providing for election to Executive Council, I propose you are each given a ballot paper containing all your names and ask you to mark the names, in turn, of three of your colleagues to represent you. This will be done in three stages. The first vote will be for a Camp representative; the second for a Stanley representative and the third for a Camp or Stanley representative.

I should perhaps point out that it is not necessary for a Member to be present here to be elected. As you know The Honourable Tim Blake is absent from this meeting representing the Falkland Islands at the annual Commonwealth Parliamentary Association Conference. But I ascertained from him before he left that he would be willing to serve on Executive Council if elected.

If you agree I will now appoint the Chief Executive and Financial Secretary as tellers and ask the Clerk to collect the first of the three ballot papers, which I understand he has already distributed, and then to distribute the others. Would you kindly signify your approval by raising your hands.

- All Honourable Members agreed to the proposal.

After this meeting you will be asked to choose two of your number to represent the Falkland Islands at the United Nations General Assembly, which at present is scheduled to take place on the 25th of November. I invite you to do this in the less formal atmosphere of my conference room at Government House. We now proceed with the administration of oaths.

Oaths were administered in the following order:

David George Pendleton Taylor

Harold Theodore Rowlands

Anthony Thomas Blake

John Edward Cheek

Norma Edwards

Timothy John Durose Miller

Darwin Lewis Clifton

Robin Myles Lee

Charles Desmond Keenleyside

PRAYERS

Prayers were then said by the Reverend H. Bagnall OBE, Rector of Christ Church Cathedral.

ELECTION OF MEMBERS OF EXECUTIVE COUNCIL

The election by elected Members of three of their number to Executive Council then took place by secret ballot. The President then announced the names of those elected, namely:

The Honourable A.T. Blake Camp representative

The Honourable D.L. Clifton Stanley representative

The Honourable C.D. Keenleyside Stanley representative

MOTION FOR ADJOURNMENT WITHOUT DEBATE

The Honourable the Chief Executive

Your Excellency, I beg to move that the Council adjourns sine die.

The Honourable the Financial Secretary

Your Excellency, I beg to second the Motion.

The President

The Motion is that the Council stands adjourned sine die. I declare the Council adjourned sine die.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCV

31 JANUARY 1986

No. 1

Appointments

Mrs. Vera Joan Bonner, Cashier, Treasury, 10.6.85.

Miss Katrina Clarke, Clerk, Public Service, 7.1.86.

Andrew John Watt, L.D.S., Dental Surgeon, Medical Department, 7.1.86.

Robert Charles Ashton, Police Constable, Falkland Islands Police Force, 12.1.86

Mrs. Rhona Smith, Clerk, Public Service, 13.1.86.

Miss Annagret Adams, Clerk, Public Service, 27.1.86.

Re-appointment

Peter Donald Naylor, Assistant Teacher, Education Department, 17.1.86.

Completion of Contract

Robert Muir Watson, Dental Surgeon, Medical Department, 18.1.86.

Resignations

Mrs. Maria Lilian Wallace, Secretary/Typist, Agricultural Research Centre, 4.1.86.

Mrs. Margaret Ann Goodwin (formerly Evans), Laboratory Assistant, Agricultural Research Centre, 12.1.86.

Leonard Middleton, Electrical Mechanic, Power Generation Section, Public Works Department, 28.1.86.

Promotion

Mrs. Sharon Marie Zuvic née Hewitt from Senior Clerk, Public Works Department to Office Manager, Public Works Department, 3.6.85.

NOTICES

No. 1. 2nd January 1986.

Intimation has been received from the Right Honourable the Secretary of State for Foreign and Commonwealth Affairs to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinances of the Colony —

No.	Title	Ref.
4/85	Appropriation (1985/86) Ord. 1985	TRE/14/22
5/85	Supplementary Appropriation (1980-84) Ordinance 1985	TRE/14/21
6/85	Old Age Pensions (Amendment) Ordinance 1985	TRE/2/1
7/85	Non-Contributory Old Age Pensions (Amendment) Ordinance 1985	TRE/2/2
8/85	Labour (Minimum Wage) (Amendment) Ordinance 1985	LEG/10/59
9/85	Education (Amendment) Ord. 1985	EDU/10/1
10/85	Road Traffic (Amendment) Ord. 1985	POL/10/5
12/85	Application of Enactments (Amendment) Ordinance 1985	MED/31/1
13/85	Public Health (Amendment) Ord. 1985	MED/10/2
14/85	Immigration (Amendment) Ord. 1985	IMM/10/1
		Ref. LEG/10/42.

No. 2.

6th January 1986.

The following revised list of Magistrates, Justices of the Peace and Commissioners for Oaths at present resident in the Colony and South Georgia is published for general information.

MAGISTRATES AND JUSTICES OF THE PEACE

H. Bennett, O.B.E., J.P.	...	...	22.7.46	...	...	Stanley
S. Miller, C.B.E., J.P.	...	...	3.6.55	...	...	Stanley
Mrs. J. Booth, J.P.	...	...	5.8.67	...	...	Stanley
W. H. Goss, M.B.E., J.P.	...	...	12.7.69	...	...	Stanley
Hon. L. G. Blake, O.B.E., J.P.	...	...	12.7.69	...	...	Hill Cove
J. D. Barton, J.P.	...	...	12.7.69	...	...	Teal Inlet
B. Hardcastle, J.P.	...	...	30.10.74	...	...	Darwin
J. R. Cockwell, J.P.	...	...	9.2.81	...	...	Fox Bay East
M. C. Ll. Gaiger, J.P., <i>Attorney General</i>	...	...	23.11.84	...	...	Stanley
R. Browning, <i>Magistrate (Licensing)</i>	...	...	18.10.85	...	...	Stanley
S. A. Booth, M.B.E., J.P.	...	...	28.2.85	...	...	Stanley
W. E. Bowles, J.P.	...	...	28.2.85	...	...	Stanley
Mrs. J. L. Cheek, J.P.	...	...	28.2.85	...	...	Stanley
H. M. Milne, J.P.	...	...	28.2.85	...	...	Stanley
T. G. Spruce, J.P.	...	...	28.2.85	...	...	Stanley
Mrs. E. J. Steen, J.P.	...	...	28.2.85	...	...	Stanley
R. W. Wilby, <i>Magistrate</i>	...	...	18.10.85	...	...	South Georgia
G. C. Byrne, <i>Senior Magistrate</i>	...	...	29.10.85	...	...	Stanley

COMMISSIONERS FOR OATHS

R. J. Ferguson	...	...	8.2.71	...	...	Weddell Island
W. R. Luxton	...	...	8.2.71	...	...	Chartres
S. R. Miller	...	...	8.2.71	...	...	Keppel Island
K. J. McPhee	...	...	8.2.71	...	...	Green Patch
R. B. Napier	...	...	8.2.71	...	...	West Point Island
R. M. Pitaluga, O.B.E.	...	...	8.2.71	...	...	Salvador
O. R. Smith	...	...	8.2.71	...	...	Johnsons Harbour
A. Pole-Evans	...	...	8.2.71	...	...	Saunders Island
Hon. A. T. Blake	...	...	23.3.73	...	...	Little Chartres
P. C. Robertson	...	...	23.11.73	...	...	Port Stephens
N. A. Knight	...	...	26.2.81	...	...	Fox Bay East
R. M. Lee	...	...	31.3.81	...	...	Port Howard
<i>Attorney General</i>	...	...	4.1.83	...	...	Stanley
Mrs. S. Halford	...	...	27.2.83	...	...	Stanley

Ref. LEG/19/5.

No. 3.

13th January 1986.

Medical Practitioners, Midwives and Dentists Ordinance
(Cap. 45) Section 4

The following persons have been registered to practise in the Colony, South Georgia, and the British Antarctic Territory —

<i>Medical Practitioners</i>	<i>Qualifications</i>
Harker, Clive Gerald	... M.B., Ch.B.
Maggs, Anthony Fergus	... M.B., Ch.B.
McAdam, Norena	... M.B., Ch.B., D.C.H., D.R.C.O.G., M.R.C.G.P.
McIlroy, Robert James	... M.B., Ch.B.
Pearce, Thomas	... M.B., Ch.B.
Tucker, Stephen Robert	... M.B., B.S.
Commanding Officer, British Military Hospital	

Midwives

Douse, Bronwen Vaughan.	B.E.M. S.R.N., S.C.M.
Harrod, Mandy	... S.R.N., S.C.M.
Pearce, Andrea	... R.G.N., S.C.M.
Taylor, Jennifer	... S.R.N., S.C.M.

Dentists

Watson, Robert Muir	... L.D.S., R.C.S.
Watt, Andrew	... L.D.S.

Ref. MED/7/3.

No. 4.

13th January 1986.

Marriage Ordinance (Cap. 43) Section 5

The following are registered as Ministers for celebrating marriages —

THE REVEREND HARRY BAGNALL, O.B.E., <i>Rector,</i> <i>Christ Church Cathedral</i>
THE REVEREND FATHER AUGUSTINE MONAGHAN, <i>Priest, Saint Mary's Church.</i>

Ref. INT/39/1.

No. 5.

28th January 1986.

School Terms 1986

Stanley Schools and recognised Camp Schools

- 1st Term — 6th February to 21st May (to include a holiday of one week to coincide with Camp Sports Week)
2nd Term — 5th June to 27th August
3rd Term — 18th September to 17th December

Provided that the number of days worked is not less than that specified above, term dates for recognised Camp schools may be modified to meet the convenience of farms.

Public Holidays

These apply to Stanley Schools, Recognised Camp Schools and Classes held by Travelling Teachers

Good Friday	...	...	28th March
Her Majesty the Queen's Birthday			21st April
Liberation Day	...	...	16th June (transferred)
Spring Holiday	...	...	6th October
Battle Day	...	...	8th December

Holidays for Itinerant Assistant Teachers

Tuition shall take place except during Public Holidays and the following periods —

19th December 1985 to 8th January 1986

Camp Sports Week

Three additional days (to be taken by arrangement with the Superintendent of Education)

18th December 1986 to 7th January 1987.

DAVID B. SMITH,
Superintendent of Education.

Ref. EDU/21/L.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of George Nathaniel Stewart, deceased of Fox Bay Village, Falkland Islands, who died at Fox Bay Village on the 6th day of September 1985.

WHEREAS William Arthur Etheridge, attorney for Murdo Finlayson Tait at present residing at 2 Woodland Way, Wivenhoe, Colchester, Essex, United Kingdom, has applied for Letters of Administration with the Will annexed to administer the estate of the deceased.

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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
Falkland Islands.
20th January 1986.
Ref. PRO/15/85.

THE EDUCATION ORDINANCE 1967

School (Amendment) Regulations Order 1986

No. 1 of 1986.

In accordance with Section 16 of the Education Ordinance 1967 the Governor in Council makes the following Order —

1. This Order may be cited as the School (Amendment) Regulations Order 1986, and shall come into force on the 1st day of January 1986.

Citation and commencement.

2. The School (Amendment) Regulations 1982 are amended by the revocation of Section 2, paragraph 4 (1) and the substitution of the following —

Amendment of School (Amendment) Regulations 1982.

"4. (1) For recognised Stanley schools the school year shall be of three terms, the first of fifteen weeks, the second of twelve weeks, and the third of thirteen weeks duration, so arranged to allow a holiday of one week to be taken during the first term and to coincide with Camp Sports Week, a holiday of two weeks between the first and second terms, three weeks between the second and third terms and seven weeks, commencing with and including the Thursday of the week preceding the week in which Christmas Day occurs; such dates are to be notified by publication in the Gazette."

Made this 28th day of January 1986.

G. W. JEWKES,
Governor.

WAGES AGREEMENT

The following agreement has been reached between the Government, the Falkland Islands Co., Ltd., and the General Employees' Union. The agreement shall be effective for a period of two years from 1st January 1986 and shall apply to the hourly paid Union employees of Government and the Falkland Islands Co., in Stanley.

1. Basis of Wage Rates.

Wages shall be adjustable by negotiation except that any changes arising from fluctuations in the cost of living, except as provided below, shall be automatic and date from the first day of the month following the quarter to which a review relates.

In measuring the cost of living for the purpose of wage adjustments an average of the findings of the last four preceding quarters shall be used. If however in any quarter the Index should exceed the average figure for the last four quarters by six points then the excess points will be taken into immediate account for the cost of living award. The award in respect of the excess points will be adjusted as necessary, in future quarterly reviews of the cost of living.

For the period of this agreement adjustments in wages arising from automatic cost of living awards shall be at the rate of 100% under the Cost of Living Award Scheme and shall apply to all employees coming within the scope of the Agreement including apprentices and young labourers.

(a) CRAFTSMEN.

All Craftsmen shall be paid at the full basic rate and the following trades shall be recognised :—

Carpenters and Joiners	Masons
Blacksmiths	Plumbers
Painters	Electricians
Motor Mechanics	

The normal entry to a trade shall be by a full term of apprenticeship, but special arrangements shall be made for the absorption of men already practising trades without previously serving apprenticeships. These arrangements are laid down in the apprenticeship regulations.

(b) HANDYMEN.

This term includes those employees doing skilled or semi-skilled work in one or more trades, but who have not served an apprenticeship nor have been recognised by the Apprenticeship Board.

(c) SLAUGHTERMEN AND LORRY DRIVERS.

Slaughtermen shall be provided with suitable protective clothing and footwear.

All drivers of petrol, steam or diesel engines, whether stationary or mobile, shall be paid for all working hours of the day on which the employee drives, irrespective of the period during which he is actually driving.

2. Prevailing Rates.

Class				Hourly Rate.
1. Tradesmen	...	...	...	£2.12½
2. *Apprentices	1st year	...	...	£1.71
	2nd year	...	...	£1.73
	3rd year	...	...	£1.77
	4th year	...	...	£1.82½
	5th year	...	...	£1.92½
* An apprenticeship should not commence before the 15th birthday.				
3. Handymen (according to ability)	...	...	...	£1.89½ to £2.01
4. Slaughtermen and tradesmen's mates	...	...	...	£1.88
5. Lorry Drivers, including men tending stationary engines or boilers	...	...	...	£1.89½
6. Tractor Drivers	...	...	...	£1.92½
7. Labourers	Age	...	...	Hourly Rate.
	15-16	...	...	£1.64½
	16-17	...	...	£1.72
	17-18	...	...	£1.77½
	18 and over	...	...	£1.87½
8. Plant Operator or Fitter Grade I	...	...	...	£2.12½
9. Plant Operator or Fitter Grade II	...	...	...	£1.91 to £2.02½
10. Launch Coxswain	...	...	...	£2.12½

The above hourly rates are minimum and employers may, if they so wish, offer higher rates, incentive bonuses, etc.

CASUAL LABOUR. There is now no work which justifies a casual labour rate.

3. Extra Payments.

(a) "DIRT" MONEY.

As a general guide, "Dirt" money should only be paid when the work in hand is substantially dirtier than the work which an employee is normally called upon to do. The precise rate for each job shall be agreed between Employer and Employees except that the following jobs shall automatically qualify for 26p per hour: Handling - cement in bags, filtration plant chemicals, gas oil, all drummed fuel, tar or bitumen, fertilisers; and crushing stone, or cleaning blocked sewers, oil burners and central heating appliances.

(b) HAZARDOUS WORK.

Employees working on isolated structures, such as masts, at heights over 20 feet from the ground or where the structure joins the main roof of a building, shall be paid from 8p to 15p per hour according to the risk involved. This does not apply to work on properly erected scaffolding or on roofs where the work can be carried out from a position where the workman's feet are on a secured ladder.

(c) INCONVENIENCE PAY.

Employees required, by the employer, to carry any meal shall receive 50p per meal. Employees required to sleep away from home in a recognised camp house or cook-house shall have their board and lodgings paid for by their employer.

(d) EXTRA SKILL OR RESPONSIBILITY.

(i) Any employee specifically detailed to supervise the work of three or more other employees shall receive 5p per hour extra while taking this responsibility.

(ii) Any labourer employed on semi-skilled work which would normally fall to a Handyman (e.g. painting, fencing, concrete laying) shall receive pay as a Handyman while engaged on this work. The precise rate shall be fixed by the employer according to the nature of the work and the skill of the particular labourer so employed. This will also apply to tallymen.

(e) PAINT SPRAYING.

Employees engaged on paint spraying shall be paid 5p per hour extra and no other allowance.

(f) TOOL ALLOWANCE.

A tool allowance of £16.50 per annum is payable at the commencement of each year to any tradesman or handyman who is required to provide his own tools and who has completed one year's continuous service with his employer. This allowance will not be paid where the necessary tools to carry out the duties are provided by the employer. The tool allowance shall be adjusted annually to take into account cost of living awards made during the course of the last four quarters.

4. Working Hours.

The normal working hours shall be 40 hours per week made up as follows -

Monday to Friday - 7.30 a.m. to 4.30 p.m. with Dinner break from noon till 1 p.m.

A refreshment break of fifteen minutes to be taken on site shall be allowed between 08.30 and 09.30 a.m., the precise time being laid down by the employer after consultation with employees.

Other hours of work may be laid down by mutual agreement between employers and employees, provided that the total number of hours does not exceed 40 per week.

5. Overtime.

- (a) Overtime shall be paid for all hours worked outside normal working hours and overtime rates shall be as follows -

TIME AND A HALF.

- (i) Between the end of the normal day and midnight.
- (ii) From 6 a.m. to the start of the normal working day, provided that work did not start before 6 a.m.

DOUBLE TIME.

- (i) Between midnight and 6 a.m.
- (ii) From 6 a.m. to the start of the normal working day, if work commenced before 6 a.m.
- (iii) On Sundays and recognised Public Holidays.
- (iv) For meal hours or parts thereof, if work continues through the normal working day without a full meal-hour break.
- (v) Double time rates shall also be paid during normal working hours if, exceptionally, an employee starts work before midnight and continues without a break into normal working hours. Double time rates shall then continue to apply until there is an (unpaid) break from work exceeding four hours, after which the normal rates will again apply.

STAND-BY TIME

If a person is asked to turn out at week-ends he shall be paid stand-by time between the hours of 7.30 a.m. and 4.30 p.m. Stand-by time will cease as soon as work commences.

Stand-by time will be paid at the rate of time and a half for Saturdays and double time for Sundays.

- (b) An unpaid meal hour shall be allowed at a reasonable time if overtime is expected to continue for more than two hours beyond normal finishing time, and a paid refreshment break of not more than fifteen minutes shall be allowed in each subsequent 4-hour period.
- (c) Overtime is voluntary and an employee shall not be dismissed if he objects to working outside normal working hours. However, certain jobs may require attendance at times outside the normal hours and in these cases employees shall be given the option of a 40-hour week by allowing time off during normal working hours, at a time to be agreed with the employer.

6. Public Holidays.

In addition to receiving double time for working on a public holiday employees shall be entitled to 8 hours holiday.

7. Holidays.**(a) ANNUAL HOLIDAYS.**

All employees shall be entitled to accumulate holidays at the rates and to the maximum hereinafter set out, namely —

<i>Earning rate per month of continuous service</i>	<i>Maximum accumulation</i>
12 hours	400 hours

In the event of an employee terminating his service prior to the completion of the first six months of service he shall forfeit any holiday entitlement not taken.

Paid holidays may be taken at a time to be mutually agreed upon.

(b) PUBLIC HOLIDAYS.

These are days on which Government Offices are closed by notification in the Gazette and the following nine days shall be paid holidays for all employees:—

New Year's Day, Good Friday, The Queen's Birthday and Commonwealth Day, Liberation Day, October Bank Holiday, Anniversary of Battle of Falkland Islands, Christmas Day, Boxing Day, and one other day to coincide with the Annual Stanley Sports Meeting.

- (c) Any allowance or special rates earned on both the working day preceding *and the working day following* the holiday shall be paid for the holiday.
- (d) When a dated holiday falls on a Saturday or a Sunday the next working day shall be the holiday.

8. Sick Pay.

- (a) Employees who have not completed three months' service with their employer shall not be entitled to sick pay.
- (b) If sickness lasts for more than two working days an employee shall be entitled to the following sick pay commencing on the first day of sickness upon the production of a medical certificate but the periods listed below being limited to the total number of entitled weeks within a 52 week period from the first day of sickness —
 - (i) Employees who have completed three months' service with their employer —
 - Full pay for the first three weeks.
 - Half pay for the fourth and fifth weeks.
 - (ii) Employees who have completed two years service with their employer —
 - Full pay for the first six weeks.
 - Half pay for the following twelve weeks.
 - (iii) Employees who have completed three years' service with their employer —
 - Full pay for the first eight weeks.
 - Half pay for the following sixteen weeks.
- (c) Full pay shall be paid for any Public Holiday which falls during the first six weeks of sickness, provided that the employee, when he has recovered, returns to work for the same employer.

- (d) An employer may demand a medical certificate before making any payment in respect of sick pay.
- (e) The Workmen's Compensation Ordinance shall apply in cases of sickness resulting from accidents at work. The Foreman and the Union Delegate must confirm in writing any accident at work.

9. Termination of Employment.

Except in the case of misdemeanour, when an employee may be summarily dismissed, the following notice of termination of employment shall be given by both employer and employee –

- (i) Employees who have completed ten years' service with their employer –
One month's notice.
- (ii) Employees who have completed five years' service with their employer –
Two weeks' notice.
- (iii) All other employees –
One week's notice.

If desired employers may pay wages in (i), (ii) or (iii), as appropriate, in lieu of giving notice.

10. General.

- (a) When a party of employees is required to carry meals to their work, one employee shall be allowed reasonable time to heat meals for the rest of the party.
- (b) Individual employers may lay down the times when employees shall appear for their wages, provided that the payment is completed within normal working hours.
- (c) An official or delegation of a recognised union may, with the employer's consent, attend at a job or shop at any time to interview workmen, but no meeting shall take place in working hours without the express permission of the employer. If a dispute arises, the employer or his nominee shall interview, by appointment, any official representative of his employees.
- (d) All employers shall display for the benefit of their employees copies of Regulations and Rules pertaining to wages and conditions of service of workers.
- (e) All employers shall ensure that tractors are fitted with safety cabs.

11. Redundancy.

In the event of employees becoming redundant through closure of employment or cut-backs in staff, employers should give three months notice of such cut-back or closure of employment. Employers should consult with F.I.G.E.U. in cases of impending redundancy. This clause to be in the agreement only until such time that there is local legislation on the subject of redundancy.

12. 1987 Wage Adjustment.

All employees coming within the scope of this Agreement shall be entitled to receive on 1st January 1987 a wage increase of 2% of their hourly rates of pay after taking into account any cost of living awards granted PRIOR to the award in respect of the quarter ending 31st December 1986.

13. Employers / Employees Meetings.

Regular meetings, preferably quarterly, shall be held between the Government, the Falkland Islands Company Limited and the General Employees' Union.



THE FALKLAND ISLANDS GAZETTE (Extraordinary)

PUBLISHED BY AUTHORITY

Vol. XCV

6 FEBRUARY 1986

No. 2

PROCLAMATION

No. 1 of 1986

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY GORDON WESLEY JEWKES, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands.

WHEREAS Section 28 (2) of the Falkland Islands Constitution Order 1985 provides that whenever an elected member of the Legislative Council vacates his seat for any reason, other than a dissolution of the Council, an election shall be held to fill the vacancy, on such date as the Governor shall appoint by Proclamation published in the Gazette, within 70 days of the occurrence of the vacancy.

AND WHEREAS it is necessary to make arrangements to fill a vacancy which occurred in the Camp Constituency on 13th January 1986.

NOW THEREFORE I, GORDON WESLEY JEWKES do HEREBY APPOINT the 19th and 20th of March 1986 as the days on which a By-Election shall take place to fill the vacancy which has occurred.

Given under my hand and the Public Seal of the Colony of the Falkland Islands this 4th day of February in the year of Our Lord One thousand Nine hundred and Eighty-six.

LS

G. W. JEWKES,
Governor.

GOD SAVE THE QUEEN

WRIT OF ELECTION

To the Returning Officer Camp Constituency

WHEREAS Section 28 (2) of the Falkland Islands Constitution Order 1985 provides for the filling of vacancies which occur on the Legislative Council.

AND WHEREAS Section 13 (1) of the Legislative Council (Elections) Ordinance provides that the Governor shall for the purpose of any election issue writs of election.

NOW THEREFORE I, GORDON WESLEY JEWKES, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands do direct that

- (a) you receive nominations of duly qualified candidates for election to the Legislative Council at Fox Bay East on the 6th day of March 1986;
- (b) should you receive nominations for more than one candidate take a poll of electors for the election of one candidate on the 19th and 20th days of March 1986 at the places set out in the Appendix to this Writ and such other places as may be necessary and practicable;
- (c) you return this writ endorsed as provided by law on or before the 21st day of March 1986.

Given under my hand and the Public Seal this 4th day of February 1986.



G. W. JEWKES,
Governor.

APPENDIX

Darwin	Rincon Grande
Goose Green	Douglas Station
Lively Island	Teal Inlet
Walker Creek	Salvador
North Arm	Bluff Cove
Fitzroy	Port Stephens
Speedwell Island	New Island
Fox Bay West	West Point Island
Weddell Island	Carcass Island
Beaver Island	Saunders Island
Fox Bay East	Hill Cove
Port Howard (Packes)	Chartres
Golding Island	Port Howard
Dunnose Head	Sea Lion Island
Pebble Island	Port Louis
Keppel Island	Swan Island
San Carlos	Great Island
Port San Carlos	Green Patch Old Settlement
Johnson Harbour	Roy Cove Old Settlement.



THE FALKLAND ISLANDS GAZETTE

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26 FEBRUARY 1986

No. 3

Appointments

Miss Diane Lord, Secretary, Justice Department, 3.2.86.

Peter Julian Williams, Houseparent, Stanley School Hostel, Education Department, 4.2.86.

Mrs. Donna Williams, Houseparent, Stanley School Hostel, Education Department, 4.2.86.

Miss Jacqueline Margaret Robertson, Assistant Teacher, Education Department, 5.2.86.

Acting Appointments

Mrs. Phyllis Stewart, Acting Manager, Philatelic Bureau, Posts & Telecommunications Department, 15.11.85 - 4.12.85 and 3.1.86 - 7.2.86.

Rudy Thomas Clarke, Acting Mechanical Superintendent Plant & Vehicle Workshop, Public Works Department, 2.12.85 - 23.2.86.

Promotion

Andrew Samuel Brownlee from Executive Officer, Secretariat to Assistant Secretary, Secretariat, 1.12.85.

Completion of Contracts

Miss Katherine Mary Nelson, Assistant Teacher, Education Department, 2.2.86.

Miss Christine Campbell, Assistant Teacher, Education Department, 3.2.86.

NOTICES

No. 6

25th February 1986.

The Falkland Islands Government regrets to announce the death of SIR MILES CLIFFORD, K.B.E., C.M.G., on Friday, 21st February. Sir Miles Clifford was Governor and Commander in Chief for the Falkland Islands from 1946 to 1954. A message of sympathy to Lady Clifford has been sent by the Falkland Islands Government which reads as follows —

The Governor and Councillors of the Falkland Islands would like to offer you their sincerest sympathy in your great loss. Many here will remember Sir Miles' distinguished Governorship and will be much saddened by the news. He will be long remembered in the Islands.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint —

SERGEANT RICHARD THORNTON WILSON, R.A.F., to be a temporary Customs Officer with effect from 21st February 1986 to the 20th June 1986

L. J. HALLIDAY.
Collector of Customs.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of Kenneth Claude Summers, deceased of Stanley, Falkland Islands, who died at Stanley on the 13th day of February 1983, intestate.

WHEREAS Edith Catherine Summers 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
 Falkland Islands.
 6th February 1986.
 PRO/1/86.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of Clarvis Edward Clasen, deceased of Goose Green, Falkland Islands, who died at Goose Green on the 14th day of October 1985, intestate.

WHEREAS Mally Clasen 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley.
 Falkland Islands.
 6th February 1986.
 PRO/2/86.

THE COLONY OF THE FALKLAND ISLANDS

LEGISLATIVE COUNCIL (ALLOWANCES) ORDINANCE 1977

Legislative Council (Allowances) Order 1986

No. 2 of 1986.

In accordance with Section 3 of the Legislative Council (Allowances) Ordinance 1977 the Governor in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Legislative Council (Allowances) Order 1986 and shall have effect from the 8th day of October 1985.

Members' allowances.

2. Elected Members of Legislative Council shall receive the following allowances —

- (a) Members for Stanley Constituency - £500 per annum.
- (b) Members for Camp Constituency - £750 per annum plus reasonable actual expenses on travel on Council business.

Revocation of Order No. 4 of 1978.

3. The Legislative Council (Allowances) Order 1978 is revoked.

Made at Stanley this 4th day of February 1986.

G. W. JEWKES,
Governor.

THE COLONY OF THE FALKLAND ISLANDS

Appointment of Temporary Registrar

In exercise of the powers conferred upon me by Section 4 of the Marriage Ordinance I, GORDON WESLEY JEWKES, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands

HEREBY APPOINT

ANTHONY RICHARD CHATER a Registrar for the purpose of the marriage at New Island of Michael Sturdee Goodwin and Sandra Lydia Ward.

Given under my hand at Stanley this 11th day of February 1986.

G. W. JEWKES,
Governor.



THE
FALKLAND ISLANDS GAZETTE
(Extraordinary)
PUBLISHED BY AUTHORITY

Vol. XCV

10 MARCH 1986

No. 4

PROCLAMATION

No. 2 of 1986

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY GORDON WESLEY JEWKES, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands.

WHEREAS Section 28 (2) of the Falkland Islands Constitution Order 1985 provides that whenever an elected member of the Legislative Council vacates his seat for any reason, other than a dissolution of the Council, an election shall be held to fill the vacancy, on such date as the Governor shall appoint by Proclamation published in the Gazette, within 70 days of the occurrence of the vacancy.

AND WHEREAS it was necessary to make arrangements to fill a vacancy which occurred in the Camp Constituency on the 13th day of January 1986.

AND WHEREAS no candidate was nominated for election on the day set for receipt of such nominations and a vacancy therefore remains in the said constituency.

NOW THEREFORE I, GORDON WESLEY JEWKES do HEREBY APPOINT the 16th and 17th April 1986 as days on which a By-Election shall now take place to fill the vacancy which has occurred.

Given under my hand and the Public Seal of the Colony of the Falkland Islands this 7th day of March in the year of Our Lord One thousand Nine hundred and Eighty-six.



G. W. JEWKES,
Governor.

GOD SAVE THE QUEEN

WRIT OF ELECTION

To the Returning Officer Camp Constituency

WHEREAS Section 28 (2) of the Falkland Islands Constitution Order 1985 provides for the filling of vacancies which occur on the Legislative Council other than on a dissolution of the Council.

AND WHEREAS Section 13 (1) of the Legislative Council (Elections) Ordinance provides that the Governor shall for the purpose of any election issue writs of election.

AND WHEREAS a vacancy having occurred in the Camp Constituency, a writ of election was issued on the 4th February 1986.

AND WHEREAS no candidate was nominated for election on the day set for receipt of such nominations and a vacancy therefore remains in the said Constituency.

AND WHEREAS Regulation 8 of the Constitutional (Qualification, nomination and election of Candidates) Regulations 1985 provides for the issue of a further Writ of Election.

NOW THEREFORE I, GORDON WESLEY JEWKES, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands do direct that

- (a) you receive nominations of duly qualified candidates for election to the Legislative Council at Fox Bay East on the 3rd day of April 1986;
- (b) should you receive nominations for more than one candidate take a poll of electors for the election of one candidate on the 16th and 17th days of April 1986 at the places set out in the Appendix to this Writ and such other places as may be necessary and practicable;
- (c) you return this writ endorsed as provided by law on or before the 18th day of April 1986.

Given under my hand and the Public Seal this 7th day of March 1986.



G. W. JEWKES,
Governor.

APPENDIX

Darwin	Rincon Grande
Goose Green	Douglas Station
Lively Island	Teal Inlet
Walker Creek	Salvador
North Arm	Bluff Cove
Fitzroy	Port Stephens
Speedwell Island	New Island
Fox Bay West	West Point Island
Weddell Island	Carcass Island
Beaver Island	Saunders Island
Fox Bay East	Hill Cove
Port Howard (Packes)	Chartres
Golding Island	Port Howard
Dunnose Head	Sea Lion Island
Pebble Island	Port Louis
Keppel Island	Swan Island
San Carlos	Great Island
Port San Carlos	Green Patch Old Settlement
Johnson Harbour	Roy Cove Old Settlement.



THE FALKLAND ISLANDS GAZETTE

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28 MARCH 1986

No. 5

Promotion

William Davies from Senior Carpenter, Public Works Department to Clerk of Works, Public Works Department, 1.3.86.

Completion of Contracts

Albert John Reid, Development Officer, Secretariat, 23.3.86.

Miss Marjory Anderson, Assistant Teacher, Education Department, 25.3.86.

Harold Watson, Senior Electrician, Electrical Section, Public Works Department, 25.3.86.

NOTICES

No. 7. 18th March 1986.

The findings of the Cost of Living Committee for the quarter ended 31st December 1985 are published for general information —

<i>Quarter ended</i>	<i>Percentage increase over 1971 prices</i>
31st December 1985	429.61%

2. Hourly paid employees in Stanley qualify for an increase of 2p per hour with effect from 1st January 1986.

No. 8. 20th March 1986.

With reference to Gazette Notice No. 3 of 13th January 1986 the following names are hereby added to the list of Medical Practitioners, Midwives and Dentists registered to practise in the Colony in accordance with Section 4 of the Medical Practi-

tioners, Midwives and Dentists Ordinance (Cap 45):

<i>Medical Practitioner</i>	<i>Qualifications</i>
Roberts, Gareth	M.B., B.S.
<i>Midwife</i>	
Fitzgerald, Wendy Joan	S.R.N., S.C.M.
	Ref. MED/7/3.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of Stanley Peter Johnson, deceased of Stanley, Falkland Islands, who died at Stanley on the 15th day of December 1985, intestate.

WHEREAS Trudi Malvina Newell 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
Falkland Islands.
10th March 1986.
PRO/3/86.



BY THE QUEEN A PROCLAMATION

DETERMINING THE SPECIFICATIONS AND DESIGN FOR, AND GIVING CURRENCY
TO, TWO SILVER TWO POUNDS COINS IN THE FALKLAND ISLANDS

ELIZABETH R.

We, in exercise of the powers conferred by section 11 of the coinage Act 1870, section 2 (3) of the Decimal Currency Act 1967, and of all other powers enabling Us in that behalf do hereby, by and with the advice of Our Privy Council, proclaim, direct and ordain as follows —

1. This Proclamation shall be published in the Official Gazette of the Falkland Islands and shall come into force there on the date of such publication.

2. (1) The following new coins, being coins of the denomination of two pounds, a standard weight of 28.2759 grammes, a standard diameter of 38.608 millimetres and a circular shape, shall be made —

- (a) a silver coin of millesimal fineness 925; and
- (b) a silver coin of millesimal fineness 500.

(2) In the making of the said coins a remedy (that is, a variation from the standard weight, diameter or millesimal fineness specified above) shall be allowed of an amount not exceeding the following, that is to say —

- (a) a variation from the said standard weight of an amount per coin (measured as the average of a sample of not more than one kilogramme of the coin) of 0.1296 grammes;
- (b) a variation from the said standard diameter of 0.125 millimetres per coin; and
- (c) a variation from the said millesimal fineness of 5.

3. The design for each coin shall be as follows —

- (a) For the obverse impression Our effigy with the inscription "QUEEN ELIZABETH II" to the left of the portrait, with "FALKLAND ISLANDS" to the right and at the bottom "TWO POUNDS".
- (b) The reverse impression to portray a member of the Falkland Islands rifle team with the inscription "XIII COMMON-WEALTH GAMES 1986".
- (c) Every coin shall have a graining upon the edge.

4. The said coins shall be current within Our Colony of the Falkland Islands.

Given at Our Court at Buckingham Palace, this twelfth day of February in the year of our Lord One thousand nine hundred and eighty-six and in the thirty-fifth year of Our Reign.

GOD SAVE THE QUEEN

THE COLONY OF THE FALKLAND ISLANDS

PUBLIC HEALTH ORDINANCE Cap. 54

The Board of Health (Amendment) By Laws 1986

In accordance with Section 18 of the Public Health Ordinance and with the consent of the Governor in Council the Public Health Board makes the following by laws —

1. These by laws may be cited as the Public Health (Amendment) By Laws 1986. Citation.

2. The Public Health By Laws are amended by —

(a) the deletion of the word "medical" after the word "any" from By Law 4.

Amendment of Public
Health By Laws.

(b) the substitution for the first paragraph in By Law 5 of the following —

"Building
Committee.

5. There shall be a building committee (in these laws referred to as "the Building Committee") which shall have the following duties —

(c) the substitution for By Law 6 of the following —

"Membership of
Building
Committee.

6. (1) The building committee shall consist of —

(a) a Chairman who shall be an elected member of Executive Council or his alternate who shall likewise be an elected member of Executive Council both of whom shall be appointed by the Governor in Council;

(b) the Chief Medical Officer or his representative;

(c) the Director of Public Works or his representative."

(d) the substitution of "building committee" for "sub-committee" in By Law 7.

(e) the substitution of "building committee" for "Board" in By Laws 8 to 44.

(f) the substitution of "Chairman" for "President" in By Law 8 (c).

(g) the substitution of "Chief Medical Officer" for "Senior Medical Officer" and "Director of Public Works" for "Executive Engineer" throughout the by laws.

(h) the revocation of By Law 71.

3. The Board of Health By Laws shall be in force as amended herein with effect from the 28th day of February 1986.

T. PEARCE,
Chairman.

C. KEENLEYSIDE,
Secretary, Board of Health.



THE FALKLAND ISLANDS GAZETTE (Extraordinary) PUBLISHED BY AUTHORITY

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10 APRIL 1986

No. 6

NOTICES

No. 9. 2nd April 1986.

Marriage Ordinance (Cap. 43) Section 5

With reference to Gazette Notice No. 4 of 13th January 1986, the following name is added to the list of Ministers for celebrating marriages —

THE REVEREND FATHER PATRICK LITTLEWOOD,
Priest, St. Mary's Church.

Ref. INT/39/1.

No. 10. 8th April 1986.

The Legislative Council (Elections) Ordinance (Cap 37) and the Constitutional (Qualification, Nomination and Election of Candidates) Regulations 1985

Notice of Election

In accordance with Section 19 of the Legislative Council (Elections) Ordinance, Cap 37, I give notice that a Poll will be taken on Wednesday, 16th April 1986, at Fox Bay Village, West Falkland, for the election of a member to the Legislative Council for the Camp Constituency.

2. The candidates for election are as follows —

<i>Candidate</i>	RONALD ERIC BINNIE
<i>Proposer</i>	Fanny Davidson Ford
<i>Seconder</i>	Charles David Ford
<i>Supporters</i>	Leonard Ford Gary George Hewitt Margaret Ann Hewitt John Jaffray Janet Jaffray Dennis Whitney Colin Stewart Ford

<i>Candidate</i>	ERIC MILLER GOSS
<i>Proposer</i>	Nanette Rose Morrison
<i>Seconder</i>	Stewart Morrison
<i>Supporters</i>	Violet Sarah Morrison Ronald Terence Morrison Philip Hutton Simon Keith Sinclair Thomas George Beattie Barry Donald Finlayson Neil Roderick Finlayson

<i>Candidate</i>	KEVIN SEATON KILMARTIN
<i>Proposer</i>	Darren Livermore
<i>Seconder</i>	Dinah May Kilmartin
<i>Supporters</i>	Gladys Mary Robson Gary George Hewitt Nigel Peter Morrison Colin Stewart Ford Leonard Ford Roderick John McKay Norman George Parrin

<i>Candidate</i>	TIMOTHY JOHN DUROSE MILLER
<i>Proposer</i>	Kenneth Frederick Berntsen
<i>Seconder</i>	Arena Janice Berntsen
<i>Supporters</i>	James Forster Gwyneth May Forster Sharon Elizabeth Middleton Dennis Michael Middleton Lena Morrison Leslie Theodore Norman Morrison Robin Myles Lee.

Ref. LEC/20/9.

No. 11.

8th April 1986.

By-Election (Camp)

It is notified for general information that the following persons have been appointed Presiding Officers and Deputy Presiding Officers for duties in connection with the by-election to be held on the 16th and 17th April 1986.

Presiding Officers

ANDREW SAMUEL BROWNLEE
 VERNON THOMAS KING
 TONY PETTERSSON
 SHARON HALFORD
 PETER THOMAS KING
 PETER DUROSE FELTON
 DEREK FRANK HOWATT

Deputy Presiding Officers

CANDY JOY BLACKLEY
 JAMES STANLEY SMITH
 NATALIE MARIANNE MCPHEE
 PHYLLIS MARJORY STEWART
 PETER JULIAN BASIL BIGGS
 CAROL ROSINA CANT
 JAMES STEPHENSON.

Ref. LEC/20/9.

No. 12.

8th April 1986.

By-Election (Camp)

In accordance with Section 22 of the Legislative Council (Elections) Ordinance His Excellency the Governor has appointed the hours of polling in the Camp Constituency to be 8 a.m to 8 p.m.

Ref. LEC/20/9.



THE FALKLAND ISLANDS GAZETTE

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28 APRIL 1986

No. 7

Appointments

David Anthony Coker, Design Engineer, Public Works Department, 6.4.86.

Miss Sherree Alazia, Clerk, Public Service, 10.4.86.

Simon John Pickhaver, Assistant Teacher, Education Department, 13.4.86.

Richard Sawle, Teacher of Spanish, Education Department, 13.4.86.

Resignation

Miss Rose Mary Short, Clerk, Public Service, 8.4.86.

NOTICES

No. 13. 14th April 1986.

The findings of the Cost of Living Committee for the quarter ended 31st March 1986 are published for general information —

<i>Quarter ended</i>	<i>Percentage increase over 1971 prices</i>
31st March 1986	434.04%

2. Hourly paid employees in Stanley qualify for an increase of 1½p per hour with effect from 1st April 1986.

Ref. INT/2/3.

No. 14.

14th April 1986.

The Prisons Ordinance 1966

It is notified that the following have been appointed members of the Board of Visiting Justices for 1986 —

GERARD CARMEL BYRNE, *Senior Magistrate*

JANET LYNDA CHEEK, J.P.

TERENCE GEORGE SPRUCE, J.P.

Ref. POL/19/1.

No. 15.

18th April 1986.

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE (CAP 37) AND THE CONSTITUTIONAL (QUALIFICATION, NOMINATION AND ELECTION OF CANDIDATES) REGULATIONS 1985

Notice of Election

In accordance with Regulation 11 of the Constitutional (Qualification, Nomination and Election of Candidates) Regulations 1985, I give notice that

ERIC MILLER GOSS

at a poll taken on 16th April 1986 has been elected as a member of the Legislative Council for the Camp Constituency.

G. W. JEWKES,
Governor.

Ref. LEC/20/9.

No. 16. 18th April 1986.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE
The Taxes and Duties (Special Exemptions) Resolution
No. 10 of 1985

It is hereby notified that the Taxes and Duties (Special Exemptions) Resolution No. 10 of 1985, applies to —

FAIRCLOUGH INTERNATIONAL CONSTRUCTION LIMITED
MILLER CONSTRUCTION (NORTHERN) LIMITED

the Financial Secretary being satisfied that the said companies are sub-contractors for the works referred to in paragraph 3 (a) of the said Resolution.

Ref. INC/10/6.

No. 17. 18th April 1986.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE
The Taxes and Duties (Special Exemptions) Resolution
No. 12 of 1985

It is hereby notified that the Taxes and Duties (Special Exemptions) Resolution No. 12 of 1985, applies to —

ALLIED CLADDING AND ERECTION SERVICES LIMITED
ENTERPRISE HOLDINGS (STOCKPORT) LIMITED

the Financial Secretary being satisfied that the said companies are sub-contractors for the works referred to in paragraph 3 (a) of the said Resolution.

Ref. INC/10/6.

No. 18. 22nd April 1986.

Air Navigation (Overseas Territories) Order 1977

With reference to Gazette Notice No. 6 dated 17th February 1984, His Excellency the Governor has issued aerodrome licences to —

LICENSEE	AIRSTRIPE	DATE OF LICENCE
Port San Carlos Ltd	Cape Dolphin	12.4.86
Mr. P. Goss	Horseshoe Bay	12.4.86
Mr. P. Short	San Carlos	
	(House strip)	12.4.86.

Ref. AIR/1/4c.

No. 19. 24th April 1986.

It is notified for general information that a Committee, comprising the following persons, has been established to supervise the preparation of a new Index of Retail Prices.

Chairman	Financial Secretary
Secretary & Government Representative	Deputy Financial Secretary
Falkland Islands Company Representative	Mr. D. Castle
General Employees Union Representative	Mr. T. S. Betts
Civil Servants Association Representative	Mrs. Kathleen Clarke
Councillor with Special Responsibility for Treasury Department	The Honourable C. D. Keenleyside
OBSERVER: Secretary Sheep-Owners Association	The Honourable Mrs. N. Edwards.

Ref. INT/2/2.

Application for Licence under the provisions of the Licensing Ordinance (Volume I Cap. 38)

In accordance with the provisions of the Licensing Ordinance an application has been made by —

MR. AND MRS. J. POLLARD — STANLEY

for a Restaurant Licence for the premises to be known as "Monty's", presently the Kelper Store situated at 40 John Street, Stanley.

Provided that no objection be taken to the granting of the licence before 21st May 1986 the same will be granted.

The Treasury,
Stanley.
28th April 1986.

H. T. ROWLANDS,
Financial Secretary.

PROCLAMATION

No. 3 of 1986

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY GORDON WESLEY JEWKES, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands.

WHEREAS it is provided by Section 32(2) of the Constitution that each session of the Legislative Council shall terminate when the Council is prorogued;

AND WHEREAS it is provided by Section 32(1) of the Constitution that each session of the Legislative Council shall be held at such place and shall begin at such time as the Governor may appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, GORDON WESLEY JEWKES, do hereby PROCLAIM that the Legislative Council shall be prorogued on Wednesday the 21st day of May 1986;

AND THAT the next session of the Legislative Council shall be held at the Court and Council Chamber of the Town Hall, Stanley, and shall begin at 11.00 in the forenoon on Wednesday the 28th day of May 1986.

Given under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 14th day of April in the year of Our Lord One thousand Nine hundred and Eighty-six.



G. W. JEWKES,
Governor.

GOD SAVE THE QUEEN

Ref. LEC/35/1.

THE FISHERIES ORDINANCE Cap 27

The Fisheries (Transshipment and Export) Regulations Order 1986

No. 3 of 1986.

In accordance with Section 3 of the Fisheries Ordinance Cap 27 the Governor in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Fisheries (Transshipment and Export) Regulations Order 1986 and shall commence on the 1st day of April 1986.

Interpretation.

2. In these Regulations unless the context otherwise requires:

“the Director of Fisheries” means the Chief Executive or any person to whom he may delegate any of the functions or powers of the Director of Fisheries under these Regulations;

“Falkland Islands fishing vessel” means a fishing vessel declared to be a Falkland Islands fishing vessel by the Governor in Council;

“fish” means any marine animal not being a mammal or bird, whether fresh or cured including shell fish and any part of such animal and includes fish meal;

“fisheries protection officer” means any officer of the Falkland Islands Government or of the Falkland Islands Police or any person appointed as a fisheries protection officer by the Director of Fisheries;

“fishing vessel” includes any ship, boat or other vessel used for fishing or transporting or processing fish;

“foreign fishing vessel” means a fishing vessel that is not a Falkland Islands fishing vessel;

“government vessel” means any vessel owned or chartered by or operated on behalf of the Falkland Islands Government or any vessel declared by the Governor in Council to be a government vessel;

“person” includes any body of persons corporate or incorporate;

“recognised harbour” means Berkeley Sound, Port William or any other place declared by the Governor in Council to be a recognised harbour.

No person to tranship fish in or export fish from Falkland waters without a licence.

3. No person being aboard a foreign fishing vessel or being a member of the crew of or attached to or employed on a foreign fishing vessel, shall

(a) tranship fish in or transport any fish that has been so transhipped from the internal or territorial waters of the Falkland Islands (hereafter referred to as “Falkland waters”) without a licence given by or under the authority of the Director of Fisheries;

(b) tranship fish in Falkland waters except in a recognised harbour.

Grant of licence by the Director of Fisheries.

4. (1) The Director of Fisheries subject to Regulation 5 (2) may, on receipt of an application referred to in regulation 3, issue a licence authorising the crew of a foreign fishing vessel in Falkland waters to

(a) tranship fish in, or

(b) transport fish from Falkland waters.

(2) The fees payable for a licence issued pursuant to this Regulation shall be those set out in the Schedule.

(3) The Schedule may be amended by declaration by the Governor in Council which shall be published in the Gazette.

5. When licence fees for a foreign fishing vessel are not paid within 90 days from the date of invoicing the licence for that vessel shall be cancelled.

Cancellation of licence for non-payment of fees.

6. (1) Subject to subregulation (2) an application for a licence referred to in Regulation 3 shall be made to the Director of Fisheries by the owner, charterer, master or agent for the owner or charterer of the foreign fishing vessel in the form prescribed from time to time by the Director of Fisheries not less than 7 days before the licence is required.

Applications for licence.

(2) The Director of Fisheries may in his absolute discretion accept an application made less than 7 days before the licence is required.

7. An applicant for a licence referred to in Regulation 3 shall forward with an application under Regulation 6(1) the following information:

Information required on application for a licence.

- (a) the name, gross and net tonnage of the vessel, and its crew complement;
- (b) the flag, state, port of registry and home port of the vessel;
- (c) the name and address of the owner and master of the vessel and, where applicable, its charterer;
- (d) the fishing registration number of the vessel and its international radio call sign;
- (e) a description of the purpose and the period for which the licence is required;
- (f) the name and address of an agent in the Falkland Islands who is authorized by the owner or charterer of the vessel to represent him for the purpose of providing liaison with the Director of Fisheries.

8. (1) Every licence shall:

Application of licence.

- (a) apply only to the foreign fishing vessel described in the licence and, where applicable, to the crew of that vessel;
- (b) be valid for the period specified in the licence.

(2) The Director of Fisheries or a person designated by him may with the consent of the master of a foreign fishing vessel amend or vary any provision set out in a licence issued in respect of that vessel.

9. (1) Subject to subregulation (2), every licence shall be kept either on board the foreign fishing vessel described in the licence while that vessel is in Falkland waters or by the agent in the Falkland Islands of the owner or charterer of the foreign fishing vessel and shall be produced for examination by a fisheries protection officer at his request.

Place licence to be kept, production of licence and right of entry of which licence issued.

(2) Where a licence has been issued but not delivered the vessel specified in the licence may enter Falkland waters and proceed directly to a recognised harbour for the purpose set out in the licence or of obtaining its licence provided that the master of the vessel complies with any direction given to him by a fisheries protection officer.

10. (1) The Director of Fisheries may suspend or cancel any licence.

Suspension or cancellation of a licence.

(2) Where a licence has been suspended or cancelled under subregulation (1), the Governor in Council may rescind that suspension or cancellation.

11. (1) Every licence in respect of a foreign fishing vessel is subject to the following terms and conditions:

Terms and conditions of a licence.

- (a) the master of the foreign fishing vessel for which the licence is issued or a person acting on behalf of the master shall

notify the Director of Fisheries of the estimated time of each entry of the vessel into Falkland waters for the purpose of transshipping or transporting fish from Falkland waters not less than twenty-four hours prior to that estimated time and shall notify the Director of Fisheries:

- (i) of the location of such entry, and
- (ii) of the approximate schedule of activities to be conducted under the authority of the licence,
except that where a licence is issued on the day on which its term begins, such notification may be given to the Director of Fisheries at any time prior to the entry of the vessel into Falkland waters;
- (b) the master of the foreign fishing vessel for which a licence for transshipment is issued or a person acting on behalf of the master shall prior to or during the course of each transshipment notify the Director of Fisheries on the form prescribed by the Director of Fisheries for that purpose of the details of the catch contained in the transshipment given on a day by day basis;
- (c) the activity authorized by the licence shall be carried out only at the times (if any) and in the recognised harbour referred to in the licence;
- (d) where the transporting of fish from Falkland waters is authorized by the licence the master of the vessel shall cause written records to be maintained on a daily basis of the fish taken on board the vessel for transportation which a fisheries protection officer may at the request of the master and if he is satisfied as to their accuracy certify as correct for the purposes of confirming the origin thereof;
- (e) the written records required to be maintained in accordance with paragraph (d) shall be in a form satisfactory to the Director of Fisheries and transmitted by the master of the vessel:
 - (i) at any time during the term of the licence, at the request of a fisheries protection officer or the Director of Fisheries to the fisheries protection officer making the request or the Director of Fisheries, or
 - (ii) if no request has been made under subparagraph (i) not later than sixty days after the expiry of the licence;
- (f) the master of the vessel or a person acting on behalf of the master shall notify the Director of Fisheries of the estimated time of entry of the vessel into the harbour referred to in the licence not less than twenty-four hours prior to that estimated time or at such later time as the Director of Fisheries may in his absolute discretion accept;
- (g) the master of the vessel shall, when in Falkland waters for the purpose of transshipment, where feasible and when requested by the Director of Fisheries, permit a technical observer designated in writing by the Director of Fisheries to go on board and remain on board the vessel for the purpose of recording scientific data and observations, of inspecting the vessel's log and of taking samples, and shall permit him to retain and remove from the vessel any samples and records he has taken or compiled;
- (h) the master of the vessel shall take all reasonable precautions to ensure the safety of any fisheries protection officer or technical observer boarding or leaving the vessel in a recognised harbour including the observance of practices of good seamanship and, where necessary, the placing of a boarding ladder of good quality and design over the side of the vessel;

- (i) where a fisheries protection officer or technical observer is on board the vessel and remains on board the vessel for a period of more than four hours, the master of the vessel shall provide the fisheries protection officer or observer with suitable food and accommodation if such is available on board the vessel;
 - (j) the master of the vessel shall:
 - (i) at the request of a fisheries protection officer or technical observer, arrange for that officer or observer to send or receive messages by means of radiotelegraph or radiotelephone facilities on board the vessel, and
 - (ii) provide all reasonable assistance in his power to enable a fisheries protection officer or technical observer to carry out his duties and functions;
 - (k) if the master of the vessel shall, at any time while within Falkland waters be found transshipping or transporting fish without having given the notice required under paragraph (a) or (f) he shall
 - (i) at the request of the Director of Fisheries, proceed forthwith for inspection to a harbour,
 - (ii) at the request of a fisheries protection officer, proceed forthwith for inspection at sea to a place specified by the fisheries protection officer;
 - (l) the vessel shall, at all times while within Falkland waters
 - (i) fly the flag of its flag state, and
 - (ii) display in a place that is clearly visible both from the air and from sea level the letters and numbers identifying the vessel as set out in its licence, in white markings of at least one metre in height in the case of a vessel whose overall length exceeds twenty metres, or one-half metre in height in any other case, on a black background, and where the markings are painted, the paintwork shall be maintained in good condition so that the markings are clearly legible at all times provided that this condition shall not apply until such date as shall be notified by the Director of Fisheries to the owner, charterer, master or agent for the owner of the foreign fishing vessel described in the licence;
 - (m) when the vessel is in Falkland waters for the purpose of transshipping or transporting fish from Falkland waters, the master of the vessel or a person acting on behalf of the master shall notify the Director of Fisheries of the estimated time of departure from those waters not less than 24 hours prior to that estimated time or at such later time prior to departure as the Director of Fisheries shall in his absolute discretion accept; and
 - (n) the master or crew of the vessel shall not carry out any activity in any area of Falkland waters that is contrary to the Fisheries Ordinance or regulations made under that Ordinance.
- (2) The Director of Fisheries may attach such other terms and conditions to a licence as he shall consider appropriate.

12. A person is guilty of an offence who

Offences.

- (a) being the master of or in command of a fishing vessel, without reasonable excuse, fails to bring to when required to do so by any fisheries protection officer or upon signal of a government vessel;
- (b) being aboard a fishing vessel, refuses to answer any questions put to him by a fisheries protection officer concerning fish to be or that has been transhipped or transported from Falkland waters;

- (c) after signal by a government vessel to bring to, throws overboard or staves or destroys any part of the vessel's catch or cargo;
- (d) resists or wilfully obstructs any fisheries protection officer in the execution of his duty.

Methods of communication.

13. (1) For the purposes of these Regulations, where a foreign fishing vessel is in harbour or at sea

- (a) any direction, request or communication from a fisheries protection officer or the Director of Fisheries may be transmitted to the vessel by radiotelegraph or radiotelephone facility;
- (b) any notification or communication required by these Regulations to be given to a fisheries protection officer or to the Director of Fisheries may be transmitted from the vessel by radiotelegraph or radiotelephone facility to any government vessel or to any land based radiocommunication station maintained by the Government of the Falkland Islands; and
- (c) the master of the vessel shall cause a radio watch to be kept for the purpose of receiving any calls made pursuant to paragraph (a).

(2) A record of the time and content of any notification or communication given to a fisheries protection officer or the Director of Fisheries by a foreign fishing vessel shall be inscribed in the log of the vessel.

(3) The Director of Fisheries shall cause to be made known from time to time, the radio call signs and frequencies of government vessels and land based radiocommunication stations for the purposes of this Regulation.

Penalties.

14. Any person who commits an offence under or contravenes any provision of these Regulations or fails to comply with any requirement of these Regulations or who commits a breach of any condition of a licence issued to him under these Regulations and any person who attempts to commit or abets such an offence shall on summary conviction be liable to a fine of £50 for a first offence and to forfeiture of any vessel, boat or gear used in committing the offence and to forfeiture of any fish in respect of which any offence has been committed and for a second offence shall be liable to a penalty not exceeding £100 as well as to the said forfeitures.

SCHEDULE (Regulation 4(2))

LICENCE FEES PAYABLE BY FOREIGN FISHING VESSELS

Column 1 PERMITTED ACTIVITY	Column 2 FEES
Transshipment	Between 1st February and 30th June £1,500 for each transshipment. Between 1st July and 31st January £150 for each transshipment.
Export from Falkland Waters	Between 1st February and 30th June £1,500 for each departure of a ship from Falkland waters. Between 1st July and 31st January £150 for each departure of a ship from Falkland waters.

Made this 27th day of March 1986.

G. W. JEWKES,
Governor.

**Road Traffic (Amendment) Ordinance 1985
(Commencement) Order 1986**

No. 4 of 1986.

In accordance with Section 1 of the Road Traffic (Amendment) Ordinance 1985, the Governor makes the following order —

1. This Order may be cited as the Road Traffic (Amendment) Ordinance 1985 (Commencement) Order 1986. Citation.

2. The Road Traffic (Amendment) Ordinance 1985 shall come into force on the 7th day of April 1986. Commencement of Ordinance No. 10 of 1985.

Made this 4th day of April 1986.

G. W. JEWKES,
Governor.



THE FALKLAND ISLANDS GAZETTE (Extraordinary) PUBLISHED BY AUTHORITY

Vol. XCV

19 MAY 1986

No. 8

A Bill for The Appropriation (1986-87) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Appropriation of £8,839,030 for the service of the year 1986-87.

A Bill for An Ordinance To provide for the service of the year 1986-87.

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

1. This Ordinance may be cited for all purposes as the Appropriation (1986-87) Ordinance 1986. Citation.

2. The Financial Secretary may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the period 1st July 1986 to 30th June 1987, a sum not exceeding eight million, eight hundred and thirty-nine thousand and thirty pounds, 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 which will come in course of payment during the year 1986-87.

Appropriation of
£8,839,030 for the service
of the year 1986-87.

SCHEDULE

Number	Head of Service	£
100	Aviation	539,430
150	Posts and Telecommunications	486,210
200	Medical and Dental	500,060
250	Education and Training	551,450
300	Customs and Harbour	157,940
350	Public Works	3,054,590
390	Fox Bay Village	44,000
400	Agriculture	67,790
450	Justice	82,170
500	Military	58,510
550	Police, Fire and Rescue Service	269,160
600	Secretariat, Treasury and Central Store	460,580
650	Pensions and Gratuities	142,350
700	Social Welfare	171,150
750	Governor	86,200
800	Legislature	32,660
850	Falkland Islands Government Office	94,780
860	Agricultural Research Centre	83,450
900	Income Tax Refunds	20,000
		<hr/>
		6,902,480
870	Transfer to Development Fund	500,000
		<hr/>
	TOTAL ORDINARY EXPENDITURE	7,402,480
950	DEVELOPMENT	
951	Expenditure to be met from Local Funds	673,950
952	Expenditure to be met from U.K. Aid	762,600
		<hr/>
	TOTAL EXPENDITURE	£ 8,839,030

Ref. TRE/14/23.

**A Bill for
The Supplementary Appropriation (1984-85) Ordinance 1986**

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Appropriation in excess of expenditure for the year 1984-85.

Schedule

**A Bill for
An Ordinance
To allow and confirm certain expenditure
incurred in the year 1984-85.**

WHEREAS expenditure was necessarily incurred during the financial year 1984-85 on certain services although not provided for in the Appropriation (1984-85) Ordinance 1984.

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

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1984-85) Ordinance 1986. Citation.

2. The expenditure during the financial year 1984-85 to the amount of one hundred and forty three thousand nine hundred and seventeen pounds set forth in the Schedule hereto and not provided for or fully provided for by the Appropriation (1984-85) Ordinance 1984 is hereby allowed and confirmed. Appropriation in excess of expenditure for the year 1984-85.

SCHEDULE

Number	Head of Service	£
300	Customs and Harbour	14,702
450	Justice	1,412
600	Secretariat, Treasury and Central Store ...	88,214
650	Pensions and Gratuities	9,913
700	Social Welfare	28,942
750	Civil Commissioner	734
		<hr/> £ 143,917 <hr/>

**A Bill for
The Old Age Pensions (Amendment) Ordinance 1986**

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 3 of 1952.

**A Bill for
An Ordinance
To amend the Old Age Pensions Ordinance 1952.**

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

Citation and commence-
ment.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1986 and shall come into force on the 7th day of July 1986.

Amendment of Ordinance
No. 3 of 1952.

2. The Old Age Pensions Ordinance 1952 is amended —
- (a) in Section 6 (2) by substituting —
 - (i) £2.85 for £2.25 in paragraph (a);
 - (ii) £4.25 for £3.35 in paragraph (b);
 - (iii) £7.10 for £5.60 in paragraph (c);
 - (b) in Section 6A (2) by substituting £7.10 for £5.60;
 - (c) in the Schedule by substituting the sums £36 and £24 respectively for the sums £28.50 and £19.

OBJECTS AND REASONS

The purpose of this Bill is to provide for an increase in old age pensions and the contributions payable by employers, employees and self-employed persons.

A Bill for
The Non-Contributory Old Age Pensions (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Schedule to Ordinance No. 6 of 1961.

A Bill for
An Ordinance
To amend the Non-Contributory Old Age
Pensions Ordinance 1961.

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

- | | |
|--|--|
| <p>1. This Ordinance may be cited as the Non-Contributory Old Age Pensions (Amendment) Ordinance 1986 and shall come into force on the 7th day of July 1986.</p> | <p>Citation and commencement.</p> |
| <p>2. The Schedule to the Non-Contributory Old Age Pensions Ordinance 1961 is amended by substituting the sums "£31" and "£22.50" respectively for the sums "£24.50" and "£18" where they occur.</p> | <p>Amendment of Schedule to Ordinance No. 6 of 1961.</p> |

OBJECTS AND REASONS

The purpose of this Bill is to provide for an increase in Non-Contributory Old Age Pensions for a married man, unmarried person and a man or woman living apart from his or her wife or husband.

A Bill for The Family Allowances (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 9 of 1960.

A Bill for An Ordinance To amend the Family Allowances Ordinance 1960.

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

Citation and commencement.

1. This Ordinance may be cited as the Family Allowances (Amendment) Ordinance 1986 and shall come into force on the 1st day of January 1987.

Amendment of Ordinance No. 9 of 1960.

2. The Family Allowances Ordinance 1960 is amended —
 - (a) in Section 3 (2) —
 - (i) by the insertion of the words "each month" after the word "shall", and
 - (ii) the substitution of the word "twenty" for the word "fifteen";
 - (b) by the addition of the following subsection to Section 3 —

“(3) The Superintendent shall pay each month to a man or woman referred to in paragraphs (b) and (c) of Section 5 (1) to whom he is paying an allowance or allowances under subsection (2) an allowance of fifteen pounds in addition to the allowance or allowances being paid under subsection (2).”

OBJECTS AND REASONS

This Bill amends the Family Allowances Ordinance 1960 with effect from 1st January 1987 by increasing the allowance payable in respect of each child to twenty pounds per month and the introduction of a single parent allowance of fifteen pounds per month. Opportunity is also taken to make an amendment to Section 3 (2) for the purpose of clarification.

**A Bill for
The Legislative Council (Allowances) (Amendment) Ordinance 1986**

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 8 of 1977.

**A Bill for
An Ordinance
To amend the Legislative Council (Allowances)
Ordinance 1977.**

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

1. This Ordinance may be cited as the Legislative Council (Allowances) (Amendment) Ordinance 1986 and shall have effect from the 8th day of October 1985.

Citation and commencement.

2. The Legislative Council (Allowances) Ordinance 1977 shall be amended by the repeal of Section 6.

Amendment of Ordinance No. 8 of 1977.

OBJECTS AND REASONS

Since the Legislative Council (Allowances) Ordinance 1977 was enacted the work of Legislative Councillors has increased considerably. The purpose of this Bill is to allow Executive Councillors to be paid an allowance in addition to their Legislative Council allowance to compensate for their considerable work load.

A similar Bill is being introduced in respect of the Executive Council (Allowances) Ordinance 1977.

A Bill for
The Executive Council (Allowances) (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 7 of 1977.

A Bill for
An Ordinance
To amend the Executive Council (Allowances)
Ordinance 1977.

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

Citation and commence-
ment.

1. This Ordinance may be cited as the Executive Council (Allowances) (Amendment) Ordinance 1986 and shall have effect from the 8th day of October 1985.

Amendment of Ordinance
No. 7 of 1977.

2. The Executive Council (Allowances) Ordinance 1977 shall be amended by the repeal of Section 6.

OBJECTS AND REASONS

Since the Executive Council (Allowances) Ordinance 1977 was enacted the work of Executive Councillors has increased considerably. The purpose of this Bill is to allow Executive Councillors to be paid an allowance in addition to their Legislative Council allowance to compensate for their considerable work load.

A similar Bill is being introduced in respect of the Legislative Council (Allowances) Ordinance 1977.

**A Bill for
The Fisheries (Amendment) Ordinance 1986**

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Fisheries Ordinance Cap 27.

**A Bill for
An Ordinance
To amend the Fisheries Ordinance Cap 27**

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

1. This Ordinance may be cited as the Fisheries (Amendment) Ordinance 1986 and shall have effect from the 1st day of April 1986.

Citation and commencement.

2. The Fisheries Ordinance Cap 27 is amended—

Amendment of Fisheries Ordinance Cap 27.

(a) by the addition to Section 2 of the following definitions—

“the Director of Fisheries” means the Chief Executive or any person to whom he may delegate any of the functions or powers of the Director of Fisheries;

“Fisheries Protection Officer” means any officer of the Falkland Islands Government or of the Falkland Islands Police or any person appointed a fisheries protection officer by the Director of Fisheries;

“master” means the person having command of a vessel for the time being;

(b) in Section 3 by the addition before the semicolon at the end of paragraph (d) of the following—

“whether or not the fish referred to in this paragraph was caught in the aforesaid waters”;

(c) in Section 4 by—

(i) the insertion after paragraph (a) of the following—

“(b) tranship any fish or substance or thing manufactured from fish whether or not the fish referred to in this paragraph was caught in the aforesaid waters; or”

- (ii) the relettering of the existing paragraph (b) as paragraph (c) and the addition before the full stop at the end of that paragraph of the following —

“whether or not the fish referred to in this paragraph was caught in the aforesaid waters”;

- (d) by the insertion after Section 4 of the following —

“Detention of vessels and arrest of persons by fisheries protection officer.

4A. (1) Where a fisheries protection officer has reasonable cause to believe that an offence against this Ordinance has been committed he may with or without warrant —

- (a) seize and detain any vessel, including any fishing gear, fish, equipment, stores and cargo found on board or belonging to the vessel and seize and detain any fishing gear abandoned by the vessel;
- (b) arrest any person who he believes has committed, aided or abetted the offence.

(2) In effecting the seizure of a vessel under this section a fisheries protection officer may use such force as may be reasonably necessary.

(3) A vessel seized under this section and the crew thereof shall be brought to Port Stanley as soon as practicable and the vessel and other things detained under this section shall be delivered into the custody of the Officer in Charge of Police.

(4) The Officer in Charge of Police shall release on demand to the owner, master or agent for the owner the vessel or other things referred to in subsection (3) if no proceedings are instituted within 14 days of the aforesaid delivery against the owner or master in respect of an offence against this Ordinance.”

- (e) by the renumbering of Section 5 as “5 (1)” and —

- (i) the substitution therein of the sums £5,000 and £10,000 for the sums £50 and £100, and

- (ii) the addition thereto of the following subsections —

“(2) A court making an order of forfeiture of a vessel under subsection (1) shall not be required to inquire as to the ownership of the vessel, boat, gear or fish the subject of such order.

(3) The Senior Magistrate or not less than two Justices of the Peace may hear a charge brought for an offence under this Ordinance.

(4) If having convicted a person for an offence under this Ordinance a court is of the opinion that a larger fine should be imposed than that court may impose that court may commit that person to the Supreme Court for sentence.”

OBJECTS AND REASONS

This Bill provides for amendments to the Fisheries Ordinance intended to clarify the provisions concerning transshipment and export, give powers of detention of ships and arrest of masters thereof, increase fines and cover other matters incidental to those amendments.

A Bill for The Plant and Transport (Dissolution) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Dissolution of Plant and Transport Authority.
3. Liabilities to be borne by the Government.
4. Vesting of property in the Government.
5. Dissolution accounts.
6. Repeal of Plant and Transport Authority Ordinance 1978.

A Bill for An Ordinance To dissolve the Plant and Transport Authority.

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

1. This Ordinance may be cited as the Plant and Transport Authority (Dissolution) Ordinance 1986. Citation.
2. The Plant and Transport Authority established by the Plant and Transport Authority Ordinance 1978 shall stand dissolved with effect from the 1st day of July 1984. Dissolution of Plant and Transport Authority.
3. Notwithstanding Section 2 the Falkland Islands Government shall bear responsibility for all liabilities of the Plant and Transport Authority current at the time of its dissolution. Liabilities to be borne by the Government.
4. Ownership of all the property of the Plant and Transport Authority shall vest in the Government with effect from the 1st day of July 1984. Vesting of property in the Government.
5. (1) The Financial Secretary shall cause accounts to be prepared which shall show — Dissolution accounts.
 - (a) a statement of the assets and liabilities of the Plant and Transport Authority on the 30th day of June 1984, and
 - (b) a statement showing the sum transferred to the Plant and Vehicle Replacement Fund.
- (2) The Financial Secretary shall lay the accounts referred to in subsection (1) before the Legislative Council at the next meeting of Legislative Council after the coming into force of this Ordinance or at such later meeting as the Governor shall direct.
6. The Plant and Transport Authority Ordinance 1978 is repealed. Repeal of Plant and Transport Authority Ordinance 1978.

OBJECTS AND REASONS

The purpose of this Bill is to dissolve the Plant and Transport Authority, transfer its liabilities to the Government and repeal the Plant and Transport Authority Ordinance 1978.

A Bill for
The Estate Duty (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Cap 25.

A Bill for
An Ordinance
To amend the Estate Duty Ordinance Cap 25.

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

Citation and commence-
ment.

1. This Ordinance may be cited as the Estate Duty (Amend-
ment) Ordinance 1986 and shall come into force on the day of
1986.

Amendment of Cap 25.

2. The Estate Duty Ordinance Cap 25 is amended —
- (a) in Section 4 by the substitution of the sum of £30,000 for
the sum £15,000; and
 - (b) by the substitution for the Schedule of the following —

"SCHEDULE

RATE OF ESTATE DUTY

Where the principal value of the estate		Estate duty shall be payable at the rate per cent of	
£	£		
Exceeds 30,000 and does not exceed 32,500	3
Exceeds 32,500 and does not exceed 35,000	4
Exceeds 35,000 and does not exceed 40,000	5
Exceeds 40,000 and does not exceed 45,000	6
Exceeds 45,000 and does not exceed 50,000	7
Exceeds 50,000 and does not exceed 55,000	8
Exceeds 55,000 and does not exceed 65,000	9
Exceeds 65,000	10".

OBJECTS AND REASONS

This Bill provides for amendments to the Estate Duty Ordinance increasing
the amount of an estate of a deceased person that is free from estate duty.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCV

30 MAY 1986

No. 9

Appointment

Mrs. Janette Berntsen, Cook/Housekeeper,
Government House, 20.6.86.

Acting Appointment

Linda Margaret Lyse, Acting Assistant Secretary (Finance) Treasury Department, 11.5.86.

Promotion

James Mahony from Teacher, Education Department to Headmaster, Senior School, Education Department, 5.6.86.

Completion of Contract

Andrew David Alsop, Pilot, Aviation Department, 3.6.86.

Resignation

Emilio Morris Corgnati, Electrician, Power Generation Section, Public Works Department, 31.5.86.

Determination of Engagement

George Henry Calvert, Teacher of Commercial Studies, Education Department, 9.4.86.

NOTICES

No. 21.

29th May 1986.

Intimation has been received from the Right Honourable the Secretary of State for Foreign and Commonwealth Affairs to the effect that Her Majesty will not be advised to exercise her power

of disallowance in respect of the following Ordinances of the Colony —

No.	Title	Ref.
16/85	The Dangerous Drugs (Amendment) Ordinance 1985	Ref. MED/10/4.
17/85	The Post Office (Amendment) Ordinance 1985	Ref. P & T/2/9.
		Ref. LEG/10/42.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

CORPORAL DAVID STAMP, R.A.F.,

to be a temporary Customs Officer with effect from 30th March 1986 to the 31st July 1986.

L. J. HALLIDAY,
Collector of Customs.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

CORPORAL TERENCE DAVID CLARK, R.A.F.,

to be a temporary Customs Officer with effect from 30th March 1986 to the 31st July 1986.

L. J. HALLIDAY,
Collector of Customs.

ROAD TRAFFIC ORDINANCE

Road Traffic (Provisional) Regulations Order 1986

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement.
2. Registration of motor vehicles.
3. Identification.
4. Motor vehicle or trailer licence.
5. Driver's licence.
6. Third party insurance.
7. Distinguishing marks on public service vehicles.
8. Warning instrument.
9. Lights.
10. Mirrors.
11. Safety glass.
12. Windscreen wipers.
13. Silencers.
14. Tyres.
15. Brakes.
16. Inspection and tests.
17. Obstruction.
18. Reporting of accidents and duties of drivers.
19. Pedal cycles.
20. Offences and Penalties.
21. Revocation.

ROAD TRAFFIC ORDINANCE

Road Traffic (Provisional) Regulations Order 1986

No. 5 of 1986.

In accordance with Section 18 of the Road Traffic Ordinance Cap. 60 the Governor in Council makes the following order —

1. This order may be cited as the Road Traffic (Provisional) Regulations Order 1986 and shall come into force on the 7th day of April 1986.

Citation and commencement.

2. (1) Application for registration under Section 3 (1) of the Ordinance shall be made on Form A in the Schedule to the Officer in Charge of Police who shall issue to the applicant a vehicle registration card in Form B contained in the Schedule.

Registration of motor vehicles.

(2) A motor vehicle shall not be registered for use on a road if it is of a weight which the Director of Public Works considers unsafe for use on a road.

(3) Any person to whom a motor vehicle registered under the Ordinance is sold, given, disposed of or transferred shall apply within seven days of such sale, gift or disposal for registration as owner of the vehicle using the space provided on Form B.

(4) A person who fails to comply with subregulation (3) shall commit an offence and shall be liable on conviction to a fine not exceeding £25.

3. (1) Every motor vehicle and trailer shall carry an identification mark of a size, shape, colour and material approved by the Officer in Charge of Police bearing the number assigned to the particular motor vehicle by the Officer in Charge of Police.

Identification.

(2) Identification marks shall be placed —

- (a) on the front and on the back of the vehicle except in the case of a trailer or motorcycle when the identification mark shall be on the back of the vehicle only and except as provided in subparagraph (b) be exhibited so that in normal daylight the letters and figures of the front and the rear identification mark shall be easily distinguishable by an observer in front of or behind the vehicle as the case may be at a distance of 60 feet;
- (b) any person who shall drive a motor vehicle without its identification so fixed as provided by this Regulation or so fixed but obscured or rendered or allowed to be not easily distinguishable shall commit an offence unless he can satisfy the court that he took all practicable steps to prevent the identification mark being obscured or rendered not easily distinguishable;
- (c) any person convicted of an offence against paragraph (b) shall be liable to a fine of £50.

4. (1) Application for a motor vehicle or trailer licence shall be made to the Officer in Charge of Police on Form A in the Schedule.

Motor vehicle or trailer licence.

(2) No trailer together with its load shall be used on a road if its weight shall exceed a weight which the Director of Public Works considers unsafe for use on a road.

5. (1) Application for a driver's licence shall be made by submitting to the Officer in Charge of Police a duly completed and signed application on the Form C in the Schedule.

Driver's licence.

(2) An applicant for a driver's licence shall, unless he held a valid Falkland Islands driver's licence on the coming into force of these Regulations or can produce a licence which the Officer in

Charge of Police is satisfied is currently valid and for the class of vehicle that the applicant wishes to drive and was issued in a Commonwealth Country or a member country of the European Economic Community be tested by the Officer in Charge of Police or a person authorised by him.

(3) A fee of £10 shall be paid by an applicant prior to a test made under subregulation (2).

(4) A driver's licence shall be of indefinite duration and on or before the issue thereof an applicant shall pay a fee of £10 therefor unless he shall satisfy the Officer in Charge of Police that he is of or more than the age of sixty years when the fee shall be £2.

(5) A valid and current driver's licence issued in the United Kingdom shall for a period of six months from the date of the first entry of the holder thereof into the Colony be a driver's licence for the purpose of the Ordinance. Provided that the holder shall produce the licence to the Officer in Charge of Police and obtain from him a certificate of such production.

(6) A person who —

- (a) intends to be resident in the Falkland Islands for a period of more than six months but not more than one year; or
- (b) does not have a valid and current driving licence issued in the United Kingdom and intends to be resident in the Falkland Islands for less than one year

may subject to this Regulation be issued with a temporary driver's licence valid for one year from his day of entry into the Falkland Islands which shall not be renewable.

(7) The fee payable for a certificate of production under subregulation (5) and for a licence issued under subregulation (6) shall be £2 and £3 respectively.

(8) The driver's licence, temporary driver's licence and certificate of production shall be in the form D1, D2 and D3 respectively in the Schedule and shall entitle the person to whom it is issued to drive such class of vehicle as may be stated therein.

(9) A provisional driver's licence shall be subject to the following conditions:

- (a) in the case of a motor cycle to which a sidecar is not attached the holder shall not carry a passenger other than a person who has held a driver's licence for at least two years;
- (b) in the case of every other motor vehicle the holder shall drive only when under the supervision of a person who has held a driver's licence for at least two years who shall be present in the vehicle with him.

Third party insurance.

6. (1) A policy of insurance for the purpose of Section 6 (1) of the Ordinance shall be one issued by an insurance company registered in the United Kingdom which shall insure such persons or classes of persons as may be specified in the policy in respect of any liability which may be incurred by them in respect of the death or bodily injury to any person caused by or arising out of the use of the vehicle on a road:

Provided that such a policy shall not be required to cover:

- (a) liability in respect of the death of or personal injury to a person in the employment of the person insured arising out of and in the course of his employment; or
- (b) except in the case of a vehicle in which passengers are carried for hire or by reason of or in pursuance of a contract of employment, liability in respect of the death of or bodily injury to persons being carried in or upon getting on to or

alighting from the vehicle at the time of the occurrence of the event out of which the claim arises; or

(c) any contractual liability.

(2) The policy of insurance shall provide for the payment to the hospital for treatment of any person who has died or received bodily injury arising out of the use of a motor vehicle on a road the hospital scale of charges in respect thereof.

(3) A current certificate of insurance in accordance with this regulation shall be produced to the Officer in Charge of Police on application for a motor vehicle licence under regulation 4.

(4) The Officer in Charge of Police may require an applicant for a driver's licence to produce the policy of insurance to him before he issues the applicant with a driver's licence.

7. Every public service vehicle carrying persons for hire or reward shall have the word "taxi" or "bus" affixed in a position approved by the Officer in Charge of Police, and the letters of such word shall be capital Latin characters of a height of at least two inches and breadth throughout of not less than a quarter of an inch.

Distinguishing marks on public service vehicles.

8. Every motor vehicle shall be fitted with an instrument capable of giving audible and sufficient warning of its approach or position provided that the Officer in Charge of Police may prohibit the use of any instrument which in his opinion might cause annoyance to the public.

Warning instrument.

9. (1) Whenever a motor vehicle is on a road between half an hour after sunset and half an hour before sunrise it shall carry:

Lights.

(a) a lamp so contrived as to illuminate every figure of the identification mark exhibited on the back of the vehicle or trailer attached thereto and to render them easily distinguishable in the absence of mist or fog by an observer behind the vehicle 50 feet in the case of a motor cycle and 60 feet in every other case; and

(b) two lamps fixed on opposite sides of the vehicle each showing to the front a white light visible from a reasonable distance, provided that a motor cycle shall show one such light as aforesaid and that if a sidecar is attached to the motor cycle the sidecar shall carry one lamp on the outside showing to the front a white light visible from a reasonable distance; and

(c) two lamps each showing to the rear a red light visible for a reasonable distance:

Provided that in the case of a motor cycle not having a sidecar attached thereto, only a single lamp showing a red light to the rear instead of two such lamps need be carried.

(2) No motor vehicle shall carry a lamp showing a red light to the front:

Provided that this subregulation shall not apply to any device for giving signals of direction.

(3) No motor vehicle shall carry any light other than a red light to the rear:

Provided that this subregulation shall not apply to lamps carried by a vehicle for the purpose of illuminating any identification mark or any device for giving signals of direction.

(4) No light shown by a vehicle other than a dipping headlight shall be moved by swivelling, deflecting or otherwise while the vehicle is in motion.

(5) No lamp showing a light to the front shall be used on any vehicle unless such lamp is so constructed, fitted and maintained that the beam of light therefrom

- (a) is permanently deflected downwards to such an extent that it is at all times incapable of dazzling any person standing on the same horizontal plane as the vehicle at a greater distance than 25 feet from the lamp whose eyelevel is not less than 3 feet 6 inches above that plane, or
- (b) can be deflected downwards or both downwards and to the left at the will of the driver in such a manner as to render it incapable of dazzling any such person in the circumstances aforesaid, or
- (c) can be extinguished by the operation of a device which at the same time causes beams of light to be emitted from the lamp which complies with paragraph (a), or
- (d) can be extinguished by the operation of a device which at the same time either deflects the beam of light from another lamp downwards or both downwards and to the left in such manner as to render it incapable of dazzling any such person in the circumstance as aforesaid.

(6) Whenever a trailer is on a road between half an hour after sunset and half an hour before sunrise it shall carry the lamps prescribed in subregulation (1) (a) and (c) and every such lamp shall be kept lighted and in an efficient state and attached to the vehicle in the position required by the Officer in Charge of Police.

(7) A vehicle shall, when standing or parked at any place on a road, be exempted from showing the required lights if:

- (a) the left or near side of the vehicle is as close as may be and is parallel to the edge of the carriageway;
- (b) no part of the vehicle is more than 25 yards from a street lamp;
- (c) the street lamp mentioned in the last preceding paragraph is illuminated throughout the time during which the vehicle is standing or parked:

Provided that for the purposes of this subregulation if, while the vehicle is standing or parked, the light shown by the lamp becomes accidentally extinguished, no account shall be taken of any time during which the light is so extinguished; and

- (d) no part of the vehicle is within 15 yards from any road junction whether the junction is on the same side of the road as that on which the vehicle is standing or parked or not.

Mirrors.

10. Every motor vehicle other than a motor cycle shall be equipped with a reflecting mirror which is to be fitted in such manner that the driver may observe any overtaking traffic.

Safety glass.

11. The glass of windows facing to the front of any motor vehicle shall be safety glass.

Windscreen wipers.

12. An efficient automatic windscreen wiper shall be fitted to every motor vehicle which is so constructed that the driver cannot by opening the windscreen or otherwise obtain an adequate view to the front of the vehicle without looking through the windscreen.

Silencers.

13. All motor vehicles shall have efficient silencers fitted for reducing as far as may be reasonable the noise made by the escape of exhaust gases.

Tyres.

14. No motor vehicle or trailer shall be driven on any road unless it is fitted with pneumatic tyres:

Provided that in the case of particular vehicles, or particular classes of motor vehicles, the Governor may authorise the issue of special permits allowing the use of solid tyres of soft or elastic material. Such tyres shall conform in all respects to such conditions as may be prescribed.

15. (1) Every motor vehicle shall be equipped with two entirely independent braking systems, or with one efficient braking system having two independent means of operation in each case so designed and constructed that the failure of any portion of any braking system shall not prevent the brakes on two wheels, or, in the case of a vehicle having less than four wheels, on one wheel, from operating effectively so as to bring the vehicle to rest within a reasonable distance:

Brakes.

Provided that in the case of a single braking system, the two means of operation shall not be deemed to be otherwise than independent solely by reason of the fact that they are connected either directly or indirectly to the same cross shaft.

(2) In the case of a motor vehicle having more than three wheels and equipped with two independent braking systems, each such system shall be so designed and constructed, that if the brakes thereof act either directly or indirectly on two wheels, they shall act on two wheels on the same axle.

(3) Where, in the case of a single braking system, the means of operation are connected directly or indirectly to the same cross shaft, the brakes applied by one of such means shall act on all of the wheels of the motor vehicle directly and not through the transmission gear.

(4) In all cases the brakes operated by one of the means of operation shall be applied by direct mechanical action without the intervention of any hydraulic, electric, or pneumatic device.

(5) In all cases the brakes operated by one of the means of operation shall act directly upon the wheels and not through the transmission gear.

(6) Every trailer having four or more wheels shall have an efficient braking system the brakes of which act upon

- (a) at least two wheels in the case of a trailer having not more than four wheels and
- (b) at least four wheels in the case of a trailer having more than four wheels, so constructed that the brakes are capable of being set so as effectually to prevent two at least of the wheels from revolving when the trailer is not being drawn.

(7) In all cases where the braking system on a trailer having four or more wheels cannot be operated from the tractor vehicle, a person shall be carried on the trailer for the purpose of operating the braking system on the trailer.

(8) Except in the case of motor cycles with or without side-cars attached, every motor vehicle shall be equipped with a braking system so designed and constructed that it can be set so as effectually to prevent two at least, or in the case of a vehicle with only three wheels, one of the wheels from revolving when the vehicle is not being driven or is left unattended.

16. (1) The Officer in Charge of Police may direct using Form E1 in the Schedule that an inspection and test of any motor vehicle be carried out prior to issuing a licence or during the period when a licence is in force. Such inspection or test shall be carried out at the expense of the owner of the vehicle and if the vehicle is considered by the inspecting officer to be dangerous or unfit for use the owner

Inspection and tests.

shall be notified by the Officer in Charge of Police using Form E2 in the Schedule and no licence shall issue or a licence if in force shall be suspended until the Officer in Charge of Police certifies using Form E3 in the Schedule that the vehicle is fit for use.

(2) The Director of Public Works or a person or persons designated by the Chief Executive shall be the inspecting officer for the purpose of the foregoing section and shall be empowered to carry out such inspection or tests of motor vehicles as may be considered necessary for the purpose of these regulations.

(3) The fee to be charged for each inspection or test shall be £10.

(4) A motor vehicle licence shall not be issued in respect of any motor vehicle so tested until it has been certified as fit to be licensed and any licence issued in respect thereof shall be suspended until all defects in the vehicle are remedied or such licence may be revoked:

Provided that any person aggrieved by any refusal to grant, suspension of or revocation of a licence may appeal to the Senior Magistrate who may make such order as he considers fit.

Obstruction.

17. No person in charge of a motor vehicle shall

- (a) cause or permit the vehicle or trailer to stand on a road so as to cause an unnecessary obstruction thereof;
- (b) leave the vehicle without having stopped the engine and set the brake so as effectually to prevent the vehicle from being moved.

Reporting of accidents, and duties of drivers.

18. A person while actually driving a motor vehicle shall

- (a) when any accident occurs whereby damage or injury is caused to any person, vehicle, bicycle, horse, cattle, sheep, pig, goat or dog, stop and give his name and address, and the name and address of the owner and the identification marks of the vehicle to any person having reasonable grounds for requiring him so to do;
- (b) in the case of an accident as aforesaid, if the driver does not for any reason give his name and address to any person as aforesaid, report the accident to the police station as soon as practicable and in any case within 24 hours of the occurrence thereof;
- (c) comply with every road sign put in place or erected by the Government or the police and with every reasonable direction or signal given by a police officer in uniform;
- (d) not carry a load the weight, position or condition of which would, in the opinion of the Officer in Charge of Police constitute a danger to other users of a road.

Pedal cycles.

19. Any person in charge of a pedal cycle on a road shall comply with every road sign put in place or erected by the Government and with every reasonable direction or any signal given by a police officer in uniform.

Offences and Penalties.

20. Any person who contravenes or fails to comply with any of these Regulations commits an offence and if no penalty is provided therefor either by the Ordinance or these Regulations shall be liable on conviction to a fine of £200 or to imprisonment for 3 months or to both.

Revocation.

21. The Road Traffic Regulations are revoked.

SCHEDULE

FORM A

Road Traffic (Provisional) Regulations Order 1986

Application for Registration of a Motor Vehicle

I hereby declare that I am entitled to the possession of the motor vehicle described below, and apply to be registered as the owner thereof —

- 1. Full name of owner
- 2. Address of owner
- 3. Name of manufacturer
- 4. Description of vehicle (1).....
- 5. Manufacturer's number of chassis
- 6. Manufacturer's number of engine
- 7. Horse-power/cc
- 8. Type of body —
Description
- Colour
- Number of seats
- 9. Place where vehicle will usually be kept
- 10. Purpose for which vehicle will be used —
(a) Private use
- (b) Conveyance of goods (Load areasq. ft.)
- (c) Conveyance of goods and passengers.

And I hereby declare that the described motor vehicle has not previously been registered in the Falkland Islands, and that the above particulars are true and accurate in every respect.

Dated19.....
(Signature of applicant)

NOTE. (1) State whether the vehicle is a motor cycle, etc.

FORM B

Road Traffic (Provisional) Regulations Order 1986

FRONT

REGISTERED OWNER

FALKLAND ISLANDS

MOTOR VEHICLE
REGISTRATION CARD

BACK

Identification Mark

Make

Type

Chassis No.

Engine No.

Engine Capacity

Petrol / Diesel

Colour

Any change in the above details must be notified to the Licensing Authority.

CHANGE OF OWNERSHIP

If this vehicle is sold or disposed of the new owner must enter his name and address in the space below and forward this card to the Officer in Charge of Police within seven days.

If the vehicle is scrapped the card should be so noted by the owner and returned to the Officer in Charge of Police.

FORM C

Road Traffic (Provisional) Regulations Order 1986

Application for a Driver's Licence / Temporary Driver's Licence (1)

1. I, (2) of
hereby apply for a driver's licence / temporary driver's licence (1) to drive (3)
2. I was born at (4) on the (5)
3. I am not suffering from any physical or mental disability which prevents me from driving in a safe and proper manner.
4. I have never before applied for or been granted or refused or disqualified for obtaining a driver's licence, or
5. I was first granted a driver's licence on at
6. Particulars of any endorsement of any driver's licence held by me
7. Particulars of any disqualification for obtaining a driver's licence (Court by which, date on which and period for which such disqualification was imposed)
8. (6) I entered the Falkland Islands on and intend to stay until
9. I hereby declare that the above particulars are true and accurate in every respect.

Dated 19.....

(Signature of applicant)

-
- (1) Delete as applicable.
 - (2) Full name and address.
 - (3) State class of vehicle, i.e., motor cycle or any class of motor vehicle.
 - (4) Place of Birth.
 - (5) Date of Birth.
 - (6) To be completed for temporary driver's licence only.

FORM D 1

Road Traffic (Provisional) Regulations Order 1986

Driver's Licence

Page 1.

FORM D 1

Colony of the Falkland Islands

DRIVER'S LICENCE

Name

Address

is hereby licensed to drive a motor vehicle / cycle
subject to the conditions shown overleaf.

Dated 19.....

.....
Officer in Charge of Police.

Page 2.

CONDITIONS

This licence is valid in respect of the following
categories of vehicle —

1. Heavy Motor Cars.
2. Motor Cars.
3. Motor Tractors.
4. Motor Cycles.

AUTHORISING STAMP

Page 3.

AMENDMENTS

The validity of this licence is amended to include the following categories of vehicle —

- 1. Heavy Motor Cars.
- 2. Motor Cars.
- 3. Motor Tractors.
- 4. Motor Cycles.

AUTHORISING STAMP

Page 4.

ENDORSEMENTS

.....
.....
.....
.....

FORM D 2

Temporary Driver's Licence

Page 1.

FORM D 2

Colony of the Falkland Islands

TEMPORARY DRIVER'S LICENCE

Name

Address

is hereby licensed to drive a motor vehicle / cycle
subject to the conditions shown overleaf.

This licence expires on —

..... 19.....

Dated 19.....

.....
Officer in Charge of Police.

Page 2.

CONDITIONS

This licence is valid in respect of the following categories of vehicle —

- 1. Heavy Motor Cars.
- 2. Motor Cars.
- 3. Motor Tractors.
- 4. Motor Cycles.

AUTHORISING STAMP

Page 3.

AMENDMENTS

The validity of this licence is amended to include the following categories of vehicle —

- 1. Heavy Motor Cars.
- 2. Motor Cars.
- 3. Motor Tractors.
- 4. Motor Cycles.

AUTHORISING STAMP

Page 4

ENDORSEMENTS

.....
.....
.....
.....

FORM D 3

Road Traffic (Provisional) Regulations Order 1986
Certificate of production of United Kingdom Driving Licence

I HEREBY CERTIFY that
has produced United Kingdom driver's licence No..... to me and is entitled to drive a
motor vehicle class in the Falkland Islands for a period of six months
from
Dated 19.....

.....
Officer in Charge of Police.

FORM E 1

Road Traffic (Provisional) Regulations Order 1986
Inspection and Test of Motor Vehicles

In accordance with Regulation 16 (1) of the Road Traffic (Provisional) Regulations Order 1968, I
hereby direct that an inspection and test of the vehicle described below be carried out on the day
of..... or such later date as I may agree.

Pursuant to the said Regulation 16 (1) if upon such inspection the vehicle is considered dangerous
or unfit for use then no licence will be issued or any licence in force will be suspended until the in-
specting officer issues a certificate that the vehicle is fit for use.

Dated 19.....

.....
Officer in Charge of Police.

Details of vehicle to be inspected / tested

Make Model
Reg. No.
Owner Address

Driver (if different from above)

Address

Result of inspection / test

- PASS (Serve notice of pass) Date served 19.....
- FAIL (Serve notice of failure) Date served 19.....

Date of inspection / test

Examined by

Submitted by

• Delete inapplicable.

FORM E 2

Road Traffic (Provisional) Regulations Order 1986

Inspection and Test of Motor Vehicles

To:

Notice of Failure of Vehicle Inspection and Test

TAKE NOTICE THAT the vehicle described below has been inspected pursuant to Regulation 16 of the Road Traffic (Provisional) Regulations Order 1986 and considered to be dangerous or unfit for use for the reasons given in the attached Schedule.

No licence will be issued or any licence in force will be suspended forthwith until the inspecting officer issues a certificate that the vehicle is fit for use.

Make Model

Reg. No.

Owner Address

Driver (if different from above) Address

Date of inspection / test

Inspection / test carried out by

Date of notice

TAKE NOTICE that should the above vehicle be used you will be liable to prosecution.

.....
Officer in Charge of Police.

FORM E 3

Road Traffic (Provisional) Regulations Order 1986

Inspection and Test of Motor Vehicles

To:

Notice of Pass of Vehicle Inspection and Test

TAKE NOTICE THAT pursuant to Regulation 16 of the Road Traffic (Provisional) Regulations Order 1986 the vehicle described below has passed an inspection and test.

Application for a licence to be issued or suspension lifted may now be made. Please present this form when you make your application.

Make Model

Reg. No.

Owner Address

Driver (if different from above) Address

Date of inspection / test

Inspection / test carried out by

Date of notice

.....
Officer in Charge of Police.

Made this 4th day of April 1986.

G. W. JEWKES,
Governor.

ROAD TRAFFIC ORDINANCE

Road Traffic Declaration and Designation (Stanley - Darwin Road) Order 1986

No. 6 of 1986.

In accordance with Sections 2 and 8 (3) (b) of the Road Traffic Ordinance Cap 60 the Governor in Council makes the following Order —

Citation and commencement.

1. This order may be cited as the Declaration and Designation (Stanley - Darwin Road) Order 1986 and shall come into force on the 7th day of April 1986.

Declaration and designation of Stanley - Darwin Road.

2. The Road between Stanley and Darwin commencing at the Hillside Camp end of the Stanley By-Pass and inclusive of that part that proceeds through the Mount Pleasant airport is declared to be a road for the purposes of the Road Traffic Ordinance Cap 60 and is designated as a restricted road for the purposes of Section 8 (3) (b) of the Ordinance.

Made this 4th day of April 1986.

G. W. JEWKES,
Governor.

TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE 1983
(Section 2)

Resolution of Legislative Council of 28th May 1986

No. 1 of 1986.

RESOLVED in accordance with Section 2 of the Taxes and Duties (Special Exemptions) Ordinance 1983 that —

1. The Company, the name of which is set out in the Schedule hereto, and the employees thereof (hereafter together called "the exempted persons") shall be exempt from —

- (a) Taxes imposed under the Income Tax Ordinance Cap 32.
- (b) Duties imposed under the Customs Ordinance Cap 16.
- (c) Contributions imposed under the Old Age Pensions Ordinance 1952.
- (d) The Medical Services Levy imposed under the Medical Services Levy Ordinance 1979.
- (e) Harbour dues imposed under the Harbour Ordinance Cap 30.

2. The exemption under paragraph 1 (d) is subject to the condition that any persons exempted from the levy shall pay the Falkland Islands Government all fees and costs that they may be charged for medical and dental treatment received by them from the Falkland Islands Medical Services.

3. The exemptions provided for in this Resolution shall, subject to the proviso hereafter contained, remain in force for a period of two years from the 1st day of July 1986.

Provided that —

- (a) the exemption provided for in paragraph 1 of this Resolution shall only apply to the said company and employees in relation to taxes, duties, contributions, levies and dues which but for the exemption would have been imposed on profits, income, imports and use of harbours arising out of or occasioned by or in relation to the provision of services for British Forces Falkland Islands;
- (b) an employee for the purposes of this Resolution shall not include —
 - (i) a person recruited by the said company in the Falkland Islands whether or not such person is a resident thereof;
 - (ii) a person whom the Financial Secretary is satisfied is normally resident in the Falkland Islands in whatever country that person may have been recruited;
- (c) an exemption may at any time be revoked in respect of the said company or employees;
- (d) (i) if an exemption is revoked in respect of any exempted person, or
 - (ii) an exempted person ceases to carry out services for British Forces Falkland Islands

the exemption shall cease to apply to such exempted person.

SCHEDULE

The Navy, Army and Air Force Institutes

4. This Resolution may be cited as the Taxes and Duties (Special Exemptions) Resolution No. 1 of 1986.

P. T. KING,
Clerk of Councils.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

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30 JUNE 1986

No. 10

Appointments

Miss Wendy Jennifer Cusworth, Clerk Public Service, 16.12.85.

Mrs. Petula Jane Clarke, Clerk Public Service, 22.4.86.

Mrs. Lilian Guthrie, Clerk Public Service, 1.5.86.

Neil Hewitt, Cadet Customs Officer, Customs & Harbour Department, 1.5.86.

Kenneth Ian Jaffray, Field Assistant, Agricultural Research Centre, 7.5.86.

Miss Audrey Gwen Mulholland, Assistant Teacher, Education Department, 11.5.86.

Patrick Alex Field Davy, Engineman, Power Station, Power Generation Section, Public Works Department, 1.6.86.

Mrs. Caroline Victoria Broadhead, S.R.N., R.M., Nursing Sister, Medical Department, 11.6.86.

Acting Appointments

Robert Ernest Gilbert, Acting Superintendent, Power Station, Power Generation Section, Public Works Department, 24.4.86.

Dr. Robert James McIlroy, M.B., Ch.B., Acting Chief Medical Officer, Medical Department, 22.6.86.

Owen Horace McPhee, Acting Superintendent, Posts & Telecommunications Department, 30.6.86.

Completion of Contract

Andrew David Alsop, Pilot, Aviation Department, 3.6.86.

Resignations

Miss Janette Mary Barton, S.R.N., Nursing Sister, Medical Department, 4.11.85.

Mrs. Sheena Ross, Clerk Public Service, 4.5.86.

Mrs. Lisa Short, (née Molkenbuhr), Clerk Public Service, 18.5.86.

Mrs. Elizabeth Anne Corgnati, Clerk Public Service, 31.5.86.

Miss Alison Harrod, Administrative Assistant/Office Manager, Agricultural Research Centre, 4.6.86.

Mrs. Rowena Elsie Summers, Order/Costing Clerk, Central Store, Treasury Department, 21.6.86.

Miss Jennifer Gladys Taylor, Nursing Sister, Medical Department, 24.6.86.

NOTICES

No. 22. 6th June 1986.
TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE
The Taxes and Duties (Special Exemptions) Resolution
No. 10 of 1985

It is hereby notified that the Taxes and Duties (Special Exemptions) Resolution No. 10 of 1985 applies to the consortium of John Laing Construction Ltd., Mowlem International Ltd., and Amey Roadstone Construction Ltd., known as

LAING-MOWLEM-ARC-JOINT VENTURE

the Financial Secretary being satisfied that the said companies are contractors for the works referred to in paragraph 3 (a) of the said resolution.

No. 23. 6th June 1986.
TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE
The Taxes and Duties (Special Exemptions) Resolution
No. 12 of 1985

It is hereby notified that the Taxes and Duties (Special Exemptions) Resolution No. 12 of 1985 applies to —

MESSRS ARNOLD SHARROCKS LIMITED
A & A REDPATH LIMITED

the Financial Secretary being satisfied that the said companies are sub-contractors for the works referred to in paragraph 3 (a) of the said resolution.

No. 24. 6th June 1986.

In accordance with Section 6 of the Police Ordinance 1965 His Excellency the Governor has been pleased to appoint —

SERGEANT ANTON LIVERMORE

to act as Officer in Charge of Police from the 3rd June 1986 until the return from leave of Mr. K. D. Greenland.

P/1460.

No. 25. 6th June 1986.

In accordance with Section 3 of the Immigration Ordinance 1965 His Excellency the Governor has been pleased to appoint —

SERGEANT ANTON LIVERMORE

to act as Immigration Officer from the 3rd June 1986 until the return from leave of Mr. K. D. Greenland.

P/1460.

No. 26. 6th June 1986.

In accordance with Section 7(2) of the Falkland Islands Development Corporation Ordinance 1983 the Chief Executive has appointed Michael Charles Lloyd Gaiger to act as Executive Vice-Chairman of the Falkland Islands Development Corporation during his absence from the Colony with effect from the 8th June 1986.

Ref. DC/1.

No. 27. 6th June 1986.

In accordance with the Fisheries (Transshipment and Export) Regulations Order 1986 the Chief Executive has delegated to Leslie John Halliday all

the functions and powers of the Director of Fisheries with effect from the 14th May 1986 subject to such directions as he may give.

Ref. DC/3c.

No. 28. 6th June 1986.

In accordance with the Fisheries (Transshipment and Export) Regulations Order 1986 the Chief Executive has delegated to Michael Charles Lloyd Gaiger all the functions and powers of the Director of Fisheries with effect from 5th June 1986.

Ref. DC/3c.

No. 29. 18th June 1986.

Birthday Honours 1986

Her Majesty the Queen has been graciously pleased to approve the award of the Colonial Police Medal to —

POLICE SERGEANT ANTON LIVERMORE.

Ref. ROY/31/4.

No. 30. 20th June 1986.

In accordance with Section 2 (2) of the Commissioners for Oaths Ordinance 1969 ERIC MILLER Goss is appointed Commissioner for Oaths.

G. W. JEWKES,
Governor.

No. 31. 27th June 1986.

Intimation has been received from the Right Honourable the Secretary of State for Foreign and Commonwealth Affairs to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinances of the Colony:

No.	Title	Ref.
15/85	The Co-operative Societies Ordinance 1985	LEG/10/58
18/85	The Falkland Islands Development Corporation (Amendment) Ord. 1985	LEG/10/57

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

MAJOR J. A. BLEAKLEY

to be a temporary Customs Officer, South Georgia with effect from the 18th June 1986.

L. J. HALLIDAY,
Collector of Customs.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

MAJOR J. T. DAVID

to be a temporary Customs Officer, South Georgia with effect from the 28th June 1986.

L. J. HALLIDAY,
Collector of Customs.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of Gladys Helena Fleuret, deceased of Stanley, Falkland Islands, who died at Stanley on the 10th day of April 1984.

WHEREAS Joseph Ernest Tertius Marsh, attorney for Lewis Gaston Fleuret at present residing at 70 West End Road, Bitterne, Southampton, Hants, England has applied for Letters of Administration with the Will annexed to administer the estate of of the deceased.

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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
 Falkland Islands.
 5th May 1986.
 PRO/7/85.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of Dorothy Idina Goodwin, deceased of Stanley, Falkland Islands, who died at Stanley on the 26th day of April 1986, intestate.

WHEREAS Jacqueline Nancy Davies 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
 Falkland Islands.
 28th May 1986.
 PRO/14/86.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of Benjamin Browning, deceased of Stanley, Falkland Islands, who died at Stanley on the 17th day of March 1986, intestate.

WHEREAS Hazel Alazia 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
 Falkland Islands.
 12th June 1986.
 PRO/15/86.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of John McKee, deceased of Stanley, Falkland Islands, who died at Stanley on the 1st day of March 1986, intestate.

WHEREAS Sharon Halford as Official Administrator has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to Section 15 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
 Falkland Islands.
 30th June 1986.
 PRO/8/86.

CUSTOMS ORDINANCE Cap 16
(Section 5)

Resolution of Legislative Council

No. 2 of 1986.

RESOLVED by the Legislative Council under Section 5 of the Customs Ordinance Cap 16, on the 2nd day of June 1986, as follows —

1. That the Customs Order No. 6 of 1948 be amended by the substitution for paragraph 2 thereof of the following —

“2. The following import duties of customs shall be payable —

ITEM	ARTICLE		RATE OF DUTY
1.	Beer, ale, perry, porter, spruce, cider and stouts of all kinds	per litre	£ 0.15
2.	SPIRITS — Whisky, gin, rum, brandy, vodka and other spirituous liquors and liqueurs	per litre	£ 5.81
3.	WINES — Still wines, sparkling wines and champagne ...	per litre	£ 0.38
4.	Vermouth, sherry and port	per litre	£ 0.46
5.	TOBACCO —		
(a)	Cigars	per kilo	£23.32
(b)	Cigarettes	per kilo	£16.86
(c)	Tobacco	per kilo	£15.33 ”

2. This Resolution may be cited as the Customs (Amendment of Import Duties) Resolution 1986 and shall come into force on the 3rd day of June 1986.

P. T. KING,
Cerk of Councils.

Ref. CUS/10/2.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCV

31 JULY 1986

No. 11

Appointments

Roger Anthony Edwards, Master, m.v. Forrest, Customs & Harbour Department, 1.7.86.

Miss Catherine Maureen Farmer, Teacher, Education Department, 22.7.86.

Dr. Derek Michael George Murphy, M.B., B.S., M.R.C.S., L.R.C.P., Chief Medical Officer, Medical Department, 29.7.86.

Acting Appointments

Dr. Robert James McIlroy, M.B., Ch.B., Acting Chief Medical Officer, Medical Department, 22.6.86 - 30.6.86.

Mrs. Wendy Joan Fitzgerald, S.R.N., S.C.M., Acting Matron, Medical Department, 9.7.86.

David Anthony Coker, Acting Director of Public Works, Public Works Department, 22.7.86.

Completion of Contracts

Nicholas Jeremy Capron, Teacher, Education Department, 6.6.86.

Mrs. Jennifer Margaret Capron, Teacher, Education Department, 6.6.86.

Jeremy Peter Baylis, Teacher, Education Department, 7.6.86.

Dr. Thomas Pearce, M.B., Ch.B., Chief Medical Officer, Medical Department, 29.7.86.

Promotion

David Smith Emsley from Clerk, Public Service to Senior Clerk, Central Store, Treasury Department, 9.7.86.

Transfers

Paul Julian Williams from Houseparent, Stanley House Hostel, Education Department to Police Constable, Falkland Islands Police Force, 1.7.86.

Miss Diane Lord from Secretary, Justice Department to Senior Clerk, Police, Fire & Rescue Department, 1.7.86.

Resignations

Miss Annagret Adams, Clerk, Public Service, 17.7.86.

Mrs. Petula Jane Clarke, Clerk, Public Service, 31.7.86.

NOTICES

No. 32. 10th July 1986.

Imposition of Income Tax Penalty

It is hereby notified for general information that approval has been given by the Governor in Council that, in future, income tax assessments issued before 1st May will not become liable to the 5% penalty for non-payment, providing the tax due is paid by 30th July in the year of assessment.

Ref. INC/31/1.

No. 33. 18th July 1986.

In accordance with Section 2 (2) of the Commissioners for Oaths Ordinance 1969 RAYMOND EVANS is appointed Commissioner for Oaths.

G. W. JEWKES,
Governor.

Ref. LEG/19/5.

No. 34. 18th July 1986.

In accordance with Section 2 (2) of the Commissioners for Oaths Ordinance 1969 PATRICK WARBURTON SHORT is appointed Commissioner for Oaths.

G. W. JEWKES,
Governor.

Ref. LEG/19/5.

No. 35. 18th July 1986.

In accordance with Section 64 (1) (a) of the Constitution His Excellency the Governor, having consulted members of the Legislative Council, has been pleased to appoint TIMOTHY JOHN DUROSE MILLER to be a member of the Advisory Committee on the Prerogative of Mercy with effect from 15th November 1985.

Ref. LEG/10/54.

No. 36. 18th July 1986.

TIMOTHY JOHN DUROSE MILLER resigned from Legislative Council on 13th January 1986.

Ref. LEC/20/9.

No. 37. 18th July 1986.

In accordance with Section 64 (1) (a) of the Constitution His Excellency the Governor, having consulted members of the Legislative Council, has been pleased to appoint ERIC MILLER GOSS to be a member of the Advisory Committee on the

Prerogative of Mercy with effect from 2nd June 1986.

Ref. LEG/10/54.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint —

CORPORAL NICHOLAS MARK COOK, R.A.F.,
to be a temporary Customs Officer with effect from the 18th April 1986 to the 17th August 1986.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint —

SERGEANT WILLIAM CAMPBELL FAICHNEY, R.A.F.,
to be a temporary Customs Officer with effect from the 17th June 1986 to the 17th October 1986.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 10)

IN THE MATTER OF Isabella Violet Felton, deceased of Stanley, Falkland Islands, who died at Stanley on the 3rd day of June 1986, intestate.

WHEREAS Walter Arthur Felton 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

24th July 1986.
Stanley,
Falkland Islands.
PRO/17/86.

The Appropriation (1986-87) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Appropriation of £8,878,730 for the service of the year 1986-87.

Assented to in Her Majesty's name this 30th day of June 1986.

G. W. JEWKES,
Governor.

LS

No. 1



1986

Colony of the Falkland Islands

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance

To provide for the service of the year 1986-87.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited for all purposes as the Citation.
Appropriation (1986-87) Ordinance 1986.

2. The Financial Secretary may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the period 1st July 1986 to 30th June 1987, a sum not exceeding eight million, eight hundred and seventy-eight thousand, seven hundred and thirty pounds, 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 which will come in course of payment during the year 1986-87.

Appropriation of
£8,878,730 for the service
of the year 1986-87.

SCHEDULE

Number	Head of Service	£
100	Aviation	526,550
150	Posts and Telecommunications	491,370
200	Medical and Dental	480,130
250	Education and Training	547,300
300	Customs and Harbour	156,550
350	Public Works	2,995,290
390	Fox Bay Village	40,000
400	Agriculture	67,790
450	Justice	80,950
500	Military	58,510
550	Police, Fire and Rescue Service	256,460
600	Secretariat, Treasury and Central Store	461,900
650	Pensions and Gratuities	153,880
700	Social Welfare	183,450
750	Governor	87,860
800	Legislature	35,960
850	Falkland Islands Government Office	94,780
860	Agricultural Research Centre	83,450
900	Income Tax Refunds	20,000
		<hr/>
		6,822,180
	Transfer to Development Fund	500,000
		<hr/>
	TOTAL ORDINARY EXPENDITURE	7,322,180
950	DEVELOPMENT	
951	Expenditure to be met from Local Funds	793,950
952	Expenditure to be met from U.K. Aid	762,600
		<hr/>
	TOTAL EXPENDITURE	£ 8,878,730

Passed by the Legislature of the Colony of the Falkland Islands
this 2nd day of June 1986.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

The Old Age Pensions (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
 2. Amendment of Ordinance No. 3 of 1952.
-

Assented to in Her Majesty's name this 30th day of June 1986.

G. W. JEWKES,
Governor.

LS

No. 2



1986

Colony of the Falkland Islands

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance

To amend the Old Age Pensions Ordinance 1952.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation and commencement.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1986 and shall come into force on the 7th day of July 1986.

Amendment of Ordinance No. 3 of 1952.

2. The Old Age Pensions Ordinance 1952 is amended —
- (a) in Section 6 (2) by substituting —
 - (i) £2.85 for £2.25 in paragraph (a);
 - (ii) £4.25 for £3.35 in paragraph (b);
 - (iii) £7.10 for £5.60 in paragraph (c);
 - (b) in Section 6A (2) by substituting £7.10 for £5.60;
 - (c) in the Schedule by substituting the sums £36 and £24 respectively for the sums £28.50 and £19.

Passed by the Legislature of the Colony of the Falkland Islands this 2nd day of June 1986.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. TRE/2/1.

The Fisheries (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
 2. Amendment of Fisheries Ordinance Cap 27.
-

Assented to in Her Majesty's name this 30th day of June 1986.

G. W. JEWKES,
Governor.

LS

No. 3



1986

Colony of the Falkland Islands

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance To amend the Fisheries Ordinance Cap 27

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

Citation and commencement.

1. This Ordinance may be cited as the Fisheries (Amendment) Ordinance 1986 and shall have effect from the 1st day of April 1986.

Amendment of Fisheries Ordinance Cap 27.

2. The Fisheries Ordinance Cap 27 is amended —

(a) by the addition to Section 2 of the following definitions —

“the Director of Fisheries” means the Chief Executive or any person to whom he may delegate any of the functions or powers of the Director of Fisheries;

“Fisheries Protection Officer” means any officer of the Falkland Islands Government or of the Falkland Islands Police or any person appointed a fisheries protection officer by the Director of Fisheries;

“master” means the person having command of a vessel for the time being;

(b) in Section 3 by the addition before the semicolon at the end of paragraph (d) of the following —

“whether or not the fish referred to in this paragraph was caught in the aforesaid waters”;

(c) in Section 4 by —

(i) the insertion after paragraph (a) of the following —

“(b) tranship any fish or substance or thing manufactured from fish whether or not the fish referred to in this paragraph was caught in the aforesaid waters; or”

(ii) the relettering of the existing paragraph (b) as paragraph (c) and the addition before the full stop at the end of that paragraph of the following —

“whether or not the fish referred to in this paragraph was caught in the aforesaid waters”;

(d) by the insertion after Section 4 of the following —

"Detention of vessels and arrest of persons by fisheries protection officer.

4A. (1) Where a fisheries protection officer has reasonable cause to believe that an offence against this Ordinance has been committed he may with or without warrant —

- (a) seize and detain any vessel, including any fishing gear, fish, equipment, stores and cargo found on board or belonging to the vessel and seize and detain any fishing gear abandoned by the vessel;
- (b) arrest any person who he believes has committed, aided or abetted the offence.

(2) In effecting the seizure of a vessel under this section a fisheries protection officer may use such force as may be reasonably necessary.

(3) A vessel seized under this section and the crew thereof shall be brought to Port Stanley as soon as practicable and the vessel and other things detained under this section shall be delivered into the custody of the Officer in Charge of Police.

(4) The Officer in Charge of Police shall release on demand to the owner, master or agent for the owner the vessel or other things referred to in subsection (3) if no proceedings are instituted within 14 days of the aforesaid delivery against the owner or master in respect of an offence against this Ordinance."

(e) by the renumbering of Section 5 as "5 (1)" and —

- (i) the substitution therein of the sums £5,000 and £10,000 for the sums £50 and £100, and
- (ii) the addition thereto of the following subsections —

"(2) A court making an order of forfeiture of a vessel under subsection (1) shall not be required to inquire as to the ownership of the vessel, boat, gear or fish the subject of such order.

(3) The Senior Magistrate or not less than two Justices of the Peace may hear a charge brought for an offence under this Ordinance.

(4) If having convicted a person for an offence under this Ordinance a court is of the opinion that a larger fine should be imposed than that court may impose that court may commit that person to the Supreme Court for sentence."

Passed by the Legislature of the Colony of the Falkland Islands this 2nd day of June 1986.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. DC/3c.

The Non-Contributory Old Age Pensions (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
 2. Amendment of Schedule to Ordinance No. 6 of 1961.
-

Assented to in Her Majesty's name this 30th day of June 1986.

G. W. JEWKES,
Governor.

LS

No. 4



1986

Colony of the Falkland Islands

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance

To amend the Non-Contributory Old Age Pensions Ordinance 1961.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Non-Contributory Old Age Pensions (Amendment) Ordinance 1986 and shall come into force on the 7th day of July 1986.

Citation and commencement.

2. The Schedule to the Non-Contributory Old Age Pensions Ordinance 1961 is amended by substituting the sums "£31" and "£22.50" respectively for the sums "£24.50" and "£18" where they occur.

Amendment of Schedule to Ordinance No. 6 of 1961.

Passed by the Legislature of the Colony of the Falkland Islands this 2nd day of June 1986.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. TRE/2/2.

The Family Allowances (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
 2. Amendment of Ordinance No. 9 of 1960.
-

Assented to in Her Majesty's name this 30th day of June 1986.

G. W. JEWKES,
Governor.



No. 5



1986

Colony of the Falkland Islands

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance To amend the Family Allowances Ordinance 1960.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Family Allowances (Amendment) Ordinance 1986 and shall come into force on the 1st day of January 1987.

Citation and commencement.

2. The Family Allowances Ordinance 1960 is amended —

Amendment of Ordinance No. 9 of 1960.

(a) in Section 3 (2) —

(i) by the insertion of the words "each month" after the word "shall", and

(ii) the substitution of the word "twenty" for the word "fifteen";

(b) by the addition of the following subsection to Section 3 —

"(3) The Superintendent shall pay each month to a man or woman referred to in paragraphs (b) and (c) of Section 5 (1) to whom he is paying an allowance or allowances under subsection (2) an allowance of fifteen pounds in addition to the allowance or allowances being paid under subsection (2)."

Passed by the Legislature of the Colony of the Falkland Islands this 2nd day of June 1986.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. TRE/10/1.

The Supplementary Appropriation (1984-85) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Appropriation in excess of expenditure for the year 1984-85.

Schedule

Assented to in Her Majesty's name this 30th day of June 1986.

G. W. JEWKES,
Governor.

LS

No. 6



1986

Colony of the Falkland Islands

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance

To allow and confirm certain expenditure incurred in the year 1984-85.

WHEREAS expenditure was necessarily incurred during the financial year 1984-85 on certain services although not provided for in the Appropriation (1984-85) Ordinance 1984.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1984-85) Ordinance 1986. Citation.

2. The expenditure during the financial year 1984-85 to the amount of one hundred and forty three thousand nine hundred and seventeen pounds set forth in the Schedule hereto and not provided for or fully provided for by the Appropriation (1984-85) Ordinance 1984 is hereby allowed and confirmed. Appropriation in excess of expenditure for the year 1984-85.

SCHEDULE

Number	Head of Service	£
300	Customs and Harbour	14,702
450	Justice	1,412
600	Secretariat, Treasury and Central Store ...	88,214
650	Pensions and Gratuities	9,913
700	Social Welfare	28,942
750	Civil Commissioner	734
		<hr/> £ 143,917 <hr/>

Passed by the Legislature of the Colony of the Falkland Islands
this 2nd day of June 1986.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. TRE/14/21.

The Estate Duty (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
 2. Amendment of Cap 25.
-

Assented to in Her Majesty's name this 30th day of June 1986.

G. W. JEWKES,
Governor.

LS

No. 7



1986

Colony of the Falkland Islands

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

**An Ordinance
To amend the Estate Duty Ordinance Cap 25.**

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Estate Duty (Amendment) Ordinance 1986 and shall come into force on the 2nd day of June 1986.

Citation and commencement.

2. The Estate Duty Ordinance Cap 25 is amended —
- (a) in Section 4 by the substitution of the sum of £50,000 for the sum £15,000; and
 - (b) by the substitution for the Schedule of the following —

Amendment of Cap 25.

"SCHEDULE

RATE OF ESTATE DUTY

Where the principal value of the estate		Estate duty shall be payable at the rate per cent of	
£	£		
Exceeds 50,000 and does not exceed 55,000	8
Exceeds 55,000 and does not exceed 65,000	9
Exceeds 65,000	10".

Passed by the Legislature of the Colony of the Falkland Islands this 2nd day of June 1986.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. LEG/10/6.

The Legislative Council (Allowances) (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
 2. Amendment of Ordinance No. 8 of 1977.
-

Assented to in Her Majesty's name this 30th day of June 1986.

G. W. JEWKES,
Governor.



No. 8



1986

Colony of the Falkland Islands

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance

To amend the Legislative Council (Allowances) Ordinance 1977.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Legislative Council (Allowances) (Amendment) Ordinance 1986 and shall have effect from the 8th day of October 1985.

Citation and commencement.

2. The Legislative Council (Allowances) Ordinance 1977 shall be amended by the repeal of Section 6.

Amendment of Ordinance No. 8 of 1977.

Passed by the Legislature of the Colony of the Falkland Islands this 2nd day of June 1986.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. LEC/10/2.

The Executive Council (Allowances) (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
 2. Amendment of Ordinance No. 7 of 1977.
-

Assented to in Her Majesty's name this 30th day of June 1986.

G. W. JEWKES,
Governor.

LS

No. 9



1986

Colony of the Falkland Islands

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance

To amend the Executive Council (Allowances) Ordinance 1977.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Executive Council (Allowances) (Amendment) Ordinance 1986 and shall have effect from the 8th day of October 1985.

Citation and commencement.

2. The Executive Council (Allowances) Ordinance 1977 shall be amended by the repeal of Section 6.

Amendment of Ordinance No. 7 of 1977.

Passed by the Legislature of the Colony of the Falkland Islands this 2nd day of June 1986.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. EXC/10/1.

The Plant and Transport Authority (Dissolution) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation.
 2. Dissolution of Plant and Transport Authority.
 3. Liabilities to be borne by the Government.
 4. Vesting of property in the Government.
 5. Dissolution accounts.
 6. Repeal of Plant and Transport Authority Ordinance 1978.
-

Assented to in Her Majesty's name this 30th day of June 1986.

G. W. JEWKES,
Governor.

LS

No. 10



1986

Colony of the Falkland Islands

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

GORDON WESLEY JEWKES, C.M.G.
Governor.

An Ordinance

To dissolve the Plant and Transport Authority.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Plant and Transport Authority (Dissolution) Ordinance 1986. Citation.
2. The Plant and Transport Authority established by the Plant and Transport Authority Ordinance 1978 shall stand dissolved with effect from the 1st day of July 1984. Dissolution of Plant and Transport Authority.
3. Notwithstanding Section 2 the Falkland Islands Government shall bear responsibility for all liabilities of the Plant and Transport Authority current at the time of its dissolution. Liabilities to be borne by the Government.
4. Ownership of all the property of the Plant and Transport Authority shall vest in the Government with effect from the 1st day of July 1984. Vesting of property in the Government.
5. (1) The Financial Secretary shall cause accounts to be prepared which shall show — Dissolution accounts.
 - (a) a statement of the assets and liabilities of the Plant and Transport Authority on the 30th day of June 1984, and
 - (b) a statement showing the sum transferred to the Plant and Vehicle Replacement Fund.
- (2) The Financial Secretary shall lay the accounts referred to in subsection (1) before the Legislative Council at the next meeting of Legislative Council after the coming into force of this Ordinance or at such later meeting as the Governor shall direct.
6. The Plant and Transport Authority Ordinance 1978 is repealed. Repeal of Plant and Transport Authority Ordinance 1978.

Passed by the Legislature of the Colony of the Falkland Islands
this 2nd day of June 1986.

P. T. KING,
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.

P. T. KING,
Clerk of Councils.

Ref. PATA/10/1.

The Co-operative Societies Rules Order 1986

ARRANGEMENT OF RULES

Rule

1. Citation and commencement.
2. Register of Societies.
3. Duty of Registrar to make original entries.
4. Duty of Registrar to initial alterations.
5. Right of public to inspect register.
6. Applications for registration of societies.
7. Registration.
8. Duty of Registrar on registration of society.
9. Duty of Registrar to record reasons for refusal.
10. Register of Members.
11. Duty of society to keep accounts, etc.
12. Membership.
13. Withdrawal from society.
14. Expulsion of member.
15. Loss of qualifications.
16. Postponement of repayment of money to member.
17. Limit of members.
18. Nominees.
19. Divisions of profits.
20. Maximum total amount of debts.
21. General meeting.
22. First meeting.
23. Annual general meeting.
24. Functions of annual general meeting.
25. Special general meetings.
26. Quorum at general meetings.
27. Chairman of general meetings.
28. Voting at general meetings.
29. Method of voting.
30. Minutes of general meeting.
31. Election of committee.
32. Chairman of committee.
33. Duties of committee.
34. Meetings of committee.
35. Procedure at meetings of committee.
36. Minutes of meetings of committee.
37. Failure to attend meetings of committee.

- 38. Vacancies on committee.
- 39. Borrowing powers.
- 40. Banking account.
- 41. Employees.

RULES APPLICABLE TO CREDIT SOCIETIES

- 42. Application for a loan.
- 43. Sanction of loan.
- 44. Security for loans.
- 45. Purposes of loans.
- 46. Documents relating to loans.
- 47. Restrictions on loans to defaulters.
- 48. Extensions of loans.
- 49. Misapplication of loan.
- 50. Recovery of loans.

RULE APPLICABLE TO MARKETING SOCIETIES

- 51. Marketing.

GENERAL

- 52. Bad debts.
- 53. Preparation of annual accounts and report.
- 54. Transfer of shares.
- 55. Sales of shares of members in default.
- 56. Secretary.
- 57. Payment of secretary.
- 58. Security by secretary.
- 59. Suspension of secretary.
- 60. Temporary absence of secretary.
- 61. Duties of secretary.
- 62. Treasurer.
- 63. Security by treasurer.
- 64. Duties of treasurer.
- 65. Unfit officer.
- 66. Reserve fund.
- 67. Audit of accounts.
- 68. Audit and supervision fund.
- 69. By-laws.
- 70. Amendment of by-laws.
- 71. Copies of entries.
- 72. Reference of a dispute to the Registrar for decision.
- 73. Reference to arbitration by the Registrar.
- 74. Proceedings before the arbitrator or arbitrators.
- 75. Proceedings before the Registrar.

THE COLONY OF THE FALKLAND ISLANDS
The Co-operative Societies Ordinance 1985
The Co-operative Societies Rules Order 1986

No. 7 of 1986.

In accordance with Section 51 of the Co-operative Societies Ordinance 1985 the Governor in Council makes the following Order.

1. This order may be cited as the Co-operative Societies Rules Order 1986 and shall come into force on the 7th day of April 1986. Citation and commencement.
2. The Registrar shall keep or cause to be kept at his office a register to be called "the Register of Societies" wherein shall be entered particulars relating to the registration of societies and their by-laws. Register of Societies.
3. All original entries in the Register of Societies shall be made by, or under the direction of, the Registrar and shall be signed by him. Duty of Registrar to make original entries.
4. Every alteration, interlineation or erasure in the Register of Societies shall be initialled by the Registrar. Duty of Registrar to initial alterations.
5. The Register of Societies shall be open to inspection by the public at all reasonable times without charge. Right of public to inspect register.
6. (1) Every application for registration of a proposed society shall be submitted to the Registrar in the form prescribed by him. Applications for registration of societies.
(2) Three copies of the by-laws which the society proposes to adopt shall be submitted together with the application.
7. Where the Registrar decides to register a proposed society, the society and its by-laws shall be registered in the Register of Societies. Registration.
8. Upon the registration of a society the Registrar shall forward to the society free of charge —
(a) a certificate of registration;
(b) a copy of the by-laws of the society as approved by him and certified under his hand as having been approved by him; and
(c) a copy of the Ordinance and of the rules. Duty of Registrar on registration of society.
9. When the Registrar refuses to register a society or its by-laws, he shall record in writing his reasons for so doing. Duty of Registrar to record reasons for refusal.
10. Every registered society shall keep a register to be called the "Register of Members" wherein shall be entered —
(a) the name, address and occupation of each member and a statement of the shares, if any, held by him;
(b) the date on which each member's name was entered in the register;
(c) the date on which each member's name was entered in the register;
(d) the nominee, if any, appointed under rule 18. Register of members.
11. Every registered society shall keep such accounts and shall use such books as may from time to time be prescribed by the Registrar. Duty of society to keep accounts, etc.

- Membership.** 12. The election and admission of members to a registered society, other than original members, shall be in such manner and on such conditions as the by-laws shall prescribe.
- Withdrawal from society.** 13. A member may withdraw from a registered society by giving written notice to the secretary, but such withdrawal shall be without prejudice to section 29 (1) of the Ordinance.
- Expulsion of member.** 14. If a member acts in contravention of the rules or by-laws or acts in any way that is detrimental to the interests of the registered society, such member may be expelled by a vote of two-thirds of the members present at a general meeting, upon a charge communicated to him in writing by the committee not less than one week before the meeting. Such expulsion shall, however, be without prejudice to section 29 (1) of the Ordinance.
- Loss of qualifications.** 15. Any member who loses any of the qualifications for membership prescribed by the Ordinance or the rules or the by-laws shall cease to be a member of the registered society, and the committee shall cause his name to be struck off the Register of Members without prejudice to any liabilities of such person under section 29 (1) of the Ordinance.
- Postponement of repayment of money to member.** 16. In the case of any registered society of limited liability holding deposits or loans from non-members, no member withdrawing, removed or expelled therefrom shall be entitled to repayment of any money paid by him towards the purchase of shares.
- Limit of members.** 17. No registered society shall fix any limit to the number of its members.
- Nominees.** 18. (1) Every appointment of a nominee by any member of a registered society for the purposes of section 17 of the Ordinance shall be made in writing signed by the member in the presence of two attesting witnesses.
- (2) No member of a registered society with share capital shall be entitled to appoint more than one nominee unless that member holds more than one share.
- (3) In any case where more than one nominee is appointed by any member, the number of shares to be transferred to each of those nominees shall be specified at the time of the appointment.
- (4) Every appointment of a nominee shall be recorded in the Register of Members.
- (5) For the purpose of a transfer to a nominee, the value of any share or interest shall be represented by the sum actually paid for that share or interest by the member holding it, unless the by-laws of the registered society otherwise provide.
- (6) Where any money is paid to a nominee who is a minor, a receipt given either by the minor or by his guardian shall be sufficient discharge to the registered society.
- Division of profits.** 19. (1) Unless authorized by the registrar, no dividend or payment on account of profits shall be made by a society registered with unlimited liability until the reserve fund has reached a proportion of not less than one tenth of the society's total liabilities.
- (2) No registered society shall pay a dividend if the rate of interest on loans granted by it to its members exceeds ten per cent per annum.
- (3) No registered society shall pay a dividend on share capital exceeding five per cent per annum of the capital actually paid up.

(4) A bonus based on wages or on the value of the products of a member, or a bonus or rebate on patronage calculated in proportion to the amount of the business done by each member with the registered society may be distributed periodically to the members from surplus funds after the deduction of all expenditure and after making provision for bad and doubtful debts and making allocation to the reserve fund.

20. (1) Every registered society shall from time to time, fix at a general meeting the maximum total amount of debts it may incur in loans or deposits whether from members or non-members.

Maximum total amount of debts.

(2) The maximum so fixed shall be subject to the sanction of the Registrar, who may at any time reduce it. No registered society shall receive loans or deposits which will make the total amount of its debts exceed the limit sanctioned by the Registrar.

21. The supreme authority in a registered society shall be vested in the General Meeting. Voting at such general meetings shall be conducted as prescribed in the by-laws of the registered society.

General meeting.

22. The first meeting of members shall have the same powers as are given to the annual general meeting, and shall be held immediately or not later than one month after the receipt of the certificate of registration of the society.

First meeting.

23. The annual general meeting of members shall be convened by the committee as soon as the report on the audit of the accounts of the registered society by the Registrar, or person authorized by him, is received by the committee. At least eight days' notice shall be given before any such general meeting is held:

Annual general meeting.

Provided that the Registrar may at any time after the audit of the accounts has been completed convene the annual general meeting which shall proceed as if it had been convened by the committee.

24. The functions of the annual general meeting shall be—

Functions of annual general meeting.

- (a) to confirm the minutes of the previous annual general meeting and of any intervening special general meeting;
- (b) to consider the reports of the committee and the balance sheet together with the report on the audit of the accounts of the registered society for the previous year as prepared by the registrar or the person authorized by him;
- (c) to approve the accounts or, if the accounts are not approved, to cause the secretary to notify the Registrar who shall consider the matter and make his decision thereon, and such decision as to the correctness of the accounts shall be final and conclusive;
- (d) to hear and decide upon any complaints brought by members aggrieved by a decision of the committee, provided that notice of such complaints to be brought before the meeting shall be given to the secretary at least two days prior to the meeting; and
- (e) to transact any other general business of the registered society.

25. A special general meeting of members may be convened at any time by the committee; and on receipt of a demand stating the object of the proposed meeting signed by not less than one-fifth of the members of the registered society, if such society is composed of less than one hundred members, or by twenty-five members if such society consists of more than one hundred members it shall be the duty of the chairman of the committee to convene such a meeting

Special general meetings.

giving eight days' notice. If the chairman of the committee fails to convene a meeting within fourteen days from the receipt of a demand as aforesaid the members applying for such a meeting shall have the right to convene the meeting by notice, which shall contain the object of the proposed meeting and a statement to the effect that the meeting is convened on the failure of the chairman of the committee to convene the meeting demanded:

Provided that the Registrar or a person authorized by him may at any time summon a special general meeting of the registered society in such manner and at such time and place as he may direct, and he may also direct what matters shall be discussed at the meeting; such meeting shall have all the powers of a meeting called according to the rules.

Quorum at general meetings.

26. (1) When a registered society consists of not more than one hundred and twenty members, one-half of the number of the members or thirty members, whichever is the less, shall form a quorum for the purposes of the annual or a special general meeting, and when a registered society consists of more than one hundred and twenty members one-fourth of the total number of the members of such society shall form a quorum for the purpose of the annual or a special general meeting:

Provided that when any meeting is summoned by the Registrar any members present at such meeting shall form a quorum.

(2) If within one hour after the time fixed for any meeting other than a meeting convened by the Registrar the members present are not sufficient to form a quorum, such meeting shall be considered as dissolved if convened on the demand of members, in all other cases it shall stand adjourned to the same day in the next week at the same time and place and a notice to that effect shall be posted by the secretary within twenty-four hours, and if at the adjourned meeting a quorum is not present within one hour from the time appointed for the meeting the members present shall form a quorum.

Chairman of general meetings.

27. (1) The chairman of the committee or in his absence any other person elected by a majority of those present shall preside at the annual or special general meeting:

Provided that the Registrar or a person appointed by him shall preside at any meeting convened by himself or on his demand.

(2) The secretary or in his absence any other person nominated in writing by the chairman shall act as secretary at the meeting. The chairman, if necessary, may nominate other officers to assist at the meeting.

(3) The chairman may by the decision of the meeting adjourn the meeting from time to time and from place to place, but no business shall be transacted at any meeting so adjourned other than the business left unfinished at the meeting from which the adjournment took place.

(4) The chairman shall have the right to order the closure of a discussion and put the matter to the vote.

Voting at general meetings.

28. Any question submitted to the decision of the members present at a general meeting, unless otherwise dealt with in the rules, shall be decided by a majority of votes.

Method of voting.

29. (1) At any meeting a resolution put to the vote shall be decided on a show of hands, unless voting by call of names or a ballot is demanded by at least five of the members present before the declaration of the result of the show of hands, and in such case voting by call of names or a ballot shall be taken as the case may be.

(2) The chairman shall have an ordinary vote and in case of an equality of votes shall be entitled to a casting vote. In the case of a meeting convened by the Registrar and presided over by him or his representative, he or his representative shall not be entitled to vote except on an equality of votes, in which case they shall have a casting vote.

(3) In respect of every resolution put to the vote the chairman shall declare whether it has been carried or lost, and whether on a show of hands or unanimously or by a particular majority, and an entry to that effect in the minute book shall be conclusive evidence of anything therein contained.

30. Minutes of every general meeting shall be entered in the minute book and signed by the chairman and secretary before the dissolution or adjournment of the meeting and shall contain —

Minutes of general meeting.

- (a) the number and names of the members present at the meeting and the name of the chairman or of the person who presided at the meeting;
- (b) the time fixed for the meeting and the time the meeting commenced;
- (c) the total number of members on the date on which the meeting was held; and
- (d) all resolutions passed or decisions made at the meeting.

31. (1) The committee shall be elected at a general meeting of the registered society to be held annually or convened for the purpose by the Registrar, and its members shall hold office until the election of a new committee and they shall be eligible for re-election:

Election of committee.

Provided that a special general meeting convened for the purpose by or on the demand of the members (in the case of registered societies with less than forty members, one-half of the members or ten members whichever is the less or, when a registered society consists of more than forty members, one-fourth of the total number of members) may remove the committee or any members thereof before the expiration of their period of office by a majority of three-fourths of the members present, and such members shall proceed at the same meeting to the election of others in their stead who shall hold office until the election of a new committee by the next general meeting convened for this purpose by the Registrar.

(2) The committee shall consist of five members and three shall constitute a quorum.

32. The committee shall elect its own chairman, who shall have an ordinary vote and on an equality of votes shall be entitled to a casting vote. In the temporary absence of the chairman, the committee shall elect one of its members to perform the duties of chairman.

Chairman of committee.

33. (1) The committee shall represent the registered society before all competent public authorities and in all dealings and transactions with third persons, with power to institute or defend suits brought in the name of or against the society, and in general it shall carry out such duties in the management of the affairs of the registered society as have not been specially assigned by the rules or the by-laws to general meetings or to any other officer of the society.

Duties of committee.

(2) The committee shall always keep a copy of the latest annual balance sheet of the registered society together with the report referred to in rule 23, hung in a conspicuous place at the registered office of the society.

Meetings of committee.

34. The committee shall meet as often as the business of the registered society may require and in any case not less frequently than once every three months. Meetings of the committee shall be summoned by the secretary in writing.

Procedure at meetings of committee.

35. At each committee meeting the secretary shall —

- (a) read the minutes of the preceding meeting;
- (b) produce the cash book, detail the entries of receipts and payments made therein since the last meeting and with the treasurer produce the cash in their possession for verification by the committee with the cash book;
- (c) produce a statement showing the loans due and unpaid for determination by the committee as to the action to be taken in each case;
- (d) produce applications for loans, if any, for determination by the committee in accordance with the priority of receipt; and
- (e) submit any other business for consideration by the committee.

Minutes of meetings of committee.

36. Minutes of committee meetings shall be recorded forthwith by the secretary in the minute book and shall be signed by the chairman or other presiding member and by the secretary and shall contain the following particulars—

- (a) the names of the members present and the date of the meeting;
- (b) the name of the chairman or other presiding member; and
- (c) a short statement of all matter discussed and decisions made and a record as to whether each decision was made unanimously or by a majority.

Failure to attend meetings of committee.

37. Any member of the committee who, without due excuse approved by the committee, fails to attend three consecutive meetings of the committee shall be deemed to have vacated his office which shall thereupon be filled as provided by rule 38.

Vacancies on committee.

38. (1) Vacancies occurring on the committee shall be filled within eight days by the election of substitutes elected by the remaining members of the committee:

Provided that when such election does not take place the Registrar may appoint the required substitutes.

(2) Any substitutes elected or appointed under paragraph (1) shall hold office until the expiration of office of the committee.

Borrowing powers.

39. The committee may borrow money on behalf of the registered society to an amount not exceeding such total amount as may have been fixed in accordance with rule 20.

Banking account.

40. The committee may open a banking account. All cheques shall be signed by one member of the committee and the secretary.

Employees.

41. (1) The committee may —

- (a) appoint such employees as it considers necessary; and
- (b) fix the salary, wages or remuneration of every such employee.

(2) Every employee appointed under this rule shall hold office during the pleasure of the committee.

RULES APPLICABLE TO CREDIT SOCIETIES

Application for a loan.

42. Members who desire to obtain a loan shall submit an application to the committee stating the amount and the purpose for which the loan is required, the term for which it is asked, whether it is desired to repay it by instalments, and the names of the proposed sureties or any other security which is offered.

43. (1) The committee shall consider at a meeting every application for a loan, and if the committee is satisfied with the trustworthiness of the applicant, the sufficiency of the security offered and the prospects of advantage to the borrower, in the way of increased production or economy or otherwise, it may sanction the loan.

Sanction of loan.

(2) No person other than members of the committee and the secretary and the Registrar and his staff shall be present at any meeting of the committee when an application for a loan is under consideration. A member of the committee who applies for a loan or who is proposed as surety for a loan shall withdraw while the relevant application is being discussed. If there is a difference of opinion concerning the granting of a loan, the voting shall be taken by ballot. The proceedings with regard to loans at committee meetings shall be kept secret, and any member of the committee or officer of the registered society infringing this rule shall be liable to immediate expulsion or dismissal.

44. Loans, when approved by the committee, shall be granted to members who are able to obtain two sureties approved by the committee, or who can give other security to the satisfaction of the committee. If the committee are of the unanimous opinion that the member's other security is not necessary then, on approval by the Registrar, such loan may be made to the member without sureties or other security.

Security for loans.

45. (1) No loan shall be made except for a purpose to be approved in each case by the committee.

Purposes of loans.

(2) All loans made shall be applied by the borrowing members to such purpose as the committee has approved.

46. When a loan is sanctioned by the committee a notice shall be sent to the borrower to that effect, and, before the amount is advanced, the borrower (and his sureties if any) shall execute an instrument in writing setting out the terms of repayment of the loan and containing such other terms and conditions as the committee may consider necessary.

Documents relating to loans.

47. Where a member —

- (a) is in default in the payment of a loan or of an instalment of a loan; and
- (b) does not satisfy the committee that such default is due to a good cause,

such member shall not be entitled to receive another loan from the registered society.

Restrictions on loans to defaulters.

48. If, by reason of sickness or some other cause, a member finds that he will be unable to discharge his obligations to the registered society and notifies the secretary in writing before a loan is due, the committee may extend the time fixed for payment on such conditions as it thinks fit.

Extensions of loans.

49. Where the committee is satisfied that a member of the registered society who has obtained a loan has applied the proceeds thereof to a purpose other than the purpose which is stated in the application therefor under rule 42, the committee may, by notice in writing to the debtor, demand payment of the loan before the agreed date of payment.

Misapplication of loan.

50. Where —

- (a) a loan or an instalment of a loan has not been paid on the date on which it became due, and

Recovery of loans.

- (b) no extension for the payment thereof has been given to the debtor by the committee under rule 48,

the committee shall take steps for the recovery of the same by referring the matter to the Registrar as provided in section 47 of the Ordinance.

RULE APPLICABLE TO MARKETING SOCIETY

Marketing.

51. (1) Every member of the society shall deliver to the society at such place as the committee shall direct such amount of articles produced or obtained by him as may be prescribed in the by-laws or in the relevant contract to be disposed of by the society.

(2) Any member, who is approved or adjudged in accordance with section 47 of the Ordinance to be guilty of a breach of the by-laws or the relevant contract as the case may be, shall pay to the society as liquidated damages such sum as may be specifically assessed or ascertained in manner prescribed by the by-laws or by the relevant contract, and such sum shall be deemed to be a debt due to the society.

GENERAL

Bad debts.

52. The committee may, with the approval of the Registrar, cause bad debts to be written off the books of the registered society in such manner and at such times as the Registrar may deem fit.

Preparation of annual accounts and report.

53. The committee shall, in every year and as soon as conveniently possible within such time as the registrar may direct —

- (a) cause the secretary to prepare and send to the Registrar the yearly balance sheet, closed on the date specified by the Registrar, of the preceding year together with a detailed statement of the profit and loss account; and
- (b) prepare a report on the year's working of the registered society to be presented to the annual general meeting.

Transfer of shares.

54. (1) Any share may be transferred with the approval of the committee to any other member at the option of the transferor but if the transferee is not a member, he must be approved of as a member by the committee or the general meeting according to the by-laws relating to the admission of members before the transfer can be registered; and if the by-laws require a member to hold more than one share, the transferee must acquire by the transfer or by the transfer and allotment, the number so required to be held before the transfer can be registered.

(2) Special transfer forms shall be provided by the Registrar.

(3) No transfer of a share shall be valid and effective unless and until such transfer has been registered by the secretary on the direction of the committee.

(4) No transfer of a share shall be registered if made by a member indebted to the registered society without special order of the committee, and until the transfer of a share is registered no right shall be acquired against the registered society by the transferee nor shall any claim of the registered society upon the transferor be affected thereby.

Sales of shares of members in default.

55. The committee may, in default of payment by any member indebted to the registered society to an amount not less than three-fourths of the sum paid up for the time being on any transferable share held by him, sell, transfer and register in the books of the registered society such share to any person entitled to hold the same under the rules or by-laws for the best price obtainable therefor, and apply the proceeds in or towards the discharge of the debt so due and of any expense incurred in or about the same, paying over the balance (if any) to the member, without being responsible for any loss occasioned thereby, and the defaulting member shall cease to have any further claim in respect of such share.

56. (1) The committee shall appoint a secretary and, unless the person so appointed is a member of the committee, shall have power to fix the remuneration for his services. Secretary.

(2) The secretary, if a member of the committee, shall be unpaid.

(3) No appointment made under paragraph (1) of this rule shall be valid and effective, unless approved by the Registrar. Every such approval shall be communicated in writing by the Registrar to the committee.

(4) In the event of failure on the part of the committee to appoint a secretary, the Registrar shall appoint a secretary and, unless the person so appointed is a member of the committee, the Registrar shall fix his remuneration. Every appointment made by the Registrar under this paragraph shall be valid and effective, and every remuneration fixed by the Registrar shall be payable and recoverable, as if made or fixed by the committee.

(5) The secretary shall occupy his office until his services are determined by one month's notice in writing given by the committee:

Provided that no determination as aforesaid shall be valid and effective until the approval of the Registrar in writing has been obtained therefor.

(6) The secretary may resign his office by giving one month's notice to the committee in writing.

(7) On the occurrence of a vacancy in the office of the secretary, the provisions of this rule shall apply *mutatis mutandis* to the filling of such vacancy.

57. The remuneration of the secretary, if any, shall be paid from the funds of the registered society monthly in arrear. Payment of secretary.

58. (1) The secretary may be required to give security in such amount as the committee may determine. Security by secretary.

(2) Every such security and the amount thereof shall be subject to the approval of the Registrar to be signified in writing to the committee.

59. (1) The committee may at any time suspend the secretary for any irregularity in the performance of his duties. Suspension of secretary.

(2) Such suspension shall be reported forthwith to the Registrar who shall approve or disallow the same and shall communicate his decision to the secretary and the committee in writing, and on notification of his approval of the suspension the services of the secretary shall be determined without further notice.

(3) In the event of the suspension of the secretary the committee shall forthwith appoint a substitute to hold office during the period of such suspension and shall report the name of such substitute to the Registrar.

60. (1) The secretary shall not absent himself from duty save with the permission of the committee previously obtained. Temporary absence of secretary.

(2) During the absence of the secretary, the committee shall appoint a temporary secretary and shall report the appointment to the Registrar.

(3) In case the secretary desires to be absent from duty for more than one month at any one time, the committee shall, before granting permission for such absence, obtain the previous approval of the Registrar therefor.

Duties of secretary.

61. The duties of the secretary shall be —

- (a) to attend all meetings of the registered society and of the committee and to carry out all the instructions of the committee;
- (b) to be present at the office during the hours of business as fixed from time to time by the committee;
- (c) to record the whole of the transactions of the registered society in the books provided for that purpose; to conduct correspondence on behalf of the registered society; to prepare the annual statement of accounts and balance sheet; and to have charge of the documents, books and vouchers for payments and receipts on behalf of the registered society;
- (d) to receive all applications for loans and bring the same before the committee; to prepare receipts and other documents in the form prescribed for signature by borrowers prior to their taking the loans sanctioned; and with the authority of the committee to supply information about the registered society which may be applied for by members;
- (e) to receive all moneys due or payable to the registered society and issue receipts to the payer;
- (f) to deposit with the treasurer from moneys collected by him on behalf of the registered society all sums in excess of an amount to be fixed from time to time by the committee and to obtain from him a receipt on a form to be taken from the prescribed counterfoil book;
- (g) to keep separate all moneys belonging to the registered society and on no account to mix them with any other moneys; and to produce at all times when called upon by the committee, or the Registrar or any person authorized by him, all moneys in his hands belonging to the registered society;
- (h) to make payments as authorized by the committee, obtaining the payee's signature on the payment book prescribed by the Registrar:
 Provided that if the payment is made outside the registered society's office the secretary shall, in every instance, obtain from the payee a manuscript receipt and attach it to a separate page of the payment book;
- (i) to issue a receipt on a form to be taken from the prescribed counterfoil book when receiving money from the treasurer; and
- (j) to summon meetings as provided in the rules.

Treasurer.

62. The committee shall appoint one of the members of the committee, not being the chairman, to be the treasurer.

Security by treasurer.

63. The treasurer may be required to give security for such amount as may be determined by, and to the satisfaction of, the committee.

Duties of treasurer.

64. The duties of the treasurer shall be —

- (a) to receive from the secretary as provided in paragraph (f) of rule 61 moneys collected by the latter on behalf of the registered society, furnishing him with a receipt on a form taken from the counterfoil book supplied for the purpose by the Registrar and obtaining at the same time the signature of the secretary on the counterfoil;
- (b) to advance money to the secretary for payments and obtain from him a receipt from the prescribed counterfoil book;

- (c) to place to the account of the registered society in such bank as may be approved by the Registrar any amount in his hands in excess of the amount fixed from time to time by the committee;
- (d) to keep separate all moneys belonging to the registered society and on no account to mix them with any other moneys; to produce at all times when called upon to the committee, the Registrar or any person authorized by him, all moneys in his hands belonging to the registered society; and
- (e) to keep a record on the prescribed form of all moneys received by him from the secretary and of all moneys paid to the secretary.

65. If in any society, in the opinion of the Registrar, any member of the committee or other officer is unfit for the discharge of his duties, the society shall, on the requirement of the Registrar, dismiss him.

Unfit officer.

66. (1) The reserve fund of a registered society created in pursuance of section 34 (1) of the Ordinance, may, with the sanction of the Registrar —

Reserve fund.

- (a) be utilized in the business of the registered society; or
- (b) be applied to meet occasional deficiencies incurred by the registered society.

(2) In sanctioning the utilization or application of the reserve fund under paragraph (1) of this rule, the Registrar may impose such terms and conditions as he may deem fit.

67. In pursuance of section 35 of the Ordinance, the accounts of every registered society shall be audited once at least in every year by some person authorized by the Registrar. Such person shall have access to all the books and accounts of the registered society, and shall verify the same with the accounts and vouchers relating thereto, and shall either sign the same as found by him to be correct, duly vouched and in accordance with the Ordinance, and shall report to the Registrar accordingly, or shall specially report to the Registrar in what respects he finds the same incorrect, unvouched or not in accordance with the Ordinance. The Registrar shall thereupon forward the report of such person to the committee.

Audit of accounts.

68. (1) There shall be constituted a fund to be known as the audit and supervision fund and every registered society shall, when called upon to do so by the Registrar, make annually a contribution to such fund.

Audit and supervision fund.

(2) Until such time as a society has been established and registered for the purposes of supervision and audit, such contributions shall be held by the Registrar and administered by him on behalf of the contributing registered societies.

(3) So long as the Registrar administers the fund on behalf of the contributing registered societies, he shall report in every year to the Government in respect of the income derived from contributions, the expenditure he has sanctioned from the fund and the balance in his hands.

(4) As soon as a society for supervision and audit has been established and registered, the fund shall be credited to such society and shall be utilized by such society in accordance with its objects and by-laws.

(5) Until a society for supervision and audit has been established and registered, the Registrar shall fix the amount of the annual

contribution to the fund of every registered society called upon to contribute to the fund. The amount of every such annual contributions shall be subject to a maximum of either 5% of the net annual profits of the registered society or of 1% of the working capital of the registered society, and shall not in any case be less than three per cent of the net annual profits or one half per cent of the working capital.

By-laws.

69. (1) The by-laws of a proposed society shall contain provision in respect of the following matters —

- (a) the name of the society;
- (b) the registered address of the society;
- (c) the objects for which the society was established;
- (d) the purposes to which the funds may be applied;
- (e) the qualifications for membership, the terms of admission of members, and the mode of election;
- (f) the nature and extent of the liability of members; and
- (g) the manner of raising funds, including the maximum rate of interest on deposits.

(2) If the objects of the proposed society include the creation of funds to be lent to the members, the proposed by-laws shall, in addition, contain provision in respect of the following matters —

- (a) the occupation and residence of the members;
- (b) the conditions on which loans may be made to members, including —
 - (i) the rate of interest, and
 - (ii) the maximum amount which may be lent to a member; and
- (c) the consequences, if any, of default in the payment of any sum due on account of shares.

Amendment of by-laws.

70. (1) Where in pursuance of section 10 (1) of the Ordinance a registered society amends its by-laws, such amendment shall be made by a resolution of the members of the registered society at a general meeting.

(2) Every resolution under paragraph (1) shall not be valid and effective unless it was taken by a majority of not less than three-fourths of the members present at the general meeting at which the resolution was proposed.

(3) A copy of a resolution under paragraph (1) shall be forwarded to the Registrar.

Copies of entries.

71. For the purpose of section 19 of the Ordinance a copy of an entry in the book of a registered society may be certified by a certificate written at the foot of such copy, declaring that it is a true copy of such entry and that the book containing the entry is still in the custody of the society; such certificate shall be read and signed by the secretary and one member of the committee.

Reference of a dispute to the Registrar for decision.

72. (1) Reference of a dispute to the Registrar for decision under section 49 (1) of the Ordinance may be made —

- (a) by the committee; or
- (b) by the registered society in pursuance of a resolution in that behalf taken in general meeting; or
- (c) by any party to the dispute; or
- (d) where the dispute concerns a member of the committee and the registered society, by any member of the registered society.

(2) Every reference under this rule shall be made by a statement in writing addressed to the Registrar. Such statement shall —

- (a) be dated;
- (b) specify the dispute;
- (c) set out full particulars of the dispute; and
- (d) be signed by the party making it.

73. (1) Where in pursuance of section 49 (2) (b) of the Ordinance, the Registrar decides to refer a dispute to arbitration, such decision shall be embodied in the order of reference under his hand.

Reference to arbitration
by the Registrar.

(2) Every order of reference under this rule shall —

- (a) specify the name, surname, place of abode and occupation of the arbitrator or arbitrators;
- (b) set out the dispute and full particulars thereof; and
- (c) limit the time within which the award shall be forwarded by the arbitrator or arbitrators to the Registrar:

Provided that, on good cause shown to his satisfaction, the Registrar may by a further order enlarge the time whether before or after the time limited by the order of reference has expired.

(3) Where the Registrar decides to refer a dispute to more than one arbitrator, such reference shall be to three arbitrators, of whom one shall be nominated by each of the parties to the dispute and the third shall be nominated by the Registrar and shall act as chairman.

(4) Where under paragraph (3) of this rule reference is made to three arbitrators, the following provisions shall have effect —

- (a) if any party to the dispute fails to nominate an arbitrator within such time as the Registrar may specify, the Registrar may make the nomination himself;
- (b) if an arbitrator nominated by one of the parties to the dispute dies, or refuses or neglects to act or by absence or otherwise becomes incapable of acting, the Registrar shall call upon the party concerned to nominate a new arbitrator within such time as the Registrar may specify, and if no new arbitrator is nominated accordingly, the Registrar may nominate one himself;
- (c) if the arbitrator who dies, or refuses or neglects to act, or becomes incapable of acting, was nominated by the Registrar, a new arbitrator shall be nominated in his place by the Registrar; and
- (d) the opinion of the majority of the arbitrators shall prevail.

74. (1) The proceedings before the arbitrator or arbitrators shall, as nearly as possible, be conducted in the same way as proceedings before a court of law, and in particular the following provisions shall have effect in respect thereof —

Proceedings before the
arbitrator or arbitrators.

- (a) notice of the time and place at which the proceedings are to be held shall be given to the parties to the dispute, and such notice shall be a ten days' notice;
- (b) a record of the evidence adduced before the arbitrator or arbitrators shall be made, dated and signed by the arbitrator or arbitrators;
- (c) documents produced as exhibits before the arbitrator or arbitrators shall be marked, dated and initialled by the arbitrator or arbitrators and shall be attached to the file of the proceedings; and

- (d) in the absence of any party duly notified to attend, the dispute may be decided by the arbitrator or arbitrators *ex parte*.

(2) The award of the arbitrator or arbitrators shall —

- (a) be in writing;
- (b) be dated and signed by the arbitrator or arbitrators; and
- (c) state the amount of the costs and expenses of the arbitration, if any, and by which party or parties to the dispute the same are to be paid.

(3) Upon the completion of the proceedings the arbitrator or arbitrators shall forward to the Registrar —

- (a) the file of the proceedings, and
- (b) the award.

Proceedings before the Registrar.

75. Where, in pursuance of section 49 (2) (a) of the Ordinance, the Registrar exercises the power of deciding a dispute himself, the proceedings before him in relation thereto shall, as nearly as possible, be conducted in the same way as proceedings before a court of law and rule 73 shall apply *mutatis mutandis* to such proceedings.

Made this 4th day of April 1986.

G. W. JEWKES,
Governor.

Ref. LEG/10/58.

THE CO-OPERATIVE SOCIETIES ORDINANCE 1985

The Co-operative Societies (Exemptions) Order 1986

No. 8 of 1986.

In accordance with Sections 53 and 56 of the Co-operative Societies Ordinance 1985 the Governor in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Co-operative Societies (Exemptions) Order 1986 and shall be in force with effect from the 1st January 1986.

Exemption.

2. The Stanley Co-operative and the Home Industries Co-operative are, until the 31st March 1987, exempted from the provisions in the Co-operative Societies Ordinance concerning registration and are authorised to use the word Co-operative as part of their business or trade names.

Made this 4th day of April 1986.

G. W. JEWKES,
Governor.

PUBLIC HEALTH ORDINANCE Cap 54
Medical Fees (Amendment) Regulations Order 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Schedules A, B and D to Regulations 5 of 1979.

PUBLIC HEALTH ORDINANCE Cap 54
Medical Fees (Amendment) Regulations Order 1986

No. 9 of 1986.

In accordance with Section 55 of the Public Health Ordinance Cap 54 the Governor in Council makes the following Order —

1. This Order may be cited as the Medical Fees (Amendment) Regulations Order 1986 and shall have effect from the 1st day of July 1985. Citation and commencement.
2. The Medical Fees Regulations 1979 are amended — Amendment of Schedules A, B and D to Regulations 5 of 1979.
 - (a) in Schedule A by adding in paragraph 1 after subparagraph (2) the following —

“(3) Visits to ships outside territorial seas will be charged at cost.

(4) The use of a helicopter will be charged at cost;”
 - (b) in Schedule B by substituting —
 - (1) in paragraph 1 “£51” for “£15”;
 - (2) in paragraph 2 “£168” for “£100”;
 - (3) in paragraph 4 “£20” for “£15”;
 - (4) in paragraph 6 “£25” for “£20”;
 - (c) in Schedule D by substituting in paragraph 2
 - (i) “£25” for “£15” in subparagraph (a);
 - (ii) “£15” for “£10” in subparagraph (b);
 - (iii) “£15 - £200” for “£10 - £30” in subparagraph (d).

Made this 23rd day of May 1986.

G. W. JEWKES,
Governor.

PUBLIC HEALTH ORDINANCE Cap 54
Medical Fees Regulations (Revocation) Order 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Revocation of Medical Fees.

PUBLIC HEALTH ORDINANCE Cap 54
Medical Fees Regulations (Revocation) Order 1986

No. 10 of 1986.

Citation.

1. This Order may be cited as the Medical Fees Regulations (Revocation) Order 1986.

Revocation of Medical Fees.

2. The Medical Fees Regulations are revoked.

Made this 23rd day of May 1986.

G. W. JEWKES,
Governor.

FISHERIES ORDINANCE Cap 27

The Fisheries (transhipment and export) (Amendment)
Regulations Order 1986

No. 11 of 1986.

In accordance with Section 3 of the Fisheries Ordinance Cap 27 the Governor in Council makes the following Order.

1. This Order may be cited as the Fisheries (transhipment and export) (Amendment) Order 1986 and shall commence on the 7th day of April 1986.

Citation and commencement.

2. The Fisheries (transhipment and export) Regulations Order 1986 is amended by the addition of the following subregulation to Regulation 5 —

Amendment of Regulation 5 of Order 3 of 1986.

“(2) No licence referred to in Regulation 3 shall be granted to a person who, without good cause, has refused or failed within ninety days of invoicing to pay the licence fees for a foreign fishing vessel.”

Made this 4th day of April 1986.

G. W. JEWKES,
Governor.



THE FALKLAND ISLANDS GAZETTE

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26 AUGUST 1986

No. 12

Appointments

Miss Diana Christine Roberts, Agricultural Assistant, Agricultural Department, 1.8.86.

Mrs. Jacqueline Joyce Hemingway, S.R.N., S.C.M., H.V., Nursing Sister, Medical Department, 5.8.86.

Frederick John Ford, Fireman, Police, Fire & Rescue Service, 22.8.86.

Miss Leann Caroline Whitney, Clerk, Public Service, 25.8.86.

Acting Appointment

Mrs. Wendy Joan Fitzgerald, S.R.N., S.C.M., Acting Matron, Medical Department, 9.7.86 - 18.8.86.

NOTICES

No. 38. 10th August 1986.

Stanley School Hostel Boarding Fees

NOTICE IS HEREBY GIVEN that the fees charged in respect of children boarding at the Government Stanley School Hostel are revised as follows with effect from term beginning 18th September 1986 —

First Child £60.00 per term;

Second Child £40.00 per term;

Third and subsequent children remain free of charge.

Ref. EDU/22/3.

No. 39.

10th August 1986.

Falkland Islands Government Air Service

Air Fares and Freight Rates

NOTICE IS HEREBY GIVEN that the fees charged by the Falkland Islands Government Air Service are revised as follows with effect from 1st July 1986 —

AIR FARES

Boarding Fee £14.30;

Mileage Fee 37p per mile;

(The "Resident Rebate" of 13p per mile remains).

PLEASE NOTE that persons in receipt of a Falkland Islands Old Age Pension are permitted to purchase non-priority flight tickets at 50% of the normal resident air fare.

FREIGHT RATES

20p per pound, with a minimum fee of £1.00 for a package weighing up to 5 pounds.

Ref. AIR/2/1.

No. 40.

10th August 1986.

The Electricity Supply Regulations 1969

(Regulation 10)

NOTICE IS HEREBY GIVEN that the rate charged for the supply of electrical energy by the Government has been reviewed by the Governor in Council in accordance with Regulation 10 of the Electricity

Supply Regulations 1969 and fixed at 14.5p per unit with effect from 1st July 1986.

Until further notice consumers who are in receipt of an Old Age Pension under the provisions of the Old Age Pensions Ordinance 1952 or Non-Contributory Old Age Pensions Ordinance 1961 will qualify for a rebate of 3.5p per unit with effect from 1st July 1986 up to the following limits —

	SUMMER Units per quarter	WINTER Units per quarter
Married pensioners	300	400
Single pensioners (including widows and widowers)	200	300

PLEASE NOTE. Consumers who receive the pensioners' rebate will be charged 11p per unit up to the above mentioned limits, and the full rate of 14.5p per unit on units consumed above those limits.

Ref. ELE/2/1.

No. 41. 10th August 1986.

STANLEY RATES 1986/87

NOTICE IS HEREBY GIVEN that, under Section 5 of the Stanley Rates Ordinance 1973, the Standing Finance Committee has fixed a rate poundage of £3.60 to be levied on the net annual value of

premises in Stanley in respect of the period 1st July 1986 to 30th June 1987.

PLEASE NOTE that any rate not paid by 30th September 1986 is subject to a mandatory 5% penalty.

Ref. TRE/2/20.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint —

CORPORAL P. HARDING, R.A.F.,

to be a temporary Customs Officer with effect from the 30th July 1986 to the 30th November 1986.

L. J. HALLIDAY,
Collector of Customs.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint —

CORPORAL S. WARD, R.A.F.,

to be a temporary Customs Officer with effect from the 15th August 1986 to the 15th December 1986.

L. J. HALLIDAY,
Collector of Customs.

THE COLONY OF THE FALKLAND ISLANDS

The Pioneer Enterprise (David James Clarke) Order 1986

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Declaration of pioneer enterprise.

THE COLONY OF THE FALKLAND ISLANDS

The Income Tax Ordinance Cap 32

The Pioneer Enterprise (David James Clarke) Order 1986

No. 12 of 1986.

In accordance with Section 8A of the Income Tax Ordinance Cap 32 the Governor in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Pioneer Enterprise (David James Clarke) Order 1986 and shall come into force with effect from the 1st day of November 1985.

Declaration of pioneer enterprise.

2. David James Clarke is declared a pioneer enterprise for the purposes of Section 8A of the Ordinance.

Made this 11th day of July 1986.

G. W. JEWKES,
Governor.

Ref. INC/29/1.

THE CO-OPERATIVE SOCIETIES ORDINANCE 1985
 The Co-operative Societies (Falkland Farmers Limited)
 Exemption Order 1986

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Exemption.
3. By-laws to be accepted as complying with the Ordinance and the Rules.

The Co-operative Societies Ordinance 1985
 The Co-operative Societies (Falkland Farmers Limited)
 Exemption Order 1986

No. 13 of 1986.

In accordance with Sections 53 and 54 of the Co-operative Societies Ordinance 1985.

1. This Order may be cited as the Co-operative Societies (Falkland Farmers Limited) Exemption Order 1986 and shall come into force on the 4th day of July 1986. Citation and commencement.

2. The Society in the course of formation to be known as Falkland Farmers Limited shall be exempted from — Exemption.

- (a) the requirement under Section 5 (2) of the Ordinance for the word "Co-operative" to form part of its name provided that official paper used for correspondence by the Society shall bear a note to the effect that it is a registered co-operative society;
- (b) the limit contained in Section 27 of the Ordinance on the amount of share capital that may be held by a member so far as that limit applies to the Falkland Islands Development Corporation;
- (c) the provision as to size of the Committee and the quorum thereof contained in Rule 31 (2) of the Co-operative Societies Rules Order 1986.

3. The Registrar of Co-operative Societies shall accept the by-laws of Falkland Farmers Limited if they comply with the Ordinance and the said Rules subject to the exemptions and the Rules contained in this Order. By-laws to be accepted as complying with the Ordinance.

Made this 11th day of July 1986.

G. W. JEWKES,
Governor.

Ref. LEG/10/58.

THE CO-OPERATIVE SOCIETIES ORDINANCE 1985
The Co-operative Societies Rules (Amendment) Order 1986

ARRANGEMENT OF RULES

Rule

1. Citation and commencement.
2. Amendment of Order No. 7 of 1986.

The Co-operative Societies Ordinance 1985
The Co-operative Societies Rules (Amendment) Order 1986

No. 14 of 1986.

In accordance with Section 51 of the Co-operative Societies Ordinance 1985 the Governor in Council makes the following Order.

Citation and commencement.

1. This Order may be cited as the Co-operative Societies Rules (Amendment) Order 1986 and shall come into force on the 25th day of June 1986.

Amendment of Order No. 7 of 1986.

2. Rule 10 of the Co-operative Societies Rules Order 1986 is amended by the substitution for paragraph (c) of the following —

“(c) the date on which any member ceased to be a member; and”.

Made this 11th day of July 1986.

G. W. JEWKES,
Governor.

Ref. LEG/10/58.



THE FALKLAND ISLANDS GAZETTE

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30 SEPTEMBER 1986

No. 13

Appointments

Mrs. Lorraine Iris McGill, Houseparent, Stanley School Hostel, Education Department, 1.4.85.

Arthur Albert Nutter, Teacher, Education Department, 22.7.86.

Dr. Paul McNeilly, B.M., B.S., Medical Officer, Medical Department, 8.9.86.

Lee Oliver Small, Police Constable, Falkland Islands Police Force, 10.9.86.

Miss Amara Watts, Clerk, Public Service, 15.9.86.

Miss Thirza Penelope Radford, Teacher, Education Department, 19.9.86.

Acting Appointment

David Anthony Coker, Acting Director of Public Works, Public Works Department, 22.7.86 - 4.9.86.

Retirement

Mrs. Mary Ellen Fullerton, Housekeeper, Government House, 2.9.86.

Promotion

James Stephenson, Assistant Income Tax Officer, Income Tax Office, Treasury Department to Supplies Officer, Central Store, Treasury Dept., 22.9.86.

Transfers

Miss Sheree Alazia from Clerk, Central Store, Treasury Department to Clerk, Camp Education, Education Department, 18.9.86.

Michael Luxton from Supplies Officer, Central Store, Treasury Department to Sub-Fire Officer, Police, Fire & Rescue Service, 22.9.86.

Resignations

Miss Faith Felton, Clerk, Public Service, 8.9.86.

Miss Shelley Livermore, Senior Clerk, Medical Department, 13.9.86.

Darren Livermore, Field Assistant, Agricultural Research Centre, 30.9.86.

NOTICES

No. 42.

18th September 1986.

Currency Notes Rules

In exercise of the powers conferred by Rule 3 of the Currency Notes Rules, His Excellency the Governor has been pleased to approve the appointment of the undermentioned Currency Officer with effect from 17th September 1986 —

MISS GLYNIS MARGARET KING.

H. T. ROWLANDS,
Commissioner of Currency.
Ref. TRE/19/1.

No. 43. 23rd September 1986.

In accordance with the proviso to Section 8 of the Administration of Justice Ordinance Cap 3 His Excellency the Governor has appointed

MICHAEL CHARLES LLOYD GAIGER

to act as Judge of the Supreme Court in the matter of the application of Teal Inlet Limited for registration of title to the farm known as Teal Inlet, East Falkland Islands, with effect from 22nd September 1986.

Ref. LEG/19/5.

No. 44. 23rd September 1986.

In accordance with Section 29 (2) of the Administration of Justice Ordinance Cap 3 His Excellency the Governor has appointed

ROSEMARY McILROY

to be Deputy Coroner with effect from 17th October 1986 until the 3rd November 1986.

Ref. LEG/19/3.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER of Stanley Frank Miller, deceased of Stanley, Falkland Islands, who died at Stanley on the 22nd day of February 1986 leaving a Will dated the 16th day of May 1964.

WHEREAS the executor of the said Will has renounced probate.

AND WHEREAS Florence Miller has applied for Letters of Administration with the Will annexed 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

Stanley,
Falkland Islands.
11th September 1986.
PRO/11/86.

INCOME TAX ORDINANCE Cap 32

The Income Tax (Annual Values) Rules Order 1986

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Allowances.
3. Values.
4. Exclusion of certain rooms and buildings.
5. Revocation.

INCOME TAX ORDINANCE Cap 32

The Income Tax (Annual Values) Rules Order 1986

No. 15 of 1986.

In accordance with Section 89 (1) (c) of the Income Tax Ordinance the Governor in Council makes the following Order —

1. (1) This Order may be cited as the Income Tax (Annual Values) Rules Order 1986. Citation and commencement

(2) This Order shall have effect with respect to tax chargeable for the year of assessment commencing on the 1st day of January 1987 and for subsequent years of assessment.

2. For the purposes of prescribing the annual value of any allowance in respect of employment received otherwise than in money the following shall be chargeable income under Section 5 (b) (ii) of the Ordinance — Allowances.

- (a) the estimated value of any light, power or fuel supplied free of charge by an employer;
- (b) the value of any board, lodging or board and lodging where it is fully and continuously provided during any period of employment, and where the recipient maintains no other fixed place of abode in the Colony while so employed.

3. The following values are hereby prescribed for the purposes of Section 5 (b) (ii) and 5 (c) of the Ordinance — Values.

- (i) Employee with settlement house — furnished £325;
- (ii) Employee with settlement house — unfurnished £195;
- (iii) Employee with outside house Nil;
- (iv) Single employee in cookhouse £78;
- (v) Ship's personnel £460;
- (vi) Servants living in £310;
- (vii) Staff, other than servants, living in institutional accommodation —
 - (a) Accommodation, including fuel, light or power £310;
 - (b) Food per adult person £350;
- (viii) Persons provided with free fuel in Stanley £150;
- (ix) Persons provided with free light or power in Stanley £60;
- (x) Employee provided with free board and lodging other than those living in institutional accommodation —
 - (a) Single employee £675;
 - (b) Married couples £850;
 - (c) Married couples with children £850;
 - plus for each child £90;
- (xi) Persons provided with a house in Stanley —

CATEGORY (A)

A house in which any person can be expected to live —

Furnished	... ..	£8.50 per room per month
Unfurnished	... ..	£6.75 per room per month

CATEGORY (B)

A house equal in all respects to those in Category (A) but which has permanent disadvantages, such as semi-detached properties with over-thin dividing walls —

Furnished	...	...	£7.75 per room per month
Unfurnished	...	...	£6.00 per room per month

CATEGORY (C)

Other houses lacking privacy and which have to be decorated by the occupant —

Furnished	...	...	£6.00 per room per month
Unfurnished	...	...	£5.00 per room per month

Exclusion of certain
rooms and buildings.

4. For the purpose of these Rules a room shall not include a garage, outbuilding, porch, bathroom, hall or passage, and no house shall be deemed to contain more than seven rooms.

Revocation.

5. The Income Tax (Annual Values) Rules 1983 are revoked.

Made this 19th day of September 1986.

G. W. JEWKES,
Governor.

Ref. INC/10/5.



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No. 14

A Bill for
The Litter Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Offence of leaving litter and penalty therefor.

A Bill for
An Ordinance
To make provision for the abatement of litter.

BE IT ENACTED by the Legislature of the Colony of the Falkland Islands, as follows --

1. This Ordinance may be cited as the Litter Ordinance 1986 and shall come into force on the 1st day of December 1986.

Citation and commencement.

2. (1) If any person throws down, drops or otherwise deposits in, into or from any place in the open air to which the public are entitled or permitted to have access without payment, and leaves any thing whatsoever in such circumstances as to cause, contribute to, or tend to lead to, the defacement by litter of any place in the open air, then, unless that depositing and leaving was authorised by law or was done with the consent of the owner, occupier or other person or authority having the control of the place in or into which that thing was deposited, he shall be guilty of an offence and be liable on conviction to a fine not exceeding fifty pounds.

Offence of leaving litter and penalty therefor.

(2) For the purposes of this section any covered place open to the air on at least one side and available for public use shall be treated as being a place in the open air.

OBJECTS AND REASONS

The purpose of this Bill is to abate the increasing nuisance created by the deposit of litter, mainly in Stanley.

A Bill for The Consular Relations Ordinance 1986

ARRANGEMENT OF SECTIONS

Section	
1	Citation and commencement.
2	Application of provisions of Vienna Convention on Consular Relations (1963).
3	Restriction of privileges and immunities.
4	Agreements providing for additional or reduced privileges and immunities.
5	Civil jurisdiction concerning service on board ship or aircraft.
6	Jurisdiction over offences committed on board ship.
7	Detention on board ship for disciplinary offences.
8	Ship and aircraft belonging to a State.
9	Right of diplomatic agents and consular officers to administer oaths and do notarial acts in certain cases.
10	Evidence.
11	Privileges and immunities of official representatives of Commonwealth countries and the Republic of Ireland.
12	Application of specified Articles in the Vienna Convention on Diplomatic Relations (1961).
13	Repeal.
Schedule 1	Provisions of Vienna Convention on Consular Relations (1961) having the force of law in the Colony.
Schedule 2	Provisions for giving effect to other agreements.
Schedule 3	Provisions of the Vienna Convention on Diplomatic Relations (1961) having the force of law in the Colony.

A Bill for An Ordinance

To give effect to the Vienna Convention on Consular Relations and to other agreements entered into by Her Majesty's Government in the United Kingdom concerning consular relations and to make other provision with respect to consular relations and consular officers within the Colony and for other matters connected therewith or incidental thereto.

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

1. This Ordinance may be cited as the Consular Relations Ordinance 1986 and shall come into force on a day to be appointed by the Governor by notice in the Gazette, and notices under this section may appoint different days for different provisions of this Ordinance.

Citation and commencement.

2. (1) Subject to section 3 and to section 4 (2) the Articles or parts of Articles of the Vienna Convention on Consular Relations signed in 1963 set out in Schedule 1 shall have the force of law in the Colony and shall be construed in accordance with subsections (2) to (10).

Application of provisions of Vienna Convention on Consular Relations (1963)

(2) In the provisions referred to in subsection (1)

"authorities of the receiving State" shall include any police officer and any person exercising a power of entry to any premises under any enactment;

"grave crime" shall mean any offence punishable, on a first conviction, with imprisonment for a term that may extend to five years or with a more severe sentence;

"Ministry for Foreign Affairs" shall mean the Foreign and Commonwealth Office;

"national of the receiving State" shall be construed as meaning

- (a) a British citizen, a British Dependent Territories citizen or a British Overseas citizen; or
- (b) a person who under the British Nationality Act 1981 is a British subject; or
- (c) a British protected person (within the meaning of that Act).

(3) The reference in paragraph 2 of Article 17 to any privileges and immunities accorded by customary international law or by international agreements shall be construed as a reference to any privileges and immunities conferred in the Colony under the Diplomatic Privileges (Extension) Ordinance or any statutory modification or re-enactment thereof.

(4) The references in Article 44 to matters connected with the exercise of the functions of members of a consular post shall be construed as references to matters connected with the exercise of consular functions by consular officers or consular employees.

(5) For the purposes of Article 45 and that Article as applied by Article 58 a waiver shall have been expressed by a State if it has been expressed by the head, or any person for the time being performing the functions of head, of the superintending diplomatic mission of that State or of the consular post concerned.

(6) The exemption granted by Article 48 with respect to Social Security provisions shall be exemption in respect of contributions required to be paid under the Old Age Pensions Ordinance 1952 or any statutory modification or re-enactment thereof.

(7) Articles 50, 51, 52, 54, 62 and 67 shall be construed as granting any privilege or immunity which they require to be granted.

(8) The reference in Article 57 to the privileges and immunities provided in Chapter II shall be construed as referring to those provided in Section II of that Chapter.

(9) The reference in Article 70 to the rules of international law concerning diplomatic relations shall be construed as a reference to the provisions of the Diplomatic Privileges Act 1964.

(10) The reference in Article 71 to additional privileges and immunities that may be granted by the receiving State or to privileges and immunities so far as these are granted by the receiving State shall be construed as referring to such privileges and immunities as may be specified by the Governor by Order in Council.

Restriction of privileges and immunities.

3. If it appears to the Governor that the privileges and immunities accorded to a consular post of the United Kingdom in a territory of any State, or to persons connected with such a consular post, are less than those conferred by this Ordinance on a consular post of that State or on persons connected with such a consular post, the Governor may by Order in Council withdraw such of the privileges and immunities so conferred from all or any of the consular posts of that State or from such persons connected therewith as appears to the Governor to be proper.

Agreements providing for additional or reduced privileges and immunities.

4. (1) Where any agreement made, whether before or after the commencement of this Ordinance, between the United Kingdom and any State provides for according to consular posts and persons connected with them privileges and immunities not accorded to them by the other provisions of this Ordinance, the Governor may by Order in Council exercise, with respect to the consular posts of that

State and persons connected with them, the powers specified in Schedule 2 so far as may be necessary to give effect to that agreement.

(2) Where any agreement made, whether before or after the commencement of this Ordinance, between the United Kingdom and any State provides for according to consular posts and persons connected with them some but not all of the privileges and immunities accorded to them by the other provisions of this Ordinance, the Governor may by Order in Council provide for excluding, with respect to consular posts of that State and persons connected with them, any of those privileges and immunities which are not provided for by the agreement.

5. The Governor may by Order in Council provide for excluding or limiting the jurisdiction of any court in the Colony to entertain proceedings relating to the remuneration or any contract of service of the master or commander or a member of the crew of any ship or aircraft belonging to a State specified in the Order, except where a consular officer of that State has been notified of the intention to invoke the jurisdiction of that court and has not objected within such time as may be specified by or under the Order.

Civil jurisdiction concerning service on board ship or aircraft.

6. (1) The Governor may by Order in Council provide for securing that, where an offence is alleged to have been committed on board any ship by the master or a member of the crew and the ship belongs to a State specified in the Order, proceedings for the offence instituted otherwise than at the request or with the consent of a consular officer of that State shall not be entertained by a court in the Colony unless —

Jurisdiction over offences committed on board ship.

- (a) the offence is alleged to have been committed by or against a national of the receiving State within the meaning of section 2 (2) or against a person other than the master or a member of the crew; or
- (b) the offence is one involving the tranquility or safety of a port, or the law relating to safety of life at sea, public health, oil pollution, wireless telegraphy, immigration or customs or is of any other description specified in the Order; or
- (c) the offence is one comprised in the definition of "grave crime" in section 2 (2).

(2) For the purposes of this section, an offence which affects the property of any person shall have been committed against him.

(3) For the purposes of this section, any document purporting to be signed by or on behalf of a consular officer and stating that he has requested or consented to the institution of any proceedings shall be sufficient proof of that fact unless the contrary is shown.

7. The Governor may by Order in Council designate any State for the purposes of this section; and where a State is so designated a member of the crew of a ship belonging to that State who is detained in custody on board for a disciplinary offence shall not be unlawfully detained unless —

Detention on board ship for disciplinary offences.

- (a) his detention is unlawful under the laws of that State or the conditions of detention are inhumane or unjustifiably severe; or
- (b) there is reasonable cause for believing that his life or liberty will be endangered for reasons of race, nationality, political opinion or religion, in any country to which the ship is likely to go.

8. For the purposes of section 5, 6 or 7 a ship and for the purposes of section 5 an aircraft, shall be treated as belonging to a State in such circumstances as may be specified by an order made

Ship and aircraft belonging to State.

under that section; and different circumstances may be so specified with respect to different States and different classes of ship or aircraft.

Right of diplomatic agents and consular officers to administer oaths and do notarial acts in certain cases.

9. (1) A diplomatic agent or consular officer of any State may, if authorised to do so under the laws of that State, administer oaths, take affidavits and do notarial acts —

- (a) required by a person for use in that State or under the laws thereof; or
- (b) otherwise required by a national of that State but not for use in the Colony except under the laws of some other country.

(2) The Governor may by Order exclude or restrict the provisions of subsection (1) in relation to the diplomatic agents or consular officers of any State in the Colony if it appears to him that in any territory of that State diplomatic agents or consular officers of the United Kingdom are not permitted to perform functions corresponding in nature and extent to those authorised by that subsection.

(3) In this section "diplomatic agent" has the same meaning as in the Diplomatic Privileges Act 1964.

Evidence.

10. Where any question arises as to whether or not any person is entitled to any privilege or immunity under this Ordinance, a certificate issued by the Chief Executive stating any fact relating to that question shall be conclusive evidence of that fact.

Privileges and immunities of official representatives of Commonwealth countries and the Republic of Ireland.

11. (1) The Governor may by Order in Council direct that any person in the service of a Commonwealth country or of the Republic of Ireland or in the service of a State or Province of any such country holding such office or class of office as are or may be specified in the order, being such an office or class of office as appears to the Governor to involve the performance of duties substantially corresponding to those which, in the case of a sovereign foreign power, would be performed in the Colony by a consular officer within the meaning of this Ordinance shall have all such privileges and immunities as are or may be conferred upon a consular officer under the provisions of this Ordinance.

(2) Where the Governor in Council has made an order under subsection (1) in respect of any person —

- (a) the members of the staff of such person shall have such privileges and immunities as are conferred upon the staff of a consular officer under the provisions of this Ordinance; and
- (b) the provisions of Articles 31 to 39 and 51 in Schedule 1 shall apply to the premises, official archives, communications, documents and personal property of any such person.

(3) Any Order made by the Governor in Council under subsection (1) may exclude from any privilege or immunity conferred under it any person who is permanently resident in the Colony or who is a person within the definition of "national of the receiving State" in section 2 (2).

(4) Any Order made by the Governor in Council under subsection (1) may apply the provisions of Schedule 2 to the persons specified in the Order and to the premises, residences and communications of such persons.

Application of specified Articles in the Vienna Convention on Diplomatic Relations 1961.

12. For the purposes of paragraphs 4, 5 and 6 of Schedule 2, paragraphs 1, 2, 3, 4 and 5 of Schedule 3 (being Articles 29, 31, 22, paragraph 1 of Article 30 and Article 27, respectively, of the Vienna Convention on Diplomatic Relations signed in 1961) shall have the force of law in the Colony.

Repeal.

13. Section 3 of the Consular Conventions Ordinance Cap. 14 is repealed.

SCHEDULE 1

(Section 2)

PROVISIONS OF VIENNA CONVENTION ON CONSULAR RELATIONS (1963)

HAVING THE FORCE OF LAW IN THE COLONY

ARTICLE 1

DEFINITIONS

1. For the purposes of the present Convention, the following expressions shall have the meanings hereunder assigned to them —

- (a) "consular post" means any consulate-general, consulate, vice-consulate or consular agency;
- (b) "consular district" means the area assigned to a consular post for the exercise of consular functions;
- (c) "head of consular post" means the person charged with the duty of acting in that capacity;
- (d) "consular officer" means any person, including the head of a consular post entrusted in that capacity with the exercise of consular functions;
- (e) "consular employee" means any person employed in the administrative or technical service of a consular post;
- (f) "member of the service staff" means any person employed in the domestic service of a consular post;
- (g) "member of the consular post" means consular officers, consular employees and members of the service staff;
- (h) "members of the consular staff" means consular officers, other than the head of a consular post, consular employees and members of the service staff;
- (i) "member of the private staff" means a person who is employed exclusively in the private service of a member of the consular post;
- (j) "consular premises" means the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used exclusively for the purposes of the consular post;
- (k) "consular archives" includes all the papers, documents, correspondence, books, films, tapes and registers of the consular post, together with the ciphers and codes, the card-indexes, and any articles of furniture intended for their protection or safekeeping.

2. Consular officers are of two categories, namely career consular officers and honorary consular officers. The provisions of Chapter II of the present Convention apply to consular posts headed by career consular officers; the provisions of Chapter III govern consular posts headed by honorary consular officers.

3. The particular status of members of the consular posts who are nationals or permanent residents of the receiving State is governed by Article 71 of the present Convention.

Chapter I — Consular Relations in General

ARTICLE 5

CONSULAR FUNCTIONS

Consular functions consist in —

- (a) protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law;
- (b) furthering the development of commercial, economic, cultural and scientific relations between the sending State and the receiving State and otherwise promoting friendly relations between them in accordance with the provisions of the present Convention;
- (c) ascertaining by all lawful means conditions and developments in the commercial, economic, cultural and scientific life of the receiving State, reporting thereon to the Government of the sending State and giving information to persons interested;
- (d) issuing passports and travel documents to nationals of the sending State and visas or appropriate documents to persons wishing to travel to the sending State;
- (e) helping and assisting nationals, both individuals and bodies corporate, of the sending State;
- (f) acting as notary and civil registrar and in capacities of a similar kind, and performing certain functions of an administrative nature, provided that there is nothing contrary thereto in the laws and regulations of the receiving State;
- (g) safeguarding the interests of nationals, both individuals and bodies corporate, of the sending State in cases of succession mortis causa in the territory of the receiving State, in accordance with the laws and regulations of the receiving State;
- (h) safeguarding, within the limits imposed by the laws and regulations of the receiving State, the interests of minors and other persons lacking full capacity who are nationals of the sending State, particularly where any guardianship or trusteeship is required with respect to such person;
- (i) subject to the practices and procedures obtaining in the receiving State, representing or arranging appropriate representation for nationals of the sending State before the tribunals and other authorities of the receiving State, for the purpose of obtaining, in accordance with the laws and

regulations of the receiving State, provisional measures for the preservation of the rights and interests of these nationals where, because of absence or any other reason, such nationals are unable at the proper time to assume the defence of their rights and interests;

- (j) transmitting judicial and extra-judicial documents or executing letters rogatory or commissions to take evidence for the courts of the sending State in accordance with international agreements in force or, in the absence of such international agreements, in any other manner compatible with the laws and regulations of the receiving State;
- (k) exercising rights of supervision and inspection provided for in the laws and regulations of the sending State in respect of vessels having the nationality of the sending State, and of aircraft registered in that State, and in respect of their crews;
- (l) extending assistance to vessels and aircraft mentioned in sub-paragraph (k) of this Article and to their crews, taking statements regarding the voyage of a vessel, examining and stamping the ship's papers, and, without prejudice to the powers of the authorities of the receiving State, conducting investigations into any incidents which occurred during the voyage, and settling disputes of any kind between the master, the officers and the seamen in so far as this may be authorised by the laws and regulations of the sending State;
- (m) performing any other function entrusted to a consular post by the sending State which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the sending State and the receiving State.

ARTICLE 15

TEMPORARY EXERCISE OF THE FUNCTIONS OF THE HEAD OF A CONSULAR POST

1. If the head of a consular post is unable to carry out his functions or the position of head of consular post is vacant, an acting head of post may act provisionally as head of the consular post.

2. The full name of the acting head of post shall be notified either by the diplomatic mission of the sending State or, if that State has no such mission in the receiving State, by the head of the consular post, or, if he is unable to do so, by any competent authority of the sending State, to the Ministry for Foreign Affairs of the receiving State or to the authority designated by that Ministry. As a general rule, this notification shall be given in advance. The receiving State may make the admission as acting head of post of a person who is neither a diplomatic agent nor a consular officer of the sending State in the receiving State conditional on its consent.

3. The competent authorities of the receiving State shall afford assistance and protection to the acting head of post. While he is in charge of the post, the provisions of the present Convention shall apply to him on the same basis as to the head of the consular post concerned. The receiving State shall not however be obliged to grant to an acting head of post any facility, privilege or immunity which the head of the consular post enjoys only subject to conditions not fulfilled by the acting head of post.

4. When, in the circumstances referred to in paragraph 1 of this Article, a member of the diplomatic staff of the diplomatic mission of the sending State in the receiving State is designated by the sending State as an acting head of post, he shall, if the receiving State does not object thereto, continue to enjoy diplomatic privileges and immunities.

ARTICLE 17

PERFORMANCE OF DIPLOMATIC ACTS BY CONSULAR OFFICERS

1. In a State where the sending State has no diplomatic mission and is not represented by a diplomatic mission of a third state, a consular officer may, with the consent of the receiving State, and without affecting his consular status, be authorised to perform diplomatic acts. The performance of such acts by consular officer shall not confer upon him any right to claim diplomatic privileges and immunities.

2. A consular officer may, after notification addressed to the receiving State, act as representative of the sending State to any intergovernmental organisation. When so acting, he shall be entitled to enjoy any privileges and immunities accorded to such a representative by customary international law or by international agreements; however, in respect of the performance by him of any consular function, he shall not be entitled to any greater immunity from jurisdiction than that to which a consular officer is entitled under the present Convention.

**Chapter II — Facilities, Privileges and Immunities relating to consular posts,
career consular officers and other members of a consular post**

SECTION I — FACILITIES, PRIVILEGES AND IMMUNITIES RELATING TO A CONSULAR POST

ARTICLE 31

INVIOABILITY OF THE CONSULAR PREMISES

1. Consular premises shall be inviolable to the extent provided in this Article
2. The authorities of the receiving State shall not enter that part of the consular premises which is used exclusively for the purpose of the work of the consular post except with the consent of the head of the consular post or his designee or of the head of the diplomatic mission of the sending State. The consent of the head of the consular post may, however, be assumed in case of fire or other disaster requiring prompt protective action.

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4. The consular premises, their furnishings, the property of the consular post and its means of transport shall be immune from any form of requisition for purposes of national defence or public utility. If expropriation is necessary for such purposes, all possible steps shall be taken to avoid impeding the performance of consular functions, and prompt, adequate and effective compensation shall be paid to the sending State.

ARTICLE 32

EXEMPTION FROM TAXATION OF CONSULAR PREMISES

1. Consular premises and the residence of the career head of consular post of which the sending State or any person acting on its behalf is the owner or lessee shall be exempt from all national, regional or municipal dues and taxes whatsoever, other than such as represent payment for specific services rendered.
2. The exemption from taxation referred to in paragraph 1 of this Article shall not apply to such dues and taxes if, under the law of the receiving State, they are payable by the person who contracted with the sending State or with the person acting on its behalf.

ARTICLE 33

INVIOABILITY OF THE CONSULAR ARCHIVES AND DOCUMENTS

The consular archives and documents shall be inviolable at all times and wherever they may be.

ARTICLE 35

FREEDOM OF COMMUNICATION

1. The receiving State shall permit and protect freedom of communication on the part of the consular post for all official purposes. In communicating with the Government, the diplomatic missions and other consular posts, wherever situated, of the sending State, the consular post may employ all appropriate means, including diplomatic or consular couriers, diplomatic or consular bags and messages in code or cipher. However, the consular post may install and use a wireless transmitter only with the consent of the receiving State.
2. The official correspondence of the consular post shall be inviolable. Official correspondence means all correspondence relating to the consular post and its functions.
3. The consular bag shall be neither opened nor detained. Nevertheless, if the competent authorities of the receiving State have serious reason to believe that the bag contains something other than correspondence, documents or articles referred to in paragraph 4 of this Article, they may request the bag be opened in their presence by an authorised representative of the sending State. If this request is refused by the authorities of the sending State, the bag shall be returned to the place of origin.
4. The packages constituting the consular bag shall bear visible external marks of their character and may contain only official correspondence and documents or articles intended exclusively for official use.
5. The consular courier shall be provided with an official document indicating his status and the number of packages constituting the consular bag. Except with the consent of the receiving State he shall be neither a national of the receiving State nor, unless he is a national of the sending State, a permanent resident of the receiving State. In the performance of his functions he shall be protected by the receiving State. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.
6. The sending State, its diplomatic mission and its consular posts may designate consular couriers ad hoc. In such cases the provisions of paragraph 5 of this Article shall also apply except that the immunities therein mentioned shall cease to apply when such a courier has delivered to the consignee the consular bag in his charge.
7. A consular bag may be entrusted to the captain of a ship or of a commercial aircraft scheduled to land at an authorised port of entry. He shall be provided with an official document indicating the number of packages constituting the bag, but he shall not be considered to be a consular courier. By arrangement with the appropriate local authorities, the consular post may send one of its members to take possession of the bag directly and freely from the captain of the ship or of the aircraft.

ARTICLE 39

CONSULAR FEES AND CHARGES

1. The consular post may levy in the territory of the receiving State the fees and charges provided by the laws and regulations of the sending State for consular acts.
2. The sums collected in the form of fees and charges referred to in paragraph 1 of this Article, and the receipts for such fees and charges, shall be exempt from all dues and taxes in the receiving State.

SECTION II — FACILITIES, PRIVILEGES AND IMMUNITIES RELATING TO
CAREER CONSULAR OFFICERS AND OTHER MEMBERS OF A CONSULAR POST

ARTICLE 41

PERSONAL INVIOABILITY OF CONSULAR OFFICERS

1. Consular officers shall not be liable to arrest or detention pending trial, except in the case of a grave crime and pursuant to a decision by the competent judicial authority.
2. Except in the case specified in paragraph 1 of this Article, consular officers shall not be committed to prison or liable to any other form of restriction on their personal freedom save in execution of a judicial decision of final effect.

ARTICLE 43

IMMUNITY FROM JURISDICTION

1. Consular officers and consular employees shall not be amenable to the jurisdiction of the judicial or administrative authorities of the receiving State in respect of acts performed in the exercise of consular functions.
2. The provisions of paragraph 1 of this Article shall not, however, apply in respect of a civil action either —
 - (a) arising out of a contract concluded by a consular officer or a consular employee in which he did not contract expressly or impliedly as an agent of the sending State; or
 - (b) by a third party for damage arising from an accident in the receiving State caused by a vehicle, vessel or aircraft.

ARTICLE 44

LIABILITY TO GIVE EVIDENCE

1. Members of a consular post may be called upon to attend as witnesses in the course of judicial or administrative proceedings. A consular employee or a member of the service staff shall not, except in the cases mentioned in paragraph 3 of this Article, decline to give evidence. If a consular officer should decline to do so, no coercive measure or penalty may be applied to him.
2. The authority requiring the evidence of a consular officer shall avoid interference with the performance of his functions. It may, when possible, take such evidence at his residence or at the consular post or accept a statement from him in writing.
3. Members of a consular post are under no obligation to give evidence concerning matters connected with the exercise of their functions or to produce official correspondence and documents relating thereto. They are also entitled to decline to give evidence as expert witnesses with regard to the law of the sending State.

ARTICLE 45

WAIVER OF PRIVILEGES AND IMMUNITIES

1. The sending State may waive, with regard to a member of the consular post, any of the privileges and immunities provided for in Article 41, 43 and 44.
2. The waiver shall in all cases be express, except as provided in paragraph 3 of this Article, and shall be communicated to the receiving State in writing.
3. The initiation of proceedings by a consular officer or a consular employee in a matter where he might enjoy immunity from jurisdiction under Article 43 shall preclude him from invoking immunity from jurisdiction in respect of any counterclaim directly connected with the principal claim.
4. The waiver of immunity from jurisdiction for the purposes of civil or administrative proceedings shall not be deemed to imply the waiver of immunity from the measures of execution resulting from the judicial decision: in respect of such measures, a separate waiver shall be necessary.

ARTICLE 48

SOCIAL SECURITY EXEMPTION

1. Subject to the provisions of paragraph 3 of this Article, members of the consular post with respect to services rendered by them for the sending State, and members of their families forming part of their households, shall be exempt from social security provisions which may be in force in the receiving State.

2. The exemption provided for in paragraph 1 of this Article shall apply also to members of the private staff who are in the sole employ of members of the consular post on condition —

- (a) that they are not nationals of or permanently resident in the receiving State; and
- (b) that they are covered by the social security provisions which are in force in the sending State or a third State.

3. Members of the consular post who employ persons to whom the exemption provided for in paragraph 2 of this Article does not apply shall observe the obligations which the social security provisions of the receiving State impose upon employers.

4. The exemption provided for in paragraphs 1 and 2 of this Article shall not preclude voluntary participation in the social security system of the receiving State, provided that such participation is permitted by that State.

ARTICLE 49

EXEMPTION FROM TAXATION

1. Consular officers and consular employees and members of their families forming part of their households shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except —

- (a) indirect taxes of a kind which are normally incorporated in the price of goods or services;
- (b) dues or taxes on private immovable property situated in the territory of the receiving State, subject to the provisions of Article 32;
- (c) estate, succession or inheritance duties, and duties on transfers, levied by the receiving State, subject to the provisions of paragraph (b) of Article 51;
- (d) dues and taxes on all private income, including capital gains, having its source in the receiving State and capital taxes relating to investments made in commercial or financial undertakings in the receiving State;
- (e) charges levied for specific services rendered;
- (f) registration, court or record fees, mortgage dues and stamp duties, subject to the provisions of Article 32.

2. Members of the service staff shall be exempt from dues and taxes on the wages which they receive for their services.

3. Members of the consular post who employ persons whose wages or salaries are not exempt from income tax in the receiving State shall observe the obligations which the laws and regulations of that State impose upon employers concerning the levying of income tax.

ARTICLE 50

EXEMPTION FROM CUSTOMS DUTIES AND INSPECTION

1. The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes and related charges other than charges for storage, cartage and similar services on —

- (a) articles for the official use of the consular post;
- (b) articles for the personal use of a consular officer or members of his family forming part of his household, including articles intended for his establishment. The articles intended for consumption shall not exceed the quantities necessary for direct utilisation by the persons concerned.

2. Consular employees shall enjoy the privileges and exemptions specified in paragraph 1 of this Article in respect of articles imported at the time of first installation.

3. Personal baggage accompanying consular officers and members of their families forming part of their households shall be exempt from inspection. It may be inspected only if there is serious reason to believe that it contains articles other than those referred to in sub-paragraph (b) of paragraph 1 of this Article, or articles the import or export of which is prohibited by the laws and regulations of the receiving State or which are subject to its quarantine laws and regulations. Such inspection shall be carried out in the presence of the consular officer or member of his family concerned.

ARTICLE 51

ESTATE OF A MEMBER OF THE CONSULAR POST OR OF A MEMBER OF HIS FAMILY

In the event of the death of a member of the consular post or of a member of his family forming part of his household the receiving State —

- (a) shall permit the export of the movable property of the deceased, with the exception of any such property acquired in the receiving State the export of which was prohibited at the time of his death;
- (b) shall not levy national, regional or municipal estate, succession or inheritance duties, and duties on transfers, on movable property the presence of which in the receiving State was due solely to the presence in that State of the deceased as a member of the consular post or as a member of the family of a member of the consular post.

ARTICLE 52

EXEMPTION FROM PERSONAL SERVICES AND CONTRIBUTIONS

The receiving State shall exempt members of the consular post and members of their families forming part of their households from all personal services of any kind whatsoever, and from military obligations such as those connected with requisitioning, military contributions and billeting.

ARTICLE 53

BEGINNING AND END OF CONSULAR PRIVILEGES AND IMMUNITIES

1. Every member of the consular post shall enjoy the privileges and immunities provided in the present Convention from the moment he enters the territory of the receiving State on proceeding to take up his post or, if already in its territory, from the moment when he enters his duties with the consular post.

2. Members of the family of a member of the consular post forming part of his household and members of his private staff shall receive the privileges and immunities provided in the present Convention from the date from which he enjoys privileges and immunities in accordance with paragraph 1 of this Article or from the date of their entry into the territory of the receiving State or from the date of their becoming a member of such family or private, staff whichever is the latest.

3. When the functions of a member of the consular post have come to an end his privileges and immunities and those of a member of his family forming part of his household or a member of his private staff shall normally cease at the moment when the person concerned leaves the receiving State or on the expiry of a reasonable period in which to do so, whichever is the sooner, but shall subsist until that time, even in case of armed conflict.

In the case of the persons referred to in paragraph 2 of this Article, their privileges and immunities shall come to an end when they cease to belong to the household or to be in the service of a member of the consular post provided, however, that if such persons intend leaving the receiving State within a reasonable period thereafter, their privileges and immunities shall subsist until the time of their departure.

4. However, with respect to acts performed by a consular officer or a consular employee in the exercise of his functions, immunity from jurisdiction shall continue to subsist without limitation of time

5. In the event of the death of a member of the consular post the members of his family forming part of his household shall continue to enjoy the privileges and immunities accorded to them until they leave the receiving State or until the expiry of a reasonable period enabling them to do so, whichever is the sooner.

ARTICLE 54

OBLIGATIONS OF THIRD STATES

1. If a consular officer passes through or is in the territory of a third State which has granted him a visa if a visa was necessary, while proceeding to take up or return to his post or when returning to the sending State, the third State shall accord to him all immunities provided for by the other Articles of the present Convention as may be required to ensure his transit or return. The same shall apply in the case of any member of his family forming part of his household enjoying such privileges and immunities who are accompanying the consular officer or travelling separately to join him or to return to the sending State.

2. In circumstances similar to those specified in paragraph 1 of this Article third States shall not hinder the transit through their territory of other members of the consular post or of members of their families forming part of their households.

3. Third States shall accord to official correspondence and to other official communications in transit, including messages in code or cipher, the same freedom and protection as the receiving State is bound to accord under the present Convention. They shall accord to consular couriers who have been granted a visa, if a visa was necessary, and to the consular bags in transit, the same inviolability and protection as the receiving State is bound to accord under the present Convention.

4. The obligations of third States under paragraphs 1, 2 and 3 of this Article shall also apply to the persons mentioned respectively in those paragraphs, and to official communications and to consular bags, whose presence in the territory of the third State is due to majeure.

ARTICLE 55

RESPECT FOR THE LAWS AND REGULATIONS OF THE RECEIVING STATE

2. The consular premises shall not be used in any manner incompatible with the exercise of consular functions.

3. The provisions of paragraph 2 of this Article shall not exclude the possibility of offices of other institutions or agencies being installed in part of the building in which the consular premises are situated, provided that the premises assigned to them are separate from those used by the consular post. In that event the said offices shall not, for the purposes of the present Convention, be considered to form part of the consular premises.

ARTICLE 57

SPECIAL PROVISIONS CONCERNING PRIVATE GAINFUL OCCUPATION

2. Privileges and immunities provided in this Chapter shall not be accorded —
- (a) to consular employees or to members of the service staff who carry on any private gainful occupation in the receiving State;
 - (b) to members of the family of a person referred to in sub-paragraph (a) of this paragraph or to members of his private staff;
 - (c) to members of the family of a member of a consular post who themselves carry on any private gainful occupation in the receiving State.

Chapter III — Regime relating to Honorary Consular Officers and Consular Posts headed by such officers

ARTICLE 58

GENERAL PROVISIONS RELATING TO FACILITIES, PRIVILEGES AND IMMUNITIES

1. Articles 35 and 39, paragraph 3 of Article 54 and paragraphs 2 and 3 of Article 55 shall apply to consular posts headed by an honorary consular officer. In addition the facilities, privileges and immunities of such consular posts shall be governed by Articles 60, 61 and 62.

2. Article 43, paragraph 3 of Article 44, Articles 45 and 53 shall apply to honorary consular officers. In addition the facilities, privileges and immunities of such consular officer shall be governed by Articles 66 and 67.

3. Privileges and immunities provided in the present Convention shall not be accorded to members of the family of an honorary consular officer or of a consular employee employed at a consular post headed by an honorary consular officer.

ARTICLE 60

EXEMPTION FROM TAXATION OF CONSULAR PREMISES

1. Consular premises of a consular post headed by an honorary consular officer of which the sending State is the owner or lessee shall be exempt from all national, regional or municipal dues and taxes whatsoever, other than such as represent payment for specified services rendered.

2. The exemption from taxation referred to in paragraph 1 of this Article shall not apply to such dues and taxes if, under the laws and regulations of the receiving State, they are payable by the person who contracted with the sending State.

ARTICLE 61

INVIOABILITY OF CONSULAR ARCHIVES AND DOCUMENTS

The consular archives and documents of a consular post headed by an honorary consular officer shall be inviolable at all times and wherever they may be, provided that they are kept separate from other papers and documents and, in particular, from the private correspondence of the head of a consular post and of any person working with him, and from the materials, books or documents relating to their profession or trade.

ARTICLE 62

EXEMPTION FROM CUSTOMS DUTIES

The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of, and grant exemption from all customs duties, taxes and related charges other than charges for storage, cartage and similar services on the following articles, provided that they are for the official use of a consular post headed by an honorary consular officer: coats-of-arms, flags, signboards, seals and stamps, books, official printed matter, office furniture, office equipment and similar articles supplied by or at the instance of the sending State to the consular post.

ARTICLE 66

EXEMPTION FROM TAXATION

An honorary consular officer shall be exempt from all dues and taxes on the remuneration and emoluments which he receives from the sending State in respect of the exercise of consular functions.

ARTICLE 67

EXEMPTION FROM PERSONAL SERVICES AND CONTRIBUTIONS

The receiving State shall exempt honorary consular officers from all personal services and from all public services of any kind whatsoever and from military obligations such as those connected with requisitioning, military contributions and billeting.

Chapter IV — General provisions

ARTICLE 70

EXERCISE OF CONSULAR FUNCTIONS BY DIPLOMATIC MISSIONS

1. The provisions of the present Convention apply also, so far as the context permits, to the exercise of consular functions by a diplomatic mission.

2. The names of members of a diplomatic mission assigned to the consular section or otherwise charged with the exercise of the consular functions of the mission shall be notified to the Ministry of Foreign Affairs of the receiving State or to the authority designated by that Ministry.

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4. The privileges and immunities of the members of a diplomatic mission referred to in paragraph 2 of this Article shall continue to be governed by the rules of international law concerning diplomatic relations.

ARTICLE 71

NATIONALS OR PERMANENT RESIDENTS OF THE RECEIVING STATE

1. Except in so far as additional facilities, privileges and immunities may be granted by the receiving State, consular officers who are nationals of or permanently resident in the receiving State shall enjoy immunity from jurisdiction and personal inviolability in respect of official acts performed in the exercise of their functions, and the privilege provided in paragraph 3 of Article 44.

2. Other members of the consular post who are nationals of or permanently resident in the receiving State and members of their families, as well as members of the families of consular officers referred to in paragraph 1 of this Article, shall enjoy facilities, privileges and immunities only in so far as these are granted to them by the receiving State. Those members of the families of members of the consular post and those members of the private staff who are themselves nationals or permanently resident in the receiving State shall likewise enjoy facilities, privileges and immunities only in so far as these are granted to them by the receiving State.

SCHEDULE 2

(Sections 4 and 11)

PROVISIONS FOR GIVING EFFECT TO OTHER AGREEMENTS

1. The like exemption from dues and taxes may be extended to the residence of any member of a consular post as is accorded under Article 32 in Schedule 1 to the residence of the career head of a consular post.

2. Paragraph 1 of Article 49 in that Schedule may be extended to members of the service staff.

3. Paragraph 2 of Article 50 in that Schedule may be applied as if it were among the Articles mentioned in paragraph 2 of Article 58 in that Schedule, as if the reference to consular employees included members of the service staff and also such members of the families of consular employees or of members of the service staff as form part of their households, and as if the words "in respect of articles imported at the time of first installation" were omitted.

4. Paragraphs 1 and 2 of Schedule 3 (inviolability and immunity from jurisdiction and arrest of diplomatic agents and exemption from duty to give evidence) may be extended to members of a consular post and members of their families forming part of their households.

5. Paragraph 3 of Schedule 3 (inviolability and protection of mission) may be extended to consular premises; and paragraph 4 of that Schedule (inviolability of private residence) may be extended to the residence of consular officers.

6. Paragraph 5 of Schedule 3 (freedom of communications) may be extended to the communications of a consular post.

SCHEDULE 3

(Section 12)

PROVISIONS OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS (1961)

HAVING THE FORCE OF LAW IN THE COLONY

1. The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.

2. (1) A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of —

- (a) a real action relating to private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;
- (b) an action relating to succession in which the diplomatic agent is involved as executor, administrator, heir or legatee as a private person and not on behalf of the sending State;
- (c) an action relating to any professional or commercial activity exercised by the diplomatic agent in the receiving State outside his official functions.

- (2) A diplomatic agent is not obliged to give evidence as a witness.
- (3) No measures of execution may be taken in respect of a diplomatic agent except in the cases coming under sub-paragraphs (a), (b) and (c) of paragraph 1 of this Article, and provided that the measures concerned can be taken without infringing the inviolability of his person or of his residence.
- (4) The immunity of a diplomatic agent from the jurisdiction of the receiving State does not exempt him from the jurisdiction of the sending State.
3. (1) The premises of the mission shall be inviolable. The agents of the receiving State may not enter them, except with the consent of the head of the mission.
- (2) The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.
- (3) The premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution.
4. The private residence of a diplomatic agent shall enjoy the same inviolability and protection as the premises of the mission.
5. (1) The receiving State shall permit and protect free communication on the part of the mission for all official purposes. In communicating with the Government and other missions and consulates of the sending State, wherever situated, the mission may employ all appropriate means, including diplomatic couriers and messages in code or cipher. However, the mission may install and use a wireless transmitter only with the consent of the receiving State.
- (2) The official correspondence of the mission shall be inviolable. Official correspondence means all correspondence relating to the mission and its functions.
- (3) The diplomatic bag shall not be opened or detained.
- (4) The packages constituting the diplomatic bag must bear visible marks of their character and may contain only diplomatic documents or articles intended for official use.
- (5) The diplomatic courier, who shall be provided with an official document indicating his status and the number of packages constituting the diplomatic bag, shall be protected by the receiving State in the performance of his functions. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.
- (6) The sending State or the mission may designate diplomatic couriers *ad hoc*. In such cases the provisions of paragraph (5) of this Article shall also apply, except that the immunities therein mentioned shall cease to apply when such a courier has delivered to the consignee the diplomatic bag in his charge.
- (7) A diplomatic bag may be entrusted to the captain of a commercial aircraft scheduled to land at an authorised port of entry. He shall be provided with an official document indicating the number of packages constituting the bag but he shall not be considered to be a diplomatic courier. The mission may send one of its members to take possession of the diplomatic bag directly and freely from the captain of the aircraft.

OBJECTS AND REASONS

The main purpose of this Bill is to give effect to the Vienna Convention on Consular Relations, to enable effect to be given to certain other agreements entered into by Her Majesty's Government in the United Kingdom concerning consular relations and to make consequential provisions in relation to the Commonwealth and the Republic of Ireland.

In addition the Bill gives power to restrict consular privileges and immunities for lack of reciprocity; and contains provisions as to the administration of oaths and performance of notarial acts by diplomatic agents and consular officers in certain circumstances.

**A Bill for
The Old Age Pensions (Amendment) (No. 2) Ordinance 1986**

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 3 of 1952.
3. Validation of payments.

**A Bill for
An Ordinance
To amend the Old Age Pensions Ordinance
1952.**

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

Citation and commence-
ment.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) (No. 2) Ordinance 1986 and shall have effect from the 1st day of January 1986.

Amendment of Ordinance
No. 3 of 1952.

2. The Old Age Pensions Ordinance 1952 is amended —
- (a) in Section 6 (6) by the deletion of the words “on or before his fiftieth birthday”;
 - (b) in Section 6B (f) by the deletion of the words “on or before his fiftieth birthday”.

Validation of payments.

3. Every payment made under Sections 6 (6) and 6B (f) prior to the coming into force of this Ordinance shall be valid and effective although made on behalf of a contributor or a female contributor who was over the age of fifty years at the time of every such payment.

OBJECTS AND REASONS

The purpose of this Bill is to widen the scope of the Management Board's power to assist persons unable to pay contributions under the Old Age Pensions Ordinance, particularly persons pursuing training and further education overseas.

Section 3 validates payments made pursuant to Sections 6 (6) and 6B (f) to persons over fifty years of age.

A Bill for The Income Tax (Amendment) Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Cap. 32.

A Bill for An Ordinance To amend the Income Tax Ordinance Cap 32

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

1. This Ordinance may be cited as the Income Tax (Amendment) Ordinance 1986 and shall come into force on the 1st day of January 1987. Citation and commencement.

2. The Income Tax Ordinance is amended — Amendment of Cap 32.

(a) in Section 2 by —

(i) substituting “£15,000” for “£10,000” in the definition of “housing loan”;

(ii) adding the following after the definition of “ordinary resident” —

“ ‘maintenance payments’ mean payments under an order of a court in the Falkland Islands —

(a) by one of the parties to a marriage (whether subsisting, dissolved or annulled) for the maintenance of the other party, or

(b) to any person for the benefit, maintenance or education of a person under the age of 21 years not being a payment mentioned in paragraph (a); ’

(b) in Section 5 by the addition at the end thereof of the following —

“(g) maintenance payments”;

(c) in Section 8 by the addition at the end thereof of the following —

“(p) any allowance paid to members of the Falkland Islands Development Corporation appointed under paragraph (a), (c) or (d) of Section 6 (1) of the Falkland Islands Development Corporation Ordinance 1983”;

(d) in Section 10 (1) by —

(i) the insertion after paragraph (e) of the following —

“(f) maintenance payments”, and

(ii) the relettering of the existing paragraph “(f)” as “(g)”;

(e) in Section 14 (1) by substituting “£2,100” for “£2,000”;

(f) in Section 15 by substituting —

(i) “£1,200” for “£1,150” in subsection (1),

(ii) “£2,100” for “£2,000” in subsection (4);

(g) by the addition after Section 56 of the following section —

“Appointment
and duties
of agent.

56A. In this section —

“agent” means a person appointed as such under subsection (2);

“appointment notice” means a notice issued by the Commissioner under subsection (2) appointing an agent;

“moneys” includes salary, wages and pensions payments and any other remuneration whatsoever;

“principal” means the person in respect of whom an agent is appointed;

(2) The Commissioner may, in his discretion, by written notice addressed to any person —

(a) appoint him to be the agent of another person for the purposes of the collection and recovery of tax due from such other person, and

(b) specify the amount of such tax to be collected and recovered.

(3) An agent shall pay the tax specified in his appointment notice out of any moneys which may, at any time during the twelve months following the date of the notice, be held by him for, or due from him to, his principal.

(4) Where an agent claims to be, or to have become, unable to comply with subsection (3) by reason of the lack of moneys held by, or due from him, he shall, as soon as may be practicable, notify the Commissioner accordingly in writing setting out fully the reasons for his inability so to comply, and the Commissioner may —

(a) accept the notification and cancel or amend the appointment notice accordingly, or

(b) if he is not satisfied by such reasons, reject the notification in writing.

(5) Unless and until a notification is given by an agent under subsection (4) —

(a) sufficient moneys for the payment of the tax specified in his appointment notice shall be presumed to be held by him for, or due from him to, his principal, and

- (b) in any proceedings for the collection or recovery of such tax, he shall be estopped from asserting the lack of such moneys.

(6) For the purposes of this section, the Commissioner may, by notice in writing, at any time require any person to furnish him within a reasonable time, not being less than thirty days from the date of service of such notice, with a return showing any moneys which may be held by such person for, or due by him to, any other person from whom tax is due.

(7) Where an agent fails to pay any amount of tax specified in his appointment notice within thirty days —

- (a) of the date of service of such notice on him, or
- (b) of the date on which any moneys come into his hands for, or become due by him to, his principal,

whichever is the later, and —

- (i) he has not given a notification under subsection (4), or
- (ii) he has given such notification which has been rejected by the Commissioner,

the provisions of this Ordinance relating to the collection and recovery of tax shall apply to the collection and recovery of such amount as if it were tax due and payable by the agent, the due date for the payment of which was the date upon which such amount should have been paid to the Commissioner under this subsection.

(8) An agent who has made any payment of tax under this section shall for all purposes be deemed to have acted therein with the authority of his principal and of all other persons concerned, and shall be indemnified in respect of such payment made against all proceedings, civil or criminal, and all process, judicial or extrajudicial, notwithstanding any provisions to the contrary in any written law, contract or agreement."

(h) by the deletion of the definition "expenditure" from paragraph 1 of the Sixth Schedule.

OBJECTS AND REASONS

This Bill provides for amendments to the Income Tax Ordinance which —

- (a) increase the amount of a house loan the interest of which may be set off against income for tax purposes;
- (b) allow the deduction from chargeable income of maintenance payments under a court order;
- (c) exempt allowances payable to FIDC Board members from tax;
- (d) increase the personal allowance;
- (e) increase the deductions from chargeable income for a wife and in respect of a wife's earnings;
- (f) introduce the appointment of agents (e.g., employers/bankers) for collection of tax;
- (g) allow grants to be included in the amount taken into account when making depreciation deductions.

**A Bill for
The Family Allowances (Amendment) (No. 2) Ordinance 1986**

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance No. 9 of 1960.

**A Bill for
An Ordinance
To amend the Family Allowances Ordinance
1960.**

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

Citation and commence-
ment.

1. This Ordinance may be cited as the Family Allowances (Amendment) (No. 2) Ordinance 1986 and shall come into force on the day of 198 .

Amendment of Ordinance
No. 9 of 1960.

2. The Family Allowances Ordinance 1960 is amended in Section 4 (1) by the substitution for paragraph (c) of the following —
“(c) subject to subsection (2), being unmarried, is awaiting admission to or receiving full time instruction at any university, college, school or other educational establishment whether in the Falkland Islands or not.”

OBJECTS AND REASONS

This Bill amends the Family Allowances Ordinance to provide for payment of the family allowance in respect of a child who has left school in the Falkland Islands but awaits entry to another school or place of further education.

STANLEY ELECTORAL AREA

REGISTER OF ELECTORS

1	Adams, Marjorie Rose	59	Betts, Melody Christine
2	Alazia, Albert Faulkner *	60	" Rosa Magaly
3	" Charles	61	" Shirley Rose
4	" Eva Rose	62	" Terence Severine
5	" Freda	63	Biggs, Alastair Gordon
6	" Freda Evelyn	64	" Basil William *
7	" Hazel	65	" Betty Josephine
8	" Henry John	66	" Darlene Joanna *
9	" James Andrew	67	" Edith Joan
10	" Maggie Ann *	68	" Frances
11	" Yvonne	69	" Hilda Evangeline *
12	Aldridge, Caroline Mary	70	" Irene Mary
13	" Kenneth John	71	" Kathleen Frances *
14	Allan, Erwin	72	" Leslie Frederick
15	" Rosemarie	73	" Madge Bridget Frances *
16	Almonacid, Gladys Mabel	74	" Michael Elfed
17	" Orlando	75	" Peter Julian Basil
18	Ampuero, Vera Susan	76	Binnie, Albert Frederick *
19	Anderson, Eddie *	77	" Malcolm George Stanley
20	" Edward Bernard *	78	Blackley, Candy Joy
21	" Elizabeth Nellie *	79	" Charles David *
22	" Gertrude Maud *	80	" Hilda
23	" Gloria	81	" Janet Agnes Mary *
24	" Hector Christian *	82	" John David
25	" Helen	83	Blizard, Lawrence Gordon *
26	" Jenny	84	Blyth, Agnes Ruth *
27	" John *	85	" Alfred John *
28	" Marina Rose	86	" John
29	" Mildred Nessie *	87	Bonner, Donald William
30	" Richard Louis	88	" Nicholas
31	" Ronald *	89	" Paul Roderick
32	" Tony James	90	" Timothy
33	Ashley, Nora Phyllis *	91	" Vera Ann
34	Ashworth, Glennis	92	" Vera Joan
35	" Malcolm	93	" Violet *
36	Barnes, Ernest *	94	Booth, Jessie *
37	" Molly Stella	95	" Joseph Bories *
38	" Sigrid Geraldine Wells	96	" Mary *
39	Barton, Arthur John	97	" Myriam Margaret Lucia
40	Bennett, Harold *	98	" Stuart Alfred *
41	" Lena Grace Gertrude *	99	Bound, Graham Leslie
42	Berntsen, Diana Mary *	100	" Joan
43	" Ellen Rose	101	Bowles, Haley Trina
44	" Gina Michelle *	102	" Norma Evangeline
45	" Iain Kenneth *	103	" William Edward
46	" Jeanette	104	Bragger, Edward Laurence
47	" John Alexander	105	" Olga
48	" Kathleen Gladys *	106	Braxton, Thomas Nathaniel John *
49	" Lavina Maud *	107	Browning, Althea Maria
50	" Olaf Christian Alexander	108	" Edwina
51	" Raymond	109	" James Samuel *
52	" William Alexander	110	" Kelvin
53	" William Blyth *	111	" Rex *
54	Bertrand, Catherine Gladys *	112	" Richard William
55	Betts, Alan Sturdee *	113	" Trevor Osneth
56	" Donald William	114	Browlee, Andrew Samuel
57	" Ellen Alma *	115	Buckett, Ronald Peter
58	" George Winston Charles	116	Buckland, Charles Ronald

* NOT LIABLE TO SERVE AS A JUROR.

117	Buckland, Patricia Mary *	182	Coutts, Peter
118	Bundes, Robert John Christian *	183	" Stephanie Ann
119	Burns, Mary Anne *	184	Curtis, Alfred William Hamilton
120	Burston, Jeannie Paulina	185	" Barbara Joan
121	Butcher, Michael George	186	Davies, Anthony Warren
122	" Trudi	187	" Jacqueline Nancy
123	Butler, Elsie Maud *	188	Dickson, Caroline Christine Bird *
124	" Frederick Lowther Edward Olai *	189	Douse, Bronwen Vaughan
125	" George Joseph	190	Duncan, Alice Florence *
126	" Joan May	191	" Doreen
127	" Lawrence Jonathan	192	" William *
128	" Margaret Orlanda *	193	Emsley, David Smith
129	" Orlanda Betty	194	Etheridge, Alice Mary
130	Card, Denise	195	" William Arthur
131	Carey, Anthony Michael	196	Evans, Derek Stanley
132	" Gladys	197	" Gladys Alberta
133	" Mary Ann Margaret *	198	" Griffith Owen *
134	" Michael Raymond	199	" Michael David *
135	" Terence James *	200	Eynon, Carol
136	" Trudi Ann	201	" David John
137	Cartmell, Frederick James	202	Fairfield, Bonita Doreen
138	" Sarah Matilda *	203	" James Steven *
139	Castle, David	204	Faria, Basil Hary *
140	" Isobel	205	" Mary Ann
141	Ceballos, Claudette	206	" Paul *
142	Chater, Annie	207	Felton, Peter Durose
143	" Anthony Richard	208	" Sonia Ellen
144	Cheek, Frederick John *	209	" Violet Regina Margaret
145	" Gerald Winston	210	" Walter Arthur *
146	" Janet Linda *	211	Ferguson, Ethel Mary *
147	" John Edward *	212	Findlay, Bruce Murdock *
148	" Marie	213	Finlayson, Hugh *
149	Clarke, Andrew Joseph	214	" Iris Dwenda Margaret
150	" Camilla Marie	215	" Peter
151	" David James	216	" Phyllis
152	" Derek Simon	217	" Robert Hugh
153	" Doreen	218	" Teresa Rose
154	" Ian	219	Fleuret, Kathleen Mary *
155	" Jane Lucacia *	220	" Theodore Clovis *
156	" Kathleen Gay	221	Ford, Arthur Henry
157	" Martin James	222	" Charles David *
158	" Marvin Thomas	223	" Cherry Rose
159	" Ronald John	224	" Colin Stewart
160	" Rudy Thomas	225	" Colleen Mary
161	" Trudi, Ann	226	" David
162	Clasen, Mally	227	" Dorothy Minnie *
163	Clausen, Frederick James *	228	" Elizabeth Harriet
164	Clayton, Susan	229	" Fanny Davidson
165	Cletheroe, Daphne Harriet *	230	" Frederick James
166	" Kenneth Stanley	231	" James Edward *
167	" Lily Catherine *	232	" Marilyn Christina
168	" Stanley William *	233	" Michael
169	" William Harold *	234	" Robert
170	Clifton, Charles *	235	Fullerton, Mary Ellen *
171	" Darwin Lewis *	236	Gilbert, Judith Elizabeth
172	" Jessie Emily Jane *	237	" Robert Ernest
173	" Stephen Peter	238	Gilding, Jacqueline
174	" Teresa Ann *	239	" Peter Bernard
175	" Valerie Ann	240	Gooch, Cecilia Ines Millard Bennett *
176	Coutts, Carolynne	241	" Dudley Frederick *
177	" Charles	242	Goodwin, Colin Valentine
178	" Charles Lindsay	243	" June Elizabeth
179	" John	244	" June Rose Elizabeth
180	" Malvina Mary	245	" Kathleen Edith Marguerite *
181	" Olga	246	" Laurence Henry
		247	" Margaret Ann

* NOT LIABLE TO SERVE AS A JUROR

248	Goodwin, Michael Sturdee *	313	Jaffray, Tony
249	" Robin Christopher	314	" William *
250	" Una	315	Johnson, Howard William *
251	" William Andrew Nutt	316	" Kenneth John
252	Goss, Elizabeth Rose	317	" Stanley Howard *
253	" Grace Elizabeth *	318	" Violet Alberta *
254	" Simon Peter Miller	319	Jones, Albert Charles *
255	" William Henry (Snr.) *	320	" John Hugh
256	Gould, Arthur William	321	" Michael David
257	Grant, Leonard John *	322	" Michelle
258	" Mildred *	323	" Sheila Janice
259	Hadden, Alexander Burnett	324	Keenleyside, Charles Desmond (Snr.) *
260	" Sheila Peggy	325	" Charles Desmond (Jnr.) *
261	Halford, Rodney John	326	" Dorothy Maud *
262	" Sharon *	327	" Manfred Michael Ian
263	Halliday, Evelyn Edna	328	" Nanette Barbara
264	" Jane Christina *	329	" Susan Noreen
265	" John Arthur Leslie *	330	Kenny, Erling
266	" John Henry *	331	Kiddle, Peter *
267	" Leslie John *	332	" Robert Karl
268	" Mabel *	333	King, Anna Constance Eve
269	" Margaret Mary	334	" Desmond George Buckley *
270	" Raynor	335	" Gladys Evelyn *
271	Hansen, Douglas John	336	" Nanette
272	" Keva Elizabeth	337	" Peter Thomas *
273	" Terence Darwin	338	" Robert John
274	Hardy, Douglas Morgan	339	" Vernon Thomas *
275	Harris, Christopher James	340	Laffi, Kathleen Mary
276	" Heather	341	Lang, James
277	" Jill Yolanda Miller	342	" May Malvina
278	" Leslie Sidney	343	" William Frank
279	" Michael Ronald	344	Larsen, Ellen
280	" Ralph Aaron *	345	" Margaret Anne *
281	Harvey, James Claude *	346	Lee, Alfred Leslie *
282	" Muriel Elsie Elizabeth	347	" Derek William
283	Hatch, Albert John	348	" Elsie Adelaide *
284	Heathman, Albert Stanley Kenneth *	349	" Gladys
285	" Malcolm Keith	350	" Leslie James
286	" Violet *	351	" Trudi Dale
287	Hernandez, Jose Raul Huanel	352	Livermore, Anton *
288	Hewitt, Gary George	353	" Darren
289	" Margaret Ann	354	" Marie Ann *
290	" Rachel Catherine Orissa *	355	Loftus, Colleen
291	" Robert John David *	356	Luxton, Ernest Falkland *
292	Hills, Heather Margaret *	357	" Michael
293	" Richard William *	358	" Nicola
294	Hirtle, Debbie Ann *	359	" Sybil Grace *
295	" Leonard Lloyd	360	" Winifred Ellen
296	" Mary Ann *	361	Lyse, Ethel Malvina
297	" Rose Ann Shirley	362	" George Walter *
298	" Sandra May Winifred	363	" Linda Margaret
299	" Shirley	364	" Reginald Sturdee
300	" Wallace Carlinden *	365	" Sydney Russell *
301	Hobman, Anilda Marilu	366	Macaskill, Jeannette May
302	" David Gonsalo *	367	" John
303	" Jose *	368	" Robert John
304	Howatt, Derek Frank *	369	McBain, Arthur
305	" Enid	370	" Rhoda Margaret
306	Howe, Alison Delia	371	Malcolm, George *
307	Jacobsen, Alistair	372	" Velma
308	Jaffray, Angus	373	Maitland, Elizabeth Eve
309	" Estell Anita	374	" Thomas Peter
310	" Helen Rose	375	May, Heather
311	" Kenneth Ian *	376	" James John *
312	" Stephen James	377	" William Albert

* NOT LIABLE TO SERVE AS A JUROR

378	Mercer, Christel	443	McKenzie, Alice Maude
379	Middleton, Brian	444	„ Charles Alexander
380	„ Caroline		Albert John
381	„ Dennis Michael	445	McLeod, Archibald *
382	„ Ellen *	446	„ David
383	„ Graham Cyril *	447	„ Ellen May *
384	„ James (2) *	448	„ Margaret Anne
385	„ James (3) *	449	„ Michael William
386	„ Joan Eliza	450	McPhee, Gerald Ian *
387	„ Leonard	451	„ Grace Darling *
388	„ Margaret Wilhelmina *	452	„ Marjorie May
389	„ Phillip John	453	„ Natalie Marianne *
390	„ Sharon Elizabeth	454	„ Owen Horace *
391	„ Shirley	455	„ Patrick
392	Miller, Andrew Nigel *	456	Neal, Richard John
393	„ Betty Lois *	457	Neilson, Barry Marwood
394	„ Florence Roberta *	458	„ Margaret
395	„ Gaile Marie	459	Newman, Joyce Noreen
396	„ Philip Charles	460	„ Marlene
397	„ Sidney *	461	„ Raymond Winston
398	Milne, Henry Millar *	462	„ Wilfred Lawrence *
399	„ Madeline Marie Irma *	463	Newell, Joseph Orr
400	Minto, Graham Stewart *	464	„ Trudi Malvina
401	„ Patrick Andrew	465	Nutter, Arthur Albert
402	Miranda, Augusto *	466	„ Josephine Leslie
403	„ Ramon *	467	Parrin, Norman George *
404	„ Winifred Dorothy	468	Pauloni, Hilary Maud
405	Monaghan, Augustine *	469	„ Romolo Vittorio *
406	Morris, Alana Marie	470	Peake, Arthur
407	Morrison, Donald Ewen *	471	„ Clair Linda
408	„ Fayon	472	Peart, Robert Ernest
409	„ Graham Stewart	473	„ Rose Louisa
410	„ Hyacinth Emily	474	Peck, Beatrice Ena *
411	„ John Murdo	475	„ Burned Brian
412	„ Mary Ann *	476	„ Desmond Douglas Bernard *
413	„ Muriel Eliza Ivy *	477	„ Elsie Grace *
414	„ Nanette Rose	478	„ Evelyn Elizabeth
415	„ Stewart	479	„ Kim Brian *
416	„ William Roderick Halliday	480	„ Mary *
417	Murphy, Bessie *	481	„ Maureen Heather
418	„ Michael James *	482	„ Patrick William
419	McAskill, Susan Blanche *	483	„ Shirley
420	McBeth, Phyllis Elizabeth Grace	484	„ Terence John
421	McCallum, Bettina Kay	485	Perkins, Vivienne Esther Mary
422	„ Christopher John	486	Perry, Augustave Walter *
423	„ Elaine Michele	487	„ Beatrice Annie Jane *
424	„ Ellen *	488	„ Christopher *
425	„ Jack	489	„ Hilda Blanche
426	„ Timothy Andrew	490	„ Robert Juan Carlos
427	McCormick, Pauline Margaret Ruth	491	„ Thomas George
428	„ Suzanne	492	„ Thora Virginia *
429	McGill, Doris Mary *	493	Pettersson, Derek Richard
430	„ Gary	494	„ Eileen Heather
431	„ Glenda	495	„ Tony
432	„ Ian Peter	496	Phillips, David Dawson
433	„ Len Stanford *	497	„ Jessie Catherine *
434	„ Lorraine Iris	498	Pole-Evans, Amy Rose
435	McKay, James John *	499	„ Michael Anthony
436	„ Jane Elizabeth *	500	Poole, Charles Lawrence *
437	„ Michael John	501	„ Evelyn May
438	„ Neil	502	„ Isabella Jane *
439	„ Paul Anthony	503	„ Nancy Margaret
440	„ Peter John	504	„ Raymond John
441	„ Shelley Jane	505	„ William John
442	„ Stephen John	506	Porter, Brian Charles

507	Porter, Charles	572	Smith, Terence George
508	" Jean Lavinia	573	" Violet Catherine *
509	" William Kenneth	574	Sollis, Sarah Emma Maude *
510	Reeves, Cheryl Rose	575	Sornsen, George Albert *
511	Reid, Colleen Rose	576	" James Winston
512	" Reynold Gus	577	Spall, Christopher Richard *
513	Reive, Ernest *	578	Spinks, Alexander
514	" Roma Endora Mary *	579	" Malvina Ellen
515	" Terence	580	Spruce, Helena Joan
516	Rendell, Michael	581	" Terence George *
517	" Phyllis Mary	582	Stacey, Lillian Clara *
518	Roberts, Laura May	583	Steen, Emma Jane *
519	" Peter James	584	" Gail *
520	" William Henry *	585	" Vernon Robert
521	Robson, Gerard Michael	586	Stephenson, James
522	" Gladys Mary	587	" Joan Margaret
523	" Miranda Gay	588	" Zachary *
524	" Phyllis Ann	589	Stewart, Carol Ellen Eve *
525	" Raymond Nigel	590	" David William *
526	" Stephanie Ann *	591	" George Alexander *
527	" Violet Malvina Emily *	592	" Hulda Fraser
528	Ross, Carol Wendy	593	" John
529	" Glenn Stephen *	594	" Keith Gordon *
530	" Janet *	595	" Phyllis Marjorie
531	" Lachlan Neil	596	" Robert
532	Rowlands, Catherine Anne	597	" Sylvia Rose
533	" Daisy Malvina	598	" Yvonne Malvina
534	" Harold Theodore *	599	Strange, Ian John
535	" John Richard	600	" Maria Marta
536	Rozee, Betty	601	Summers, Brian
537	" Derek Robert Thomas *	602	" Dennis David
538	" Philip Henry	603	" Derek Raymond
539	Sackett, Michael John Carlos	604	" Edith Catherine
540	Samney, Harry *	605	" Gloria Jane
541	Shedden, James Alexander	606	" Iris Blanche
542	Short, Andrez Peter	607	" Irvin Gerard
543	" Celia Soledad	608	" Judith Orissa
544	" Charles William	609	" Michael Kenneth
545	" Emily Christina	610	" Nigel Clive
546	" Florence Mary *	611	" Owen William
547	" Frederick John *	612	" Pam Ellen
548	" Gavin Phillip	613	" Pamela Rosemary Cheek
549	" Lisa	614	" Rowena Elsie
550	" Montana Tyrone	615	" Sheila
551	" Peter Robert	616	" Sybella Catherine Ann
552	" Philip Stanley *	617	" Sylvia Jean
553	" Rose Stella	618	" Terence
554	" Vanda Joan	619	" Tony
555	" Vilma	620	" Veronica
556	Smith, Andrew John *	621	" William Edward *
557	" Anna	622	Thain, John
558	" Anya *	623	" Julia
559	" Colin David	624	Thom, Alison
560	" Derek	625	" David Anderson
561	" Eric	626	" Dorothy Irene
562	" Ileen Rose	627	" Norma Ann
563	" Janice	628	Thompson, William John *
564	" James Stanley *	629	Turner, Alva Yvonne
565	" Jeremy Gordon	630	" Celia Joyce
566	" Joan Lucy Ann	631	" Melvyn George
567	" John	632	Vidal, Eileen Nora
568	" Martyn James	633	Wallace, Fraser Barrett
569	" Peter Lars	634	" Lillian
570	" Rhona	635	" Stuart Barrett
571	" Sidney Frederick	636	Watson, Catherine Wilhelmina Jessie *

* NOT LIABLE TO SERVE AS A JUROR

637	Watson, Hannah Maude *	645	Whitney, Frederick William
638	" Louis James *	646	" Jason *
639	" Paul *	647	" Robert Michael
640	Watts, Ada Mabel *	648	" Susan Joan
641	" Patrick James	649	Williams, Charlotte Agnes *
642	White, John Wright *	650	" Eugene
643	" Kathleen Elizabeth *	651	" Marlene Rose Elizabeth
644	Whitney, Catherine Margaret	652	Zuvic, Kuzma Mario
	Rebecca *	653	" Sharon Marie

* NOT LIABLE TO SERVE AS A JUROR

STANLEY POSTAL VOTERS

22	Anderson, Gertrude Maude	265	Halliday, John Arthur Leslie
33	Ashley, Nora Phyllis	318	Johnson, Violet Alberta
70	Biggs, Irene Mary	424	McCallum, Ellen
73	" Madge Bridget Frances	480	Peck, Mary
165	Cletheroe, Daphne Harriet	582	Stacey, Lilian Clara
168	" Stanley William	628	Thompson, William John

CAMP ELECTORAL AREA

REGISTER OF ELECTORS

1001	Alazia, Anthony Henry	1061	Clarke, Kathleen Joyce
1002	" Dorothy Fay	1062	" Michael Jan
1003	" George Robert	1063	" Terence John
1004	" Michael Robert	1064	" Violet Rose †
1005	" Stuart John	1065	Clausen, Denzil
1006	" Thora Lilian †	1066	" Henry Edward
1007	Aldridge Brian George	1067	Clifton, Doreen
1008	" Olive Elizabeth	1068	" Leonard
1009	Anderson, Margaret Catherine	1069	" Terence Charles
1010	" Nigel	1070	" Thora Janeene
1011	" Reginald Stanford	1071	Cockwell, Grizelda Susan
1012	Arger, Trudi Lynette	1072	" John Richard †
1013	Barnes, Deirdre	1073	Coutts, Alexander †
1014	" Marie	1074	" Frederick George
1015	" Marshall	1075	" Lindsey Olga
1016	" Trevor Marshall †	1076	Davis, Aase
1017	Barton, John David †	1077	" Albert Henry
1018	Beattie, Betty	1078	" Elsie Gladys Margaret †
1019	" Thomas George	1079	" Mandy John †
1020	Berntsen, Arena Janice	1080	" Nicholas
1021	" Benjamin John †	1081	" Raymond
1022	" Kenneth Frederick	1082	" Reginald John
1023	" Leon	1083	" Violet
1024	" Pamela Margaret	1084	" William James
1025	Betts, Arthur John †	1085	" William John †
1026	" Bernard Keith	1086	" Yona
1027	" Cyril Severine †	1087	Dearling, Leo Alexander †
1028	" Diane Joan †	1088	Dickson, Doreen
1029	" Hyacinth Emily †	1089	" Gerald William
1030	" Irene Marion	1090	" Iris
1031	Biggs, Robert William †	1091	" Ronald Edward
1032	Billett, Leslie William	1092	Dobbyns, Jeannie Lilian Mary
1033	Binnie, Horace James †	1093	" Timothy John
1034	" Linda Rose	1094	Donnelly, Daniel
1035	" Michele Paula †	1095	" Joyce Elizabeth
1036	" Ronald Eric	1096	Duncan, Avis Marion †
1037	" Rose Helen †	1097	" James Alexander †
1038	Birmingham, John	1098	" Peter Ree Howard
1039	" Susan Jane	1099	Dunford, David Philip
1040	Blackley, Maurice	1100	Edwards, Norma †
1041	Blake, Anthony Thomas †	1101	Evans, Olwyn Carol
1042	" Lionel Geoffrey †	1102	" Raymond
1043	" Lyndsay Rae	1103	Fairley, John
1044	" Sally Gwynfa	1104	Felton, Anthony Terence
1045	Bonner, Avril Margaret Rose	1105	Ferguson, Finlay James
1046	" Keith James	1106	" Robert John
1047	" Simon	1107	" Rose
1048	" Susan Anne	1108	" Thelma
1049	Browning, Gavin	1109	Findlay, Carrie Madeline Helen
1050	Buckett, Roy Peter	1110	" Gerald
1051	Burns, Iola Winnifred †	1111	Finlayson, Barry Donald
1052	Cartmell, Andrew Nutt	1112	" Iris Heather
1053	Chandler, Ann Beatrice	1113	" Neil Roderick
1054	" Edward	1114	Ford, Hazel
1055	Clarke, Daneila Grace †	1115	" John
1056	" Fiona Alison	1116	" Leonard
1057	" Frederick Thomas	1117	" Neil Fraser
1058	" Gwynne Edwina	1118	" Penelope Rose
1059	" Hector	1119	Forster, Gwyneth May
1060	" Jeanette	1120	" James

† NOT LIABLE TO SERVE AS A JUROR

1121	Freeman, Carl Francis	1184	Johnson, Michael Neil
1122	" Dianne May	1185	Jones, Kevin Richard
1123	Giles, Gilbert	1186	Jonson, Carl
1124	Gleadell, Ian Keith	1187	Kilmartin, Dinah May
1125	" Marklin John	1188	" Kevin Seaton
1126	" Mavis Marie	1189	Knight, Nigel Arthur
1127	Goodwin, Bert Samuel †	1190	" Shirley Patricia Louvaine
1128	" Emily Rose	1191	Lang, Patrick Andrew
1129	" Hazel Rose	1192	" Sandra Shirleen
1130	" Mandy Hazel	1193	" Velma Emily
1131	" Neil Alexander William	1194	Larsen, Josephine Mary †
1132	" Robin	1195	" Ronald Ivan
1133	" Sarah Margaret Rose	1196	" Yvonne
1134	" William John Maurice	1197	Lee, Carole
1135	Goss, Dorothy Ellen	1198	" Elizabeth
1136	" Eric Miller †	1199	" John Alfred
1137	" Errol Barry Gordon †	1200	" Owen Henry †
1138	" Ian Ernest Earl	1201	" Robin Myles †
1139	" Margaret Rose	1202	" Rodney William
1140	" Peter	1203	" Susan Mary
1141	" Roderick Jacob	1204	Lloyd, John Moelwyn
1142	" Shirley Ann	1205	" Melvyn John
1143	" William Henry (Jnr.)	1206	" Valery Ann
1144	Gray, David Edward	1207	Luxton, Patricia Maureen
1145	" Patricia May	1208	" William Robert
1146	Halliday, Joyce Isabella Patience	1209	MacBeth, Raymond John
1147	" Kenneth William	1210	Maddocks, Robert Charles
1148	Hansen, Ian	1211	Marsh, Alastair Roy
1149	" Lionel Raymond	1212	" Anna Deirdre
1150	" Rose Idina	1213	" Arlette Sharon
1151	" Susan Ann	1214	" Frank
1152	Hardcastle, Brook †	1215	" Gavin Nicholas
1153	" Deborah Jane Hilton	1216	" June Helen
1154	" Eileen Beryl	1217	" Leon Peter
1155	" Gavin	1218	" Marlane Rose
1156	Harvey, Beatrice Louisa Catherine	1219	" Robin Frank
1157	" Jen	1220	May, Brian Roy
1158	" Valerie Ann	1221	" Bruce Raymond
1159	Hayward, Marjorie	1222	" Christopher *
1160	" Peter Dennis	1223	" Corenne Norma
1161	Heathman, Ailsa	1224	" Monica
1162	" Ewart Tony	1225	Miller, Betty
1163	Hewitt, David George	1226	" Carol
1164	" Frances Agnes	1227	" James Albert
1165	Hirtle, Anthony	1228	" Simon Roy
1166	" Doris Linda	1229	" Timothy John Durose
1167	" Fenton	1230	Minnell, Benjamin James
1168	Hughes, Albert	1231	" Donna Maria
1169	" Eileen Mary	1232	" Hazel Eileen
1170	Hutton, Elizabeth Isabella	1233	" Michael Robert
1171	" Philip	1234	Minto, Alistair Daen
1172	Jaffray, Alexander	1235	" Timothy Ian
1173	" Brian	1236	Mitchell, Leon John †
1174	" Eileen	1237	Molkenbuhr, Claudio Eugenio
1175	" Elliott Jessie	1238	Morrison, Doreen
1176	" Ian	1239	" Edgar Ewan †
1177	" Janet	1240	" Eric George
1178	" John	1241	" Gerald
1179	" John Willie	1242	" Jacqueline Denise Anita
1180	" Phyllis	1243	" Joan Margaret
1181	" Robin George	1244	" Kathleen Iris
1182	Jennings, Mary Ann Helen	1245	" Kenneth
1183	" Neil	1246	" Lena

1247	Morrison, Leslie Theodore Norman	1309	Pitaluga, Robin Andreas McIntosh
1248	" Lewis Ronald	1310	Pole-Evans, Anthony Reginald †
1249	" Michael John	1311	" David Llewellyn
1250	" Nigel Peter	1312	" Shirley Helen
1251	" Ronald Terence	1313	" Suzan
1252	" Susan Margaret	1314	" William Reginald
1253	" Violet Sarah	1315	Poole, Ella Josephine †
1254	McCallum, James	1316	" Steven Charles
1255	McDonald, Colin George	1317	Porter, George
1256	" Irene	1318	" Joan
1257	McGhie, Roy	1319	Reeves, Ronald James
1258	McGill, Robin Perry	1320	Robertson, Ann
1259	McKay, Christine	1321	" Peter Charles
1260	" Clara Mary †	1322	Robson, Louis Michael
1261	" Ellen Rose	1323	Ross, Marie
1262	" Frazer Roderick	1324	" Odette Ellen May
1263	" Heather Valerie	1325	" Roy
1264	" Ian Roderick	1326	" William Henry
1265	" Isabella Alice	1327	Rowlands, Neil
1266	" Josephine Ann	1328	Rozee, Ronald David
1267	" Kenneth Andrew	1329	Sackett, Jacqueline
1268	" Rex	1330	Shepherd, Ramsey
1269	" Richard	1331	Short, Arthur Richard †
1270	" Rodrick John	1332	" Christina Ethel
1271	" Rosie, Louisa Grace †	1333	" Donald Robert Gordon
1272	" William Robert †	1334	" Ellen Mary †
1273	McLeod, Albert John	1335	" Isobel Rose
1274	" Donald Henry	1336	" Joseph Leslie
1275	" Isabella Diana Frances	1337	" Patrick Warburton
1276	" Janet Wensley	1338	" Robert Charles
1277	" John †	1339	" Robert George
1278	" John	1340	Sinclair, Simon Keith
1279	" Madeleine Jean	1341	Smith, Anthony David
1280	" Robert	1342	" David
1281	" Sarah Rose	1343	" Francis David
1282	McMullen, June	1344	" Frederick George Peter
1283	" Tony	1345	" George Patterson
1284	McPhee, Kenneth John †	1346	" Gerard Alexander
1285	" June Iris	1347	" Gwenifer May
1286	McRae, David Michael	1348	" Heather
1287	" Gloria Linda	1349	" Jenny Lorraine
1288	" Marlaine	1350	" Margaret Mary
1289	" Richard Winston	1351	" Michael Edmund
1290	" Robert George Hector	1352	" Norah Kathleen
1291	Napier, Lily	1353	" Osmond Raymond †
1292	" Roderick Bertrand	1354	" Paulette Rose
1293	Newman, Adrian Henry Frederick	1355	" Robert William
1294	" Clive Alexander	1356	" Robin Charles
1295	" Dorothy Elizabeth †	1357	Stevens, Richard James
1296	" Dwenda Rose	1358	" Toni Donna
1297	" Rebecca Dickson	1359	Tellez, Jose Hector
1298	Nightingale, Charlene	1360	Thompson, George Henry †
1299	" Peter Richard	1361	Thorsen, David Moller
1300	Peck, Christine †	1362	" Gloria Penelope
1301	" Davina Margaret	1363	Turner, Arthur Leonard Pitaluga †
1302	" Paul	1364	" Diana Jane
1303	Phillips, Albert James	1365	" Ronald
1304	" Carol Joan	1366	Watson, Glenda Joyce
1305	" Lynda	1367	" Neil
1306	" Terence	1368	Whitney, Agnes Katherine †
1307	Pitaluga, Jene Ellen	1369	" Dennis
1308	" Nicholas Alexander	1370	" Henry Leslie †
	Robinson	1371	" Keith

† NOT LIABLE TO SERVE AS A JUROR.

1372 Whitney, Lana Rose
1373 ,, Leona Ann
1374 ,, Patrick George

1375 Wilkinson, David Clive Walter
1376 ,, Rosemary



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCV

31 OCTOBER 1986

No. 15

Appointments

Miss Sheila Oiga Butler, Clerk, Public Service, 1.8.86.

Paul Jonathan Robertson, Pilot Falkland Islands Government Air Service, Aviation Department, 29.9.86.

James Fairfield, Police Constable, Falkland Islands Police Force, 1.10.86.

Miss Carol Margaret Adams, Clerk, Public Service, 1.10.86.

Miss Jacqueline Elizabeth Earnshaw, S.R.N., S.C.M., Nursing Sister, Medical Dept., 3.10.86.

Mrs Sandra Lydia Goodwin, Senior Clerk, Medical Department, 20.10.86.

Acting Appointment

Mrs Kathleen Gay Clarke, Acting Chief Finance Officer, Treasury Department, 8.10.86.

Promotion

Kenneth John Aldridge from Engineer, m.v. Forrest Customs & Harbour Department to Chief Engineer, m.v. Forrest Customs & Harbour Department, 1.8.86.

Transfers

Arthur Peake from Senior Technician, Posts & Telecommunications Department to Computer Systems Co-ordinator Secretariat, 1.8.86.

Simon Peter Miller Goss from Technical Assistant, Posts & Telecommunications Department to Assistant Income Tax Officer, Treasury Department, 7.10.86.

Gerard Robson from Agricultural Assistant ARC to House Parent, Stanley School Hostel, Education Department, 27.10.86.

Completion of Contracts

Peter Coombe, Chief Engineer, m.v. Forrest, Customs & Harbour Department, 9.10.86.

David Byron Smith, Chief Education Officer, Education Department, 31.10.86.

Retirement

William Andrew Nutt Goodwin, Master m.v. Forrest, Customs & Harbour Department, 26.10.86.

Resignation

Roger Anthony Edwards, Master m.v. Forrest, Customs & Harbour Department, 6.10.86.

NOTICES

No. 45. 9th October 1986.

On the 8th day of October 1986 the following persons were elected by the elected Members of Legislative Council to be Members of Executive Council for a period of twelve months —

THE HONOURABLE A. T. BLAKE

THE HONOURABLE L. G. BLAKE, O.B.E., J.P.

THE HONOURABLE C. D. KEENLEYSIDE.

Ref. EXCO/35/1g.

No. 46. 15th October 1986.

His Excellency the Governor in accordance with Section 5 of the Legislative Council (Electors) Ordinance Cap 37 has been pleased to make the following appointments with effect from the 10th day of October 1986 —

DEPUTY REGISTRATION OFFICERS

Campan — TONY MCMULLEN

Stanley — PETER THOMAS KING

ANDREW SAMUEL BROWNLEE

Ref. LEGCO/20/4.

No. 47. 15th October 1986.

His Excellency the Governor in accordance with Section 3 of the Census Ordinance Cap 8 has been pleased to make the following appointments with effect from the 1st day of October 1986 —

Census Supervisor

MICHAEL CHARLES LLOYD GAIGER

Assistant Census Supervisor

SHARON HALFORD

Enumerators

PETER THOMAS KING

ANDREW SAMUEL BROWNLEE

Ref. LEG/7/3a.

No. 48. 16th October 1986.
The findings of the Cost of Living Committee for the quarter ended 30th June 1986 are published for general information —

<i>Quarter ended</i>	<i>Percentage increase over 1971 prices</i>
30th June 1986	440.99%

2. Hourly paid employees in Stanley qualify for an increase of 1.5p per hour with effect from 1st July 1986.

Ref. INT/2/3.

No. 49. 16th October 1986.
The findings of the Cost of Living Committee for the quarter ended 30th September 1986 are published for general information —

<i>Quarter ended</i>	<i>Percentage increase over 1971 prices</i>
30th September 1986	449.99%

2. Hourly paid employees in Stanley qualify for an increase of 2p per hour with effect from 1st October 1986.

Ref. INT/2/3.

No. 50. 20th October 1986.
In accordance with Section 76 of the Constitution His Excellency the Governor appointed —

DEREK FERNYHOUGH, ESQUIRE, M.B.E.,
to act as Chief Executive for the purpose of the

meeting of Standing Finance Committee held on 22nd July 1986.

Ref. P/1786.

No. 51. 20th October 1986.

In accordance with Section 7 (2) of the Falkland Islands Development Corporation Ordinance 1983 the Honourable the Chief Executive, Executive Vice Chairman of the Falkland Islands Development Corporation, David George Pendleton Taylor, appointed —

MICHAEL CHARLES LLOYD GAIGER

to act as Executive Vice Chairman of the Falkland Islands Development Corporation during his absence from the Falkland Islands with effect from 3rd October 1986.

Ref. P/1583.

No. 52. 20th October 1986.

In accordance with Section 76 of the Constitution His Excellency the Governor appointed —

HAROLD THEODORE ROWLANDS, ESQUIRE, O.B.E.,
to act as Chief Executive for the purpose of the meeting of Standing Finance Committee held on 9th October 1986.

Ref. P/404.

Application for Publican's Retail Licence

In accordance with Section 7 (1) of the Licensing Ordinance an application has been made by

MRS. ELLEN ROSE BERNTSEN — STANLEY

for a Publican's Retail Licence in respect of the premises known as the ROSE HOTEL.

Any objection to the granting of a licence must be made not later than 17th November 1986.

The Treasury,
Stanley.
28th October 1986.

H. T. ROWLANDS,
Financial Secretary.

Applications for Restaurant Licences

In accordance with section 7 (1) of the Licensing Ordinance the following applications have been made for Restaurant Licences —

<i>Applicant</i>	<i>Name of Establishment</i>	
MR. DAVID CLAYTON MORGAN	SEA LION LODGE	SEA LION ISLAND
MR. ROBIN MYLES LEE	PORT HOWARD LODGE	PORT HOWARD
MR. MICHAEL RENDELL	PEBBLE HOTEL	PEBBLE ISLAND

Any objection to the granting of these licences must be made not later than 18th November 1986.

The Treasury,
Stanley.
28th October 1986.

H. T. ROWLANDS,
Financial Secretary.

PROCLAMATION

No. 4 of 1986

Interim Fishery Conservation and Management Zone

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY GORDON WESLEY JEWKES, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Falkland Islands,

WHEREAS the Falkland Islands are entitled under international law to a fishery limit of a maximum of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured subject to the boundary with a neighbouring state prescribed by the rules of international law concerning the delimitation of maritime jurisdiction,

AND WHEREAS there is a need to conserve the living resources and to regulate on an interim basis fishing in the seas around the Falkland Islands,

NOW THEREFORE I, GORDON WESLEY JEWKES, acting in pursuance of instructions given by Her Majesty through a Secretary of State, do HEREBY PROCLAIM as follows:

1. There is established for the Falkland Islands an interim fishery conservation and management zone, hereinafter referred to as "the zone".
2. The zone has as its inner boundary the outer limits of the territorial sea of the Falkland Islands and has as its seaward boundary the line formed by the circumference of a circle which has a radius of 150 nautical miles and its centre at Latitude 51° 40' S, Longitude 59° 30' W, except that between the points on that circumference situated at Latitude 52° 30' S, Longitude 63° 19.25' W and Latitude 54° 08.68' S, Longitude 60° 00' W the seaward boundary shall be a rhumb line.
3. The seaward boundary of the zone may be varied by means of a further Proclamation for the purpose of implementing any agreement or arrangement with another state or states or an international organisation or otherwise.
4. Her Majesty will exercise the same jurisdiction in respect of the conservation of living resources and the management of fisheries in the zone as she has in respect of those matters in the territorial waters of the Falkland Islands subject to such provision as may hereafter be made by law for the conservation of living resources and management of fisheries within the said zone.
5. This Proclamation will become effective on the twenty-ninth day of October 1986.

Given under my hand and the Public Seal of the Falkland Islands at Government House, Stanley, Falkland Islands, this Twenty-ninth day of October in the year of Our Lord One Thousand Nine Hundred and Eighty Six.



G. W. JEWKES,
Governor.

GOD SAVE THE QUEEN

A Bill for
The Falkland Islands Development Corporation (Amendment)
Ordinance 1986

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
2. Amendment of Ordinance 1 of 1983.

A Bill for
An Ordinance
To amend the Falkland Islands Development
Corporation Ordinance 1983.

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

Citation and commence-
ment.

1. This Ordinance may be cited as the Falkland Islands Development Corporation (Amendment) Ordinance 1986 and shall come into force on the 1st day of December 1986.

Amendment of Ordinance
1 of 1983.

2. The Falkland Islands Development Corporation Ordinance 1983 is amended —

(a) by the substitution for paragraph (d) in Section 13 of the following —

“(d) three members of the Corporation elected by the Corporation who shall each serve on the Executive for three years or for such period as each of them remains a member of the Corporation, whichever period is the shorter, and may be re-elected thereto.”;

(b) in Section 14 by the substitution —

(i) of the word “four” for the word “three” in subsection (3),

(ii) of the word “four” for the words “of the other” in subsection (4), and

(iii) the words “two vacancies” for the words “one vacancy” in subsection (7).

OBJECTS AND REASONS

This Bill provides for the addition of two members to the Executive Board of the Falkland Islands Development Corporation to allow for more non official participation in decision making and also provides for consequential amendments to the quorum, the number required to request extraordinary meetings of the Executive and the number of vacancies permitted on the Executive.



THE FALKLAND ISLANDS GAZETTE (Extraordinary)

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12 NOVEMBER 1986

No. 16

Legislative Council Elections Ordinance Cap 37

REGISTERS OF ELECTORS

His Excellency the Governor by order dated the 10th day of October 1986 appointed the 28th day of November 1986 as the date by which the Electoral lists for Camp and Stanley should be published.

An electors list was published by Gazette Extraordinary on the 24th day of October 1986.

All claims to be registered and objections that were received within the ten days having been dealt with and no applications to the Court under Section 10 having been made within the seven days allowed the following Registers of Electors are now published in accordance with Section 7 of the Ordinance.

CAMP ELECTORAL AREA

REGISTER OF ELECTORS

1001	Alazia, Anthony Henry	1061	Clarke, Kathleen Joyce
1002	" Dorothy Fay	1062	" Michael Jan
1003	" George Robert	1063	" Terence John
1004	" Michael Robert	1064	" Violet Rose †
1005	" Stuart John	1065	Clausen, Denzil
1006	" Thora Lilian †	1066	" Henry Edward
1007	Aldridge Brian George	1067	Clifton, Doreen
1008	" Olive Elizabeth	1068	" Leonard
1009	Anderson, Margaret Catherine	1069	" Terence Charles
1010	" Nigel	1070	" Thora Janeene
1011	" Reginald Stanford	1071	Cockwell, Grizelda Susan
1012	Arger, Trudi Lynette	1072	" John Richard †
1013	Barnes, Deirdre	1073	Countts, Alexander †
1014	" Marie	1074	" Frederick George
1015	" Marshall	1075	" Lindsey Olga
1016	" Trevor Marshall †	1076	Davis, Aase
1017	Barton, John David †	1077	" Albert Henry
1018	Beattie, Betty	1078	" Elsie Gladys Margaret †
1019	" Thomas George	1079	" Mandy John †
1020	Berntsen, Arena Janice	1080	" Nicholas
1021	" Benjamin John †	1081	" Raymond
1022	" Kenneth Frederick	1082	" Reginald John
1023	" Leon	1083	" Violet
1024	" Pamela Margaret	1084	" William James
1025	Betts, Arthur John †	1085	" William John †
1026	" Bernard Keith	1086	" Yona
1027	" Cyril Severine †	1087	Dearling, Leo Alexander †
1028	" Diane Joan †	1088	Dickson, Doreen
1029	" Hyacinth Emily †	1089	" Gerald William
1030	" Irene Marion	1090	" Iris
1031	Biggs, Robert William †	1091	" Ronald Edward
1032	Billett, Leslie William	1092	Dobbyns, Jeannie Lilian Mary
1033	Binnie, Horace James †	1093	" Timothy John
1034	" Linda Rose	1094	Donnelly, Daniel
1035	" Michele Paula †	1095	" Joyce Elizabeth
1036	" Ronald Eric	1096	Duncan, Avis Marion †
1037	" Rose Helen †	1097	" James Alexander †
1038	Birmingham, John	1098	" Peter Ree Howard
1039	" Susan Jane	1099	Dunford, David Philip
1040	Blackley, Maurice	1100	Edwards, Norma †
1041	Blake, Anthony Thomas †	1101	Evans, Olwyn Carol
1042	" Lionel Geoffrey †	1102	" Raymond
1043	" Lyndsay Rae	1103	Fairley, John
1044	" Sally Gwynfa	1104	Felton, Anthony Terence
1045	Bonner, Avril Margaret Rose	1105	Ferguson, Finlay James
1046	" Keith James	1106	" Robert John
1047	" Simon	1107	" Rose
1048	" Susan Anne	1108	" Thelma
1049	Browning, Gavin	1109	Findlay, Carrie Madeline Helen
1050	Buckett, Roy Peter	1110	" Gerald
1051	Burns, Iola Winnifred †	1111	Finlayson, Barry Donald
1052	Cartmell, Andrew Nutt	1112	" Iris Heather
1053	Chandler, Ann Beatrice	1113	" Neil Roderick
1054	" Edward	1114	Ford, Hazel
1055	Clarke, Daneila Grace †	1115	" John
1056	" Fiona Alison	1116	" Leonard
1057	" Frederick Thomas	1117	" Neil Fraser
1058	" Gwynne Edwina	1118	" Penelope Rose
1059	" Hector	1119	Forster, Gwyneth May
1060	" Jeanette	1120	" James

† NOT LIABLE TO SERVE AS A JUROR

1121	Freeman, Carl Francis	1184	Jennings, Mary Ann Helen
1122	" Dianne May	1185	" Neil
1123	Giles, Gilbert	1186	Johnson, Michael Neil
1124	Gleadell, Ian Keith	1187	Jones, Kevin Richard
1125	" Marklin John	1188	Jonson, Carl
1126	" Mavis Marie	1189	Kilmartin, Dinah May
1127	Goodwin, Bert Samuel †	1190	" Kevin Seaton
1128	" Emily Rose	1191	Knight, Nigel Arthur
1129	" Hazel Rose	1192	" Shirley Patricia Louvaine
1130	" Mandy Hazel	1193	Lang, Patrick Andrew
1131	" Neil Alexander William	1194	" Sandra Shirleen
1132	" Robin	1195	" Velma Emily
1133	" Sarah Margaret Rose	1196	Larsen, Josephine Mary †
1134	" William John Maurice	1197	" Ronald Ivan
1135	Goss, Dorothy Ellen	1198	" Yvonne
1136	" Eric Miller †	1199	Lee, Carole
1137	" Errol Barry Gordon †	1200	" Elizabeth
1138	" Ian Ernest Earl	1201	" John Alfred
1139	" Margaret Rose	1202	" Owen Henry †
1140	" Peter	1203	" Robin Myles †
1141	" Roderick Jacob	1204	" Rodney William
1142	" Shirley Ann	1205	" Susan Mary
1143	" William Henry (Jnr.)	1206	Lloyd, John Moelwyn
1144	Gray, David Edward	1207	" Melvyn John
1145	" Patricia May	1208	" Valery Ann
1146	Halliday, Gerald	1209	Luxton, Patricia Maureen
1147	" Joyce Isabella Patience	1210	" William Robert
1148	" Kenneth William	1211	MacBeth, Raymond John
1149	Hansen, Ian	1212	Maddocks, Robert Charles
1150	" Lionel Raymond	1213	Marsh, Alastair Roy
1151	" Rose Idina	1214	" Anna Deirdre
1152	" Susan Ann	1215	" Arlette Sharon
1153	Hardcastle, Brook †	1216	" Frank
1154	" Deborah Jane Hilton	1217	" Gavin Nicholas
1155	" Eileen Beryl	1218	" June Helen
1156	" Gavin	1219	" Leon Peter
1157	Harvey, Beatrice Louisa Catherine	1220	" Marlane Rose
1158	" Jen	1221	" Robin Frank
1159	" Valerie Ann	1222	May, Brian Roy
1160	Hayward, Marjorie	1223	" Bruce Raymond
1161	" Peter Dennis	1224	" Christopher †
1162	Heathman, Ailsa	1225	" Corenne Norma
1163	" Ewart Tony	1226	" Monica
1164	Hewitt, Brian David	1227	Miller, Betty
1165	" David George	1228	" Carol
1166	" Frances Agnes	1229	" James Albert
1167	Hirtle, Anthony	1230	" Simon Roy
1168	" Doris Linda	1231	" Timothy John Durose
1169	" Fenton	1232	Minnell, Benjamin James
1170	Hughes, Albert	1233	" Donna Maria
1171	" Eileen Mary	1234	" Hazel Eileen
1172	Hutton, Elizabeth Isabella	1235	" Michael Robert
1173	" Philip	1236	Minto, Alistair Daen
1174	Jaffray, Alexander	1237	" Timothy Ian
1175	" Brian	1238	Mitchell, Leon John †
1176	" Eileen	1239	Molkenbuhr, Claudio Eugenio
1177	" Elliott Jessie	1240	Morrison, Doreen
1178	" Ian	1241	" Edgar Ewan †
1179	" Janet	1242	" Eric George
1180	" John	1243	" Gerald
1181	" John Willie	1244	" Jacqueline Denise Anita
1182	" Phyllis	1245	" Joan Margaret
1183	" Robin George	1246	" Kathleen Iris

† NOT LIABLE TO SERVE AS A JUROR.

1247	Morrison, Kenneth	1309	Pitaluga, Jene Ellen
1248	" Lena	1310	" Nicholas Alexander Robinson
1249	" Leslie Theodore Norman		
1250	" Lewis Ronald	1311	" Robin Andreas McIntosh
1251	" Michael John	1312	Pole-Evans, Anthony Reginald †
1252	" Nigel Peter	1313	" David Llewellyn
1253	" Ronald Terence	1314	" Shirley Helen
1254	" Susan Margaret	1315	" Suzan
1255	" Violet Sarah	1316	" William Reginald
1256	McCallum, James	1317	Poole, Ella Josephine †
1257	McDonald, Colin George	1318	" Steven Charles
1258	" Irene	1319	Porter, George
1259	McGhie, Roy	1320	" Joan
1260	McGill, Robin Perry	1321	Reeves, Ronald James
1261	McKay, Christine	1322	Robertson, Ann
1262	" Clara Mary †	1323	" Peter Charles
1263	" Ellen Rose	1324	Robson, Louis Michael
1264	" Frazer Roderick	1325	Ross, Marie
1265	" Heather Valerie	1326	" Odette Ellen May
1266	" Ian Roderick	1327	" Roy
1267	" Isabella Alice	1328	" William Henry
1268	" Josephine Ann	1329	Rowlands, Neil
1269	" Kenneth Andrew	1330	Rozee, Ronald David
1270	" Rex	1331	Sackett, Jacqueline
1271	" Richard	1332	Shepherd, Ramsey
1272	" Rodrick John	1333	Short, Arthur Richard †
1273	" Rosie Louisa Grace †	1334	" Christina Ethel
1274	" William Robert †	1335	" Donald Robert Gordon
1275	McLeod, Albert John	1336	" Ellen Mary †
1276	" Donald Henry	1337	" Isobel Rose
1277	" Isabella Diana Frances	1338	" Joseph Leslie
1278	" Janet Wensley	1339	" Patrick Warburton
1279	" John (1)	1340	" Robert Charles
1280	" John (2) †	1341	" Robert George
1281	" Madeleine Jean	1342	Sinclair, Simon Keith
1282	" Robert	1343	Smith, Andrew John †
1283	" Sarah Rose	1344	" Anthony David
1284	McMullen, June	1345	" David
1285	" Tony	1346	" Francis David
1286	McPhee, Kenneth John †	1347	" Frederick George Peter
1287	" June Iris	1348	" George Patterson
1288	McRae, David Michael	1349	" Gerard Alexander
1289	" Gloria Linda	1350	" Gwenifer May
1290	" Marlaine	1351	" Heather
1291	" Richard Winston	1352	" Jenny Lorraine
1292	" Robert George Hector	1353	" Margaret Mary
1293	Napier, Lily	1354	" Michael Edmund
1294	" Roderick Bertrand	1355	" Norah Kathleen
1295	Newman, Adrian Henry Frederick	1356	" Osmond Raymond †
1296	" Clive Alexander	1357	" Paulette Rose
1297	" Dorothy Elizabeth †	1358	" Robert William
1298	" Dwenda Rose	1359	" Robin Charles
1299	" Rebecca Dickson	1360	Stevens, Richard James
1300	Nightingale, Charlene	1361	" Toni Donna
1301	" Peter Richard	1362	Tellez, Jose Hector
1302	Peck, Christine †	1363	Thompson, George Henry †
1303	" Davina Margaret	1364	Thorsen, David Moller
1304	" Paul	1365	" Gloria Penelope
1305	Phillips, Albert James	1366	Turner, Arthur Leonard Pitaluga †
1306	" Carol Joan	1367	" Diana Jane
1307	" Lynda	1368	" Ronald
1308	" Terence	1369	Watson, Glenda Joyce

† NOT LIABLE TO SERVE AS A JUROR.

1370	Watson, Neil	1375	Whitney, Lana Rose
1371	Whitney, Agnes Katherine †	1376	„ Leona Ann
1372	„ Dennis	1377	„ Patrick George
1373	„ Henry Leslie †	1378	Wilkinson, David Clive Walter
1374	„ Keith	1379	„ Rosemary

STANLEY ELECTORAL AREA

REGISTER OF ELECTORS

1	Adams, Marjorie Rose	59	Betts, Melody Christine
2	Alazia, Albert Faulkner *	60	" Rosa Magaly
3	" Charles	61	" Shirley Rose
4	" Eva Rose	62	" Terence Severine
5	" Freda	63	Biggs, Alastair Gordon
6	" Freda Evelyn	64	" Basil William *
7	" Hazel	65	" Betty Josephine
8	" Henry John	66	" Darlene Joanna *
9	" James Andrew	67	" Edith Joan
10	" Maggie Ann *	68	" Frances
11	" Yvonne	69	" Hilda Evangeline *
12	Aldridge, Caroline Mary	70	" Irene Mary
13	" Kenneth John	71	" Kathleen Frances *
14	Allan, Erwin	72	" Leslie Frederick
15	" Rosemarie	73	" Madge Bridget Frances *
16	Almonacid, Gladys Mabel	74	" Michael Elfed
17	" Orlando	75	" Peter Julian Basil
18	Ampuero, Vera Susan	76	Binnie, Albert Frederick *
19	Anderson, Eddie *	77	" Malcolm George Stanley
20	" Edward Bernard *	78	Blackley, Candy Joy
21	" Elizabeth Nellie *	79	" Charles David *
22	" Gertrude Maud *	80	" Hilda
23	" Gloria	81	" Janet Agnes Mary *
24	" Hector Christian *	82	" John David
25	" Helen	83	Blizard, Lawrence Gordon *
26	" Jenny	84	Blyth, Agnes Ruth *
27	" John *	85	" Alfred John *
28	" Marina Rose	86	" John
29	" Mildred Nessie *	87	Bonner, Donald William
30	" Richard Louis	88	" Nicholas
31	" Ronald *	89	" Paul Roderick
32	" Tony James	90	" Timothy
33	Ashley, Nora Phyllis *	91	" Vera Ann
34	Ashworth, Glennis	92	" Vera Joan
35	" Malcolm	93	" Violet *
36	Barnes, Ernest *	94	Booth, Jessie *
37	" Molly Stella	95	" Joseph Bories *
38	" Sigrid Geraldine Wells	96	" Mary *
39	Barton, Arthur John	97	" Myriam Margaret Lucia
40	Bennett, Harold *	98	" Stuart Alfred *
41	" Lena Grace Gertrude *	99	Bound, Graham Leslie
42	Berntsen, Diana Mary *	100	" Joan
43	" Ellen Rose	101	Bowles, Hayley Trina
44	" Gina Michelle *	102	" Norma Evangeline
45	" Iain Kenneth *	103	" William Edward *
46	" Jeanette	104	Bragger, Edward Laurence
47	" John Alexander	105	" Olga
48	" Kathleen Gladys *	106	Braxton, Thomas Nathaniel John *
49	" Lavina Maud *	107	Browning, Althea Maria
50	" Olaf Christian Alexander	108	" Edwina
51	" Raymond	109	" James Samuel *
52	" William Alexander	110	" Kelvin
53	" William Blyth *	111	" Rex *
54	Bertrand, Catherine Gladys *	112	" Richard William
55	Betts, Alan Sturdee *	113	" Trevor Osneith
56	" Donald William	114	Brownlee, Andrew Samuel
57	" Ellen Alma *	115	Buckett, Ronald Peter
58	" George Winston Charles	116	Buckland, Charles Ronald

* NOT LIABLE TO SERVE AS A JUROR.

117	Buckland, Patricia Mary *	182	Coutts, Peter
118	Bundes, Robert John Christian *	183	" Stephanie Ann
119	Burns, Mary Anne *	184	Curtis, Alfred William Hamilton
120	Burston, Jeannie Paulina	185	" Barbara Joan
121	Butcher, Michael George	186	Davies, Anthony Warren
122	" Trudi	187	" Jacqueline Nancy
123	Butler, Elsie Maud *	188	Dickson, Caroline Christine Bird *
124	" Frederick Lowther Edward Olai *	189	Douse, Bronwen Vaughan
125	" George Joseph	190	Duncan, Alice Florence *
126	" Joan May	191	" Doreen
127	" Lawrence Jonathan	192	" William *
128	" Margaret Orlanda *	193	Emsley, David Smith
129	" Orlanda Betty	194	Etheridge, Alice Mary
130	Card, Denise	195	" William Arthur
131	Carey, Anthony Michael	196	Evans, Derek Stanley
132	" Gladys	197	" Gladys Alberta
133	" Mary Ann Margaret *	198	" Griffith Owen *
134	" Michael Raymond	199	" Michael David *
135	" Terence James *	200	Eynon, Carol
136	" Trudi Ann	201	" David John
137	Cartmell, Frederick James	202	Fairfield, Bonita Doreen
138	" Sarah Matilda *	203	" James Steven *
139	Castle, David	204	Faria, Basil Hary *
140	" Isobel	205	" Mary Ann
141	Ceballos, Claudette	206	" Paul *
142	Chater, Annie	207	Felton, Peter Durose
143	" Anthony Richard	208	" Sonia Ellen
144	Cheek, Frederick John *	209	" Violet Regina Margaret
145	" Gerald Winston	210	" Walter Arthur *
146	" Janet Linda *	211	Ferguson, Ethel Mary *
147	" John Edward *	212	Findlay, Bruce Murdock *
148	" Marie	213	Finlayson, Hugh *
149	Clarke, Andrew Joseph	214	" Iris Dwenda Margaret
150	" Camilla Marie	215	" Peter
151	" David James	216	" Phyllis
152	" Derek Simon	217	" Robert Hugh
153	" Doreen	218	" Teresa Rose
154	" Ian	219	Fleuret, Kathleen Mary *
155	" Jane Lucacia *	220	" Theodore Clovis *
156	" Kathleen Gay	221	Fogerty, Richard Edwin John
157	" Martin James	222	Ford, Arthur Henry
158	" Marvin Thomas	223	" Charles David *
159	" Ronald John	224	" Cherry Rose
160	" Rudy Thomas	225	" Colin Stewart
161	" Trudi Ann	226	" Colleen Mary
162	Clasen, Mally	227	" David
163	Clausen, Frederick James *	228	" Dorothy Minnie *
164	Clayton, Susan	229	" Elizabeth Harriet
165	Cletheroe, Daphne Harriet *	230	" Fanny Davidson
166	" Kenneth Stanley	231	" Frederick James
167	" Lily Catherine *	232	" James Edward *
168	" Stanley William *	233	" Marilyn Christina
169	" William Harold *	234	" Michael
170	Clifton, Charles *	235	" Robert
171	" Darwin Lewis *	236	Fullerton, Mary Ellen *
172	" Jessie Emily Jane *	237	Gilbert, Judith Elizabeth
173	" Stephen Peter	238	" Robert Ernest
174	" Teresa Ann *	239	Gilding, Jacqueline
175	" Valerie Ann	240	" Peter Bernard
176	Countts, Carolynne	241	Gooch, Cecilia Ines Millard Bennett *
177	" Charles	242	" Dudley Frederick *
178	" Charles Lindsay	243	Goodwin, Colin Valentine
179	" John	244	" June Elizabeth
180	" Malvina Mary	245	" June Rose Elizabeth
181	" Olga	246	" Kathleen Edith Marguerite *
		247	" Laurence Henry

* NOT LIABLE TO SERVE AS A JUROR

248	Goodwin, Margaret Ann	313	Jaffray, Stephen James
249	" Michael Sturdee *	314	" Tony
250	" Robin Christopher	315	" William *
251	" Una	316	Johnson, Howard William *
252	" William Andrew Nutt	317	" Kenneth John
253	Goss, Elizabeth Rose	318	" Stanley Howard *
254	" Grace Elizabeth *	319	" Violet Alberta *
255	" Simon Peter Miller	320	Jones, Albert Charles *
256	" William Henry (Snr.) *	321	" John Hugh
257	Gould, Arthur William	322	" Michael David
258	Grant, Leonard John *	323	" Michelle
259	" Mildred *	324	" Sheila Janice
260	Hadden, Alexander Burnett *	325	Keenleyside, Charles Desmond (Snr.)*
261	" Sheila Peggy *	326	" Charles Desmond (Jnr.)*
262	Halford, Rodney John	327	" Dorothy Maud *
263	" Sharon *	328	" Manfred Michael Ian
264	Halliday, Evelyn Edna	329	" Nanette Barbara
265	" Jane Christina *	330	" Susan Noreen
266	" John Arthur Leslie *	331	Kenny, Erling
267	" John Henry *	332	Kidd, Lillian Rose Orissa
268	" Leslie John *	333	Kiddle, Peter *
269	" Mabel *	334	" Robert Karl
270	" Margaret Mary	335	King, Anna Constance Eve
271	" Raynor	336	" Desmond George Buckley *
272	Hansen, Douglas John	337	" Gladys Evelyn *
273	" Keva Elizabeth	338	" Nanette
274	" Terence Darwin	339	" Peter Thomas *
275	Hardy, Douglas Morgan	340	" Robert John
276	Harris, Christopher James	341	" Vernon Thomas *
277	" Heather	342	Laffi, Kathleen Mary
278	" Jill Yolanda Miller	343	Lang, James
279	" Leslie Sidney	344	" May Malvina
280	" Michael Ronald	345	" William Frank
281	" Ralph Aaron *	346	Larsen, Ellen
282	Harvey, James Claude *	347	" Margaret Anne *
283	" Muriel Elsie Elizabeth	348	Lee, Alfred Leslie *
284	Hatch, Albert John	349	" Derek William
285	Heathman, Albert Stanley Kenneth *	350	" Elsie Adelaide *
286	" Malcolm Keith	351	" Gladys
287	" Violet *	352	" Leslie James
288	Hernandez, Jose Raul Huanel	353	" Trudi Dale
289	Hewitt, Gary George	354	Livermore, Anton *
290	" Margaret Ann	355	" Darren
291	" Rachel Catherine Orissa *	356	" Marie Ann *
292	" Robert John David *	357	Loftus, Colleen
293	Hills, Heather Margaret *	358	Luxton, Ernest Falkland *
294	" Richard William *	359	" Michael
295	Hirtle, Debbie Ann *	360	" Nicola
296	" Leonard Lloyd	361	" Sybil Grace *
297	" Mary Ann *	362	" Winifred Ellen
298	" Rose Ann Shirley	363	Lyse, Ethel Malvina
299	" Sandra May Winifred	364	" George Walter *
300	" Shirley	365	" Linda Margaret
301	" Wallace Carlinden *	366	" Reginald Sturdee
302	Hobman, Anilda Marilu	367	" Sydney Russell *
303	" David Gonsalo *	368	Macaskill, Jeannette May
304	" Jose *	369	" John
305	Howatt, Derek Frank *	370	" Robert John
306	" Enid	371	McBain, Arthur
307	Howe, Alison Delia	372	" Rhoda Margaret
308	Jacobsen, Alistair	373	Malcolm, George *
309	Jaffray, Angus	374	" Velma
310	" Estell Anita	375	Maitland, Elizabeth Eve
311	" Helen Rose	376	" Thomas Peter
312	" Kenneth Ian *	377	May, Heather

* NOT LIABLE TO SERVE AS A JUROR

378	May, James John *	443	McKay, Shelley Jane
379	" William Albert	444	" Stephen John
380	Mercer, Christel	445	McKenzie, Alice Maude
381	Middleton, Brian	446	" Charles Alexander
382	" Caroline		Albert John
383	" Dennis Michael	447	McLeod, Archibald *
384	" Ellen *	448	" David
385	" Graham Cyril *	449	" Ellen May *
386	" James (2) *	450	" Margaret Anne
387	" James (3) *	451	" Michael William
388	" Joan Eliza	452	McPhee, Gerald Ian *
389	" Leonard	453	" Grace Darling *
390	" Margaret Wilhelmina *	454	" Marjorie May
391	" Phillip John	455	" Natalie Marianne *
392	" Sharon Elizabeth	456	" Owen Horace *
393	" Shirley	457	" Patrick
394	Miller, Andrew Nigel *	458	Neal, Richard John
395	" Betty Lois *	459	Neilson, Barry Marwood
396	" Florence Roberta *	460	" Margaret
397	" Gaile Marie	461	Newman, Joyce Noreen
398	" Philip Charles	462	" Marlene
399	" Sidney *	463	" Raymond Winston
400	Milne, Henry Millar *	464	" Wilfred Lawrence *
401	" Madeline Marie Irma *	465	Newell, Joseph Orr
402	Minto, Graham Stewart *	466	" Trudi Malvina
403	" Patrick Andrew	467	Nutter, Arthur Albert
404	Miranda, Augusto *	468	" Josephine Leslie
405	" Ramon *	469	Parrin, Norman George *
406	" Winifred Dorothy	470	Pauloni, Hilary Maud
407	Monaghan, Augustine *	471	" Romolo Vittorio *
408	Morris, Alana Marie	472	Peake, Arthur
409	Morrison, Donald Ewen *	473	" Clair Linda
410	" Fayen	474	Peart, Robert Ernest
411	" Graham Stewart	475	" Rose Louisa
412	" Hyacinth Emily	476	Peck, Beatrice Ena *
413	" John Murdo	477	" Burned Brian
414	" Mary Ann *	478	" Desmond Douglas Bernard *
415	" Muriel Eliza Ivy *	479	" Elsie Grace *
416	" Nanette Rose	480	" Evelyn Elizabeth
417	" Stewart	481	" Kim Brian *
418	" William Roderick Halliday	482	" Mary *
419	Murphy, Bessie *	483	" Maureen Heather
420	" Michael James *	484	" Patrick William
421	McAskill, Susan Blanche *	485	" Shirley
422	McBeth, Phyllis Elizabeth Grace	486	" Terence John
423	McCallum, Bettina Kay	487	Perkins, Vivienne Esther Mary
424	" Christopher John	488	Perry, Augustave Walter *
425	" Elaine Michele	489	" Beatrice Annie Jane *
426	" Ellen *	490	" Christopher *
427	" Jack	491	" Hilda Blanche
428	" Timothy Andrew	492	" Robert Juan Carlos
429	McCormick, Pauline Margaret Ruth	493	" Thomas George
430	" Suzanne	494	" Thora Virginia *
431	McGill, Doris Mary *	495	Pettersson, Derek Richard
432	" Gary	496	" Eileen Heather
433	" Glenda	497	" Tony
434	" Ian Peter	498	Phillips, David Dawson
435	" Len Stanford *	499	" Jessie Catherine *
436	" Lorraine Iris	500	Pole-Evans, Amy Rose
437	McKay, James John *	501	" Michael Anthony
438	" Jane Elizabeth *	502	Poole, Charles Lawrence *
439	" Michael John	503	" Evelyn May
440	" Neil	504	" Isabella Jane *
441	" Paul Anthony	505	" Nancy Margaret
442	" Peter John	506	" Raymond John

507	Poole, William John	572	Smith, Sidney Frederick
508	Porter, Brian Charles	573	" Terence George
509	" Charles	574	" Violet Catherine *
510	" Jean Lavinia	575	Sollis, Sarah Emma Maude *
511	" William Kenneth	576	Sornsen, George Albert *
512	Reeves, Cheryl Rose	577	" James Winston
513	Reid, Colleen Rose	578	Spall, Christopher Richard *
514	" Reynold Gus	579	Spinks, Alexander
515	Reive, Ernest *	580	" Malvina Ellen
516	" Roma Endora Mary *	581	Spruce, Helena Joan
517	" Terence	582	" Terence George *
518	Rendell, Michael	583	Stacey, Lilian Clara *
519	" Phyllis Mary	584	Steen, Emma Jane *
520	Roberts, Laura May	585	" Gail *
521	" Peter James	586	" Vernon Robert
522	" William Henry *	587	Stephenson, James
523	Robson, Gerard Michael	588	" Joan Margaret
524	" Gladys Mary	589	" Zachary *
525	" Miranda Gay	590	Stewart, Carol Ellen Eve *
526	" Phyllis Ann	591	" David William *
527	" Raymond Nigel	592	" George Alexander *
528	" Stephanie Ann *	593	" Hulda Fraser
529	" Violet Malvina Emily *	594	" John
530	Ross, Carol Wendy	595	" Keith Gordon *
531	" Glenn Stephen *	596	" Phyllis Marjorie
532	" Janet *	597	" Robert
533	" Lachlan Neil	598	" Sylvia Rose
534	Rowlands, Catherine Anne	599	" Yvonne Malvina
535	" Daisy Malvina	600	Strange, Ian John
536	" Harold Theodore *	601	" Maria Marta
537	" John Richard	602	Summers, Brian
538	Rozee, Betty	603	" Dennis David
539	" Derek Robert Thomas *	604	" Derek Raymond
540	" Philip Henry	605	" Edith Catherine
541	Sackett, Michael John Carlos	606	" Gloria Jane
542	Sarney, Harry *	607	" Iris Blanche
543	Shedden, James Alexander	608	" Irvin Gerard
544	Short, Andrez Peter	609	" Judith Orissa
545	" Celia Soledad	610	" Michael Kenneth
546	" Charles William	611	" Nigel Clive
547	" Emily Christina	612	" Owen William
548	" Florence Mary *	613	" Pam Ellen
549	" Frederick John *	614	" Pamela Rosemary Cheek
550	" Gavin Phillip	615	" Rowena Elsie
551	" Lisa	616	" Sheila
552	" Montana Tyrone	617	" Sybella Catherine Ann
553	" Peter Robert	618	" Sylvia Jean
554	" Philip Stanley *	619	" Terence
555	" Rose Stella	620	" Tony
556	" Vanda Joan	621	" Veronica
557	" Vilma	622	" William Edward *
558	Smith, Anna	623	Thain, John
559	" Anya *	624	" Julia
560	" Colin David	625	Thom, Alison
561	" Derek	626	" David Anderson
562	" Eric	627	" Dorothy Irene
563	" Ileen Rose	628	" Norma Ann
564	" Janice	629	Thompson, William John *
565	" James Stanley *	630	Turner, Alva Ynonne
566	" Jeremy Gordon	631	" Celia Joyce
567	" Joan Lucy Ann	632	" Melvyn George
568	" John	633	Vidal, Eileen Nora
569	" Martyn James	634	Wallace, Fraser Barrett
570	" Peter Lars	635	" Lillian
571	" Rhona	636	" Stuart Barrett

637	Watson, Catherine Wilhelmina Jessie *	646	Whitney, Frederick William
638	„ Hannah Maude *	647	„ Jason *
639	„ Louis James *	648	„ Robert Michael
640	„ Paul *	649	„ Susan Joan
641	Watts, Ada Mabel *	650	Williams, Charlotte Agnes *
642	„ Patrick James	651	„ Eugene
643	White, John Wright *	652	„ Marlene Rose Elizabeth
644	„ Kathleen Elizabeth *	653	Zuvic, Kuzma Mario
645	Whitney, Catherine Margaret Rebecca *	654	„ Sharon Marie

* NOT LIABLE TO SERVE AS A JUROR

STANLEY POSTAL VOTERS

22	Anderson, Gertrude Maude	266	Halliday, John Arthur Leslie
33	Ashley, Nora Phyllis	319	Johnson, Violet Alberta
70	Biggs, Irene Mary	426	McCallum, Ellen
73	„ Madge Bridget Frances	482	Peck, Mary
165	Cletheroe, Daphne Harriet	583	Stacey, Lilian Clara
168	„ Stanley William	629	Thompson, William John



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCV

28 NOVEMBER 1986

No. 17

Appointments

Andrez Peter Short, Tradesman, Power Station, Public Works Department, 1.10.86.

Miss Marjory Anderson, Teacher, Education Department, 11.11.86.

Acting Appointments

Mrs Kathleen Gay Clarke, Acting Chief Finance Officer, Treasury Department, 8.10.86 - 28.11.86.

Richard Edwin John Fogerty, Acting Education Officer (Camp Education), Education Department, 31.10.86.

Mrs Phyllis Mary Rendell, Acting Chief Education Officer, Education Department, 31.10.86.

Mrs Jane Sherwood, Acting Registrar General, Justice Department, 26.11.86.

Completion of Contract

Miss Karen Anne McMaster, Teacher, Education Department, 22.9.86.

NOTICES

No. 53. 10th November 1986.

In accordance with Section 29 (2) of the Administration of Justice Ordinance Cap 3 His Excellency

the Governor has appointed

ROSEMARY MCILROY

to be Deputy Coroner with effect from 10th November 1986 until the 12th December 1986.

Ref. LEG/19/3.

No. 54.

11th November 1986.

In accordance with the proviso to Section 8 of the Administration of Justice Ordinance Cap 3 His Excellency the Governor has appointed

MICHAEL CHARLES LLOYD GAIGER

to act as Judge of the Supreme Court in the matter of Stanley Benefit Club (Dissolution) and in the matter of 2 Pioneer Row, Stanley with effect from 10th November 1986.

Ref. LEG/19/5.

No. 55.

14th November 1986.

In accordance with Section 3 of the Co-operative Societies Ordinance 1985 and Section 57 of the Interpretation and General Clauses Ordinance 1977 His Excellency the Governor has appointed the Registrar General to be Registrar of Co-operative Societies with effect from 10th November 1986.

Ref. LEG/10/58.

In the Supreme Court of the Falkland Islands

**NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)**

IN THE MATTER of Clarence George Biggs, deceased of Stanley, Falkland Islands, who died at Stanley on the 10th day of August 1986, intestate.

WHEREAS Bernard Layton Biggs 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

6th November 1986.
Stanley,
Falkland Islands.
PRO/20/86.

In the Supreme Court of the Falkland Islands

**NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)**

IN THE MATTER of Georgina Bond Etheridge, deceased of Stanley, Falkland Islands, who died at Stanley on the 24th day of May 1986, intestate.

WHEREAS William Arthur Etheridge 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 twenty-one days of the publication hereof.

S. HALFORD,
Registrar.

18th November 1986.
Stanley,
Falkland Islands.
PRO/23/86.

INCOME TAX ORDINANCE Cap 32

Income Tax Rules (Amendment) Order 1986

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Amendment of Income Tax Rules (Vol II).

INCOME TAX ORDINANCE Cap 32

Income Tax Rules (Amendment) Order 1986

No. 16 of 1986.

In accordance with Section 89 of the Income Tax Ordinance the Governor in Council makes the following Order —

1. This Order may be cited as the Income Tax Rules (Amendment) Order 1986 and shall come into force on the 1st day of January 1987.

Citation and commencement.
2. The Income Tax Rules are amended by the substitution of the form in the Schedule hereto for Form 2.

Amendment of Income Tax Rules (Vol. II).

Made this 26th day of September 1986.

G. W. JEWKES,
Governor.

Ref. INC/10/5.

SCHEDULE

FORM 2.

REFERENCE

DECLARATION OF INCOME
for the year ending on 31st December 19
[Section 33 Income Tax Ordinance (Cap 32)]

You are required to complete pages of this form, sign the Declaration on page
and return it to the address given on page within the specified time limit.

Please read the enclosed information notes before you start to fill in the form.

Name.....

Address

.....

Under the provisions of the said Ordinance I hereby claim the following deductions from the income declared on page 1 —

		£
1.	Contributions to Pensions Funds [Section 17 (b)] ... (Birthdate)	
2.	In respect of premium paid to Insurance Company in the year ended 19..... for Insurance on my life or on the life of my wife [Section 17] ...	
3.	For my wife [Section 15 (1)] ...	
4.	For female relative in charge of children [Section 15 (2)] ...	
5.	Dependent relatives [Section 15 (3)] ...	
6.	Interest on housing loan (Allowable only on property situate in the Colony when occupied) [Section 10 (1) (aa)] (Maximum amount of loan £15,000) ...	
7.	My wife's earned income (subject to the prescribed maximum) [Section 14] ...	
8.	Old Age Relief [Section 16A] ... (Birthdate)	
9.	Personal deduction [Section 15 (4)] ...	
10.	Alimony / maintenance payments (under a Falkland Islands Court Order) [Section 10 (1) (f)] ...	
	TOTAL DEDUCTIONS CLAIMED	

Declaration

(False statements can result in prosecution)

To the best of my knowledge and belief the particulars given on this form are correct and complete.

Signature Date 19.....

Private address

If you make the returns as Exccutor, Trustee, Receiver, etc., state in what capacity and for whom made:

.....

For Official use only

£

Total Taxable Income	...	...	...	...	...	...	_____
Less Total Deductions Claimed	...	...	...	...	...	...	_____
NET CHARGEABLE INCOME FOR THE YEAR 19.....	...	...	...	...	...	...	_____

Partnerships

DECLARATION as to partners in a Firm and the division of the profits of such Firm between the respective partners therein (Section 35 of Ordinance).

PARTICULARS of the share of each partner in the net total profits of the Firm as entered on page

N.B. — Interest on the capital of, and salaries of, partners must be included.

Names of the partners as at 1 (Beginning of year)	Address of each partner	State in each case whether "General," "Special," "Acting," or "Salaried" partner	Profits	
			Basis of distribution under the partnership	Amount of each partner's share

٤

(Total to agree with the total net profits of the Firm as returned on page 1)

Return to :

The Commissioner of Income Tax

Stanley, Falkland Islands

EDUCATION ORDINANCE 1967

The Schools Regulations (Amendment) Order 1986

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Amendment of Schools Regulations.

EDUCATION ORDINANCE 1967

The Schools Regulations (Amendment) Order 1986

No. 17 of 1986.

In accordance with Section 16 of the Education Ordinance 1967 the Governor in Council makes the following Order —

1. This Order may be cited as the Schools Regulations (Amendment) Order 1986 and shall come into force on the 1st day of October 1986. Citation and commencement.

2. The Schools Regulations are amended by the substitution for Regulation 11 (2) of the following — Amendment of Schools Regulations.

“(2) No pupil in the Senior School shall be detained after normal school hours for a period in excess of one hour. No pupil in the Infant and Junior School shall be detained after normal school hours for a period in excess of thirty minutes. No pupil of an infant class may be detained.”.

Made this 26th day of September 1986.

G. W. JEWKES,
Governor.

Ref. EDU/10/1.

LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37
 Legislative Council (Elections) (Variation of Dates) Order 1986

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
2. Variation of qualifying date and last date for publication of registers of electors.

LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE Cap 37
 Legislative Council (Elections) (Variation of Dates)
 Order 1986

No. 18 of 1986.

In accordance with Section 52 of the Legislative Council (Elections) Ordinance Cap 37 the Governor in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Legislative Council (Elections) (Variation of Dates) Order 1986 and shall come into force on the day of the signing hereof.

Variation of qualifying date and last date for publication of registers of electors.

2. For the purpose of the preparation of the registers of electors for the year 1986 the qualifying day referred to in Section 1 of the Ordinance shall be the 1st day of October 1986 and the day referred to in Section 8 (1) (a) of that Ordinance shall be the 28th day of November 1986.

Made this 10th day of October 1986.

G. W. JEWKES,
Governor.

Ref. LEGCO/20/4.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. XCV

31 DECEMBER 1986

No. 19

Appointment

Michael Griffith Hemingway, Police Constable, Falkland Islands Police Force, 1.12.86.

Completion of Contract

Raymond Bates, Postal Officer, Mount Pleasant Post Office, Posts & Telecommunications Department, 5.12.86.

Transfer

Mrs. Rose Ann Shirley Hirtle from Clerk, Philatelic Bureau, Posts & Telecommunications Department to Clerk, Treasury Department 1.12.86.

Retirement

Patrick McPhee, Fireman, Police, Fire & Rescue Service, 29.11.86.

Resignation

Miss Glynis Margaret King, Clerk, Public Service (Treasury Department) 30.11.86.

Determination of Engagement

Robert Charles Ashton, Police Constable, Falkland Islands Police Force, 10.12.86.

NOTICES

No. 56.

9th December 1986.

Currency Notes Rules

In exercise of the powers conferred by Rule 3 of the Currency Notes Rules, His Excellency the Governor has been pleased to approve the appointment of the undermentioned Currency Officers with effect from 9th December 1986 —

Mr. Derek Frank Howatt
Mrs. Kathleen Gay Clarke
Miss Linda Margaret Lyse
Mrs. Vera Joan Bonner
Mrs Marie Cheek
Mr. Peter Julian Basil Biggs
Mrs. Rose Ann Shirley Hirtle
Mr. Simon Peter Miller Goss.

The above mentioned officers replace all Currency Officers previously appointed.

H. T. ROWLANDS,
Commissioner of Currency.

Ref. TRE/19/1.

No. 57. 18th December 1986.

In accordance with the provisions of Section 8 (2) of the Live Stock Ordinance (Cap. 40) notice is hereby given that the Livestock Brands listed below have been approved and are registered in the names of —

Mr. T. J. Anderson, Stanley ... A
Mrs. Francis Hewitt, Goose Green O
Mr. I. Gleadell, East Bay ... EB

O. W. SUMMERS,
Agricultural Officer.

Ref. AGR/1/I.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance, I hereby appoint —

CORPORAL S. WRIGHT, R.A.F.,

to be a temporary Customs Officer with effect from 15th November 1986 to the 12th March 1987.

L J. HALLIDAY,
Collector of Customs.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER of Douglas Clarence (Sturdee) Goodwin, deceased, of Great Island, Falkland Islands.

WHEREAS Robin Goodwin, attorney for Sarah Margaret Rose Goodwin and Neil Alexander William Goodwin of Greenfield Farm, Falkland Islands, has applied for Letters of Administration with the Will annexed to administer the estate of the deceased.

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 twenty-one days of the publication hereof.

J. SHERWOOD,
Acting Registrar.

Stanley,
Falkland Islands.
3rd December 1986.
PRO/10/85.

No. 58.

17th December 1986.

In accordance with the provisions of Section 8 (2) of the Live Stock Ordinance (Cap. 40), notice is hereby given that the earmarks listed below have been approved and are registered in the names of —

EAST FALKLAND ISLAND

FARM	OWNER	EARMARK
Berkeley Sound	Smith Brothers	Thistle
Bluff Cove	K. Kilmartin	Fore Bayonet & Back Slit
Blue Beach	P. & I. Short	Double Swallow
Brookfield	K. J. McPhee	End Square
Darwin / Walker Creek	Falkland Islands Co., Ltd.	Double Swallow
Douglas Station	H. Camm	Fork
Estancia	E. T. Heathman	Fore Split
Evelyn	Teal Inlet Ltd.	Back Square
Fitzroy	Falkland Islands Co., Ltd.	Double Swallow
Gibraltar	R. M. Pitaluga & Co., Ltd.	Fore Bayonet
Greenfield	Mr. & Mrs. R. Goodwin	Fore Square
Horseshoe Bay	P. & M. Goss	Double Swallow
Kingsford Valley	R. E. Dickson	Back Bayonet
Long Island	N. Watson	Fore Square
Maryfield	G. Findlay	End Square
Mount Kent	T. Phillips	Fore Bayonet
Mullet Creek	H. Alazia	Back Bayonet
Murrell	C. Molkenbuhr	Fork
North Arm	Falkland Islands Co., Ltd.	Double Swallow
Port Louis	Port Louis Ltd.	Fork
Port San Carlos	Port San Carlos Ltd.	Split
Port Sussex	R. & T. Stevens	Fork
Rincon Grande	Estate H. J. Pitaluga	Slit
Riverside	T. J. Dobbys	Fore Halfpenny
Riverview	A. H. F. Newman	End Square
Waimea	I. J. & M. J. Butler	Front T Bit
Wreck Point	G. & D. Dickson	Back Square

WEST FALKLAND ISLAND

FARM	OWNER	EARMARK
Bold Cove	Mr. & Mrs. J. Forster	Fore Square
Boundary	B. Betts	Back Bayonet
Chartres	Chartres Sheep Farming Co.	Double Swallow
Coast Ridge	N. A. Knight	End Square
Coast Ridge House (Dip Point) ...	H. Binnie	Fore & Back Square
Crooked Inlet	D. Donnelly	Half Penny
Dunbar	M. Barnes	Fork
Dunnose Head	C. Wilkinson	Back Bayonet
Fox Bay Dairy	Mrs. J. Halliday	Double Back Bit
H.A.R.P.S.	R. Smith	Front Fork
Hill Cove	Holmested Blake & Co., Ltd. ...	Fore Bayonet
Hope Harbour	T. Barnes	Back Square
Lakelands	R. Marsh	Fore Square
Little Chartres	L. R. & A. T. Blake	Back Square
Manybranch	T. J. D. & E. A. Miller	End Square
Narrows	R. MacBeth	Half Penny
Pickthorne	S. Bonner	Swallow
Port Howard	J. L. Waldron Ltd.	Fork
Port North	I. R. & A. P. Butler	T Fore Bit
Port Stephens	Falkland Islands Co., Ltd. ...	Double Swallow
Shallow Harbour	Mr. & Mrs. A. Marsh	Fork
FOX BAY WEST —		
Section One	R. Rozee	Fore Square
Section Two	R. Buckett	End Square
Section Three	I. Gleadell	Fore Bayonet
Section Four	R. Edwards	Fork
Section Five	G. Marsh	Double Fore Bit
Section Six	L. Marsh	Half Penny

ISLANDS

FARM	OWNER	EARMARK
Bleaker *	F. Ferguson	Double Swallow
Box Island Group	D. L. Pole-Evans	Slit
Carcass	R. McGill	Fore Bayonet
George / Barren *	A. J. McLeod	Double Swallow
Golding	F. Hirtle	Swallow
Great *	D. S. Goodwin	Double Swallow
Keppel	S. & C. Miller	Back Square
Lively *	A. H. Davis	Double Swallow
New	Strange / Chater	Fork
Pebble	Dean Brothers Ltd.	Back Bayonet
Saunders	J. Hamilton Estates	Fork
Sea Lion	T. C. Clifton	Plain
Sedge	D. Hawkesworth	Fore Bayonet
Speedwell *	R. Larsen	Double Swallow
Weddell Group	J. Hamilton Estates	Fork
West Point	R. B. Napier	Back Square

* Falkland Islands Co., Ltd., Share Farms.

O. W. SUMMERS,
Agricultural Officer.

Ref. AGR/1/1.

PROCLAMATION

No. 5 of 1986

IN THE NAME of Her Majesty ELIZABETH II, 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 EXCELLENCY GORDON WESLEY JEWKES, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands.

WHEREAS Section 28 (2) of the Falkland Islands Constitution Order 1985 provides that whenever an elected member of the Legislative Council vacates his seat for any reason, other than a dissolution of the Council, an election shall be held to fill the vacancy, on such date as the Governor shall appoint by Proclamation published in the Gazette, within 70 days of the occurrence of the vacancy.

AND WHEREAS it was necessary to make arrangements to fill a vacancy which occurred in the Stanley Constituency on the 13th day of November 1986.

NOW THEREFORE I, GORDON WESLEY JEWKES do HEREBY APPOINT the 20th day of January 1987 as the day on which a By-Election shall take place to fill the vacancy which has occurred.

Given under my hand and the Public Seal of the Colony of the Falkland Islands this 30th day of December in the year of Our Lord One thousand Nine hundred and Eighty-six.

G. W. JEWKES,
Governor.

GOD SAVE THE QUEEN

WRIT OF ELECTION

To the Returning Officer Stanley Constituency

WHEREAS a vacancy occurred on the Legislative Council on the 13th day of November 1986.

AND WHEREAS Section 28 (2) of the Falkland Islands Constitution Order 1985 provides for the filling of vacancies which occur on the Legislative Council other than on dissolution of the Council.

AND WHEREAS Section 13 (1) of the Legislative Council (Elections) Ordinance provides that the Governor shall for the purpose of any election issue writs of election.

NOW THEREFORE I, GORDON WESLEY JEWKES, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Falkland Islands do direct that —

- (a) you receive nominations of duly qualified candidates for election to the Legislative Council at the office of the Registrar General, Stanley, on the 9th day of January 1987;
- (b) should you receive nominations for more than one candidate you take a poll of electors for the election of one candidate on the 20th day of January 1987 at the Town Hall, Stanley.
- (c) you return this writ endorsed as provided by law on or before the 21st day of January 1987.

Given under my hand and the Public Seal this 30th day of December 1986.

G. W. JEWKES,
Governor.

The Fisheries (Fishing) Regulations (Amendment) Order 1986

ARRANGEMENT OF PARAGRAPHS

Paragraph

- 1. Citation and commencement.
- 2. Amendment of Order No. 20 of 1986.

THE FISHERIES (CONSERVATION AND MANAGEMENT) ORDINANCE 1986

The Fisheries (Fishing) Regulations (Amendment) Order 1986

No. 21 of 1986.

In accordance with Section 20 of the Fisheries (Conservation and Management) Ordinance 1986 the Governor in Council makes the following Order —

Citation and commencement.

1. This Order may be cited as the Fisheries (Fishing) Regulations (Amendment) Order 1986 and shall come into force on the 23rd day of December 1986.

Amendment of Order No. 20 of 1986.

2. The Fisheries (Fishing) Regulations Order 1986 is amended
(a) by the addition to Regulation 3 of the following subregulation

“(5) The Director may either —

- (a) dispense with the requirement to produce an officially certified statement of gross registered tonnage pursuant to subregulation (4) or
- (b) accept such other evidence of gross registered tonnage as he may consider appropriate.”

(b) by the addition to Regulation 7 of the following subregulations —

“(6) The Director may, in his discretion, issue a licence for part of a season in respect of a specified fishing boat in order to allow that boat to fish by rotation with another fishing boat.

(7) The Director may impose such conditions in respect of the manner of rotation of the boats referred to in sub-regulation (6) as he may for that purpose require the licensee of any licensed fishing boat to surrender his licence to the Director for the purpose of endorsement of any such conditions on his licence.

(8) The period for which a licence shall be granted under subregulation (6) and the fee payable therefore shall be as set out in the Schedule declared in accordance with Regulation 6 (1).”

Made this 24th day of December 1986.

G. W. JEWKES,
Governor.

The Fisheries (Fishing) Regulations Order 1986

Declaration by The Governor in Council

In accordance with Regulation 6 of the Fisheries (Fishing) Regulations Order 1986 the Governor in Council makes the following declaration—

Schedule of Fishing Licence Fees

1. The fee calculations described in this Schedule apply only to the first season for 1987 which is 1st February to 30th June.

2. The fees which are payable in pounds sterling shall be calculated as follows —

(1) Jiggers fishing area North of latitude 51° 20' South —

- (a) The licence fee is based on the gross registered tonnage of the licensed fishing boat and the number of jigging machines carried on the boat and is calculated in accordance with the following formula —
 $(£0.868 \times \text{number of jigging machines} \times \text{international GRT}) + 24,000.$
- (b) For the purpose of the calculation a double jigging machine shall be treated as 1.5 jigging machines.
- (c) There follows a table showing the fee for boats from 100 GRT to 1,000 GRT (in 25 GRT steps) with jigging machines from 10 to 110 (in 5 machine steps).

Fees for boats with a combination of GRT and number of machines not specifically set out in the table shall be calculated in accordance with the formula to the nearest pound and with a maximum fee of £80,000.

FEES FOR JIGGERS IN POUNDS STERLING

Number of Single Jigging Machines	G R T					
	100	125	150	175	200	225
10	24868	25085	25302	25519	25736	25953
15	25302	25628	25953	26279	26604	26930
20	25736	26170	26604	27038	27472	27906
25	26170	26713	27255	27798	28340	28883
30	26604	27255	27906	28557	29208	29859
35	27038	27798	28557	29317	30076	30836
40	27472	28340	29208	30076	30944	31812
45	27906	28883	29859	30836	31812	32789
50	28340	29425	30510	31595	32680	33765
55	28774	29968	31161	32355	33548	34742
60	29208	30510	31812	33114	34416	35718
65	29642	31053	32463	33874	35284	36695
70	30076	31595	33114	34633	36152	37671
75	30510	32138	33765	35393	37020	38648
80	30944	32680	34416	36152	37888	39624
85	31378	33223	35067	36912	38756	40601
90	31812	33765	35718	37671	39624	41577
95	32246	34308	36369	38431	40492	42554
100	32680	34850	37020	39190	41360	43530
105	33114	35393	37671	39950	42228	44507
110	33548	35935	38322	40709	43096	45483

G R T

Number of Single Jigging Machines	250	275	300	325	350	375
10	26170	26387	26604	26821	27038	27255
15	27255	27581	27906	28232	28557	28883
20	28340	28774	29208	29642	30076	30510
25	29425	29968	30510	31053	31595	32138
30	30510	31161	31812	32463	33114	33765
35	31595	32355	33114	33874	34633	35393
40	32680	33548	34416	35284	36152	37020
45	33765	34742	35718	36695	37671	38648
50	34850	35935	37020	38105	39190	40275
55	35935	37129	38322	39516	40709	41903
60	37020	38322	39624	40926	42228	43530
65	38105	39516	40926	42337	43747	45158
70	39190	40709	42228	43747	45266	46785
75	40275	41903	43530	45158	46785	48413
80	41360	43096	44832	46568	48304	50040
85	42445	44290	46134	47979	49823	51668
90	43530	45483	47436	49389	51342	53295
95	44615	46677	48738	50800	52861	54923
100	45700	47870	50040	52210	54380	56550
105	46785	49064	51342	53621	55899	58178
110	47870	50257	52644	55031	57418	59805

G R T

Number of Single Jigging Machines	400	425	450	475	500	525
10	27472	27689	27906	28123	28340	28557
15	29208	29534	29859	30185	30510	30836
20	30944	31378	31812	32246	32680	33114
25	32680	33223	33765	34308	34850	35393
30	34416	35067	35718	36369	37020	37671
35	36152	36912	37671	38431	39190	39950
40	37888	38756	39624	40492	41360	42228
45	39624	40601	41577	42554	43530	44507
50	41360	42445	43530	44615	45700	46785
55	43096	44290	45483	46677	47870	49064
60	44832	46134	47436	48738	50040	51342
65	46568	47979	49389	50800	52210	53621
70	48304	49823	51342	52861	54380	55899
75	50040	51668	53295	54923	56550	58178
80	51776	53512	55248	56984	58720	60456
85	53512	55357	57201	59046	60890	62735
90	55248	57201	59154	61107	63060	65013
95	56984	59046	61107	63169	65230	67292
100	58720	60890	63060	65230	67400	69570
105	60456	62735	65013	67292	69570	71849
110	62192	64579	66966	69353	71740	74127

Number of Single Jigging Machines	G R T					
	550	575	600	625	650	675
10	28774	28991	29208	29425	29642	29859
15	31161	31487	31812	32138	32463	32789
20	33548	33982	34416	34850	35284	35718
25	35935	36478	37020	37563	38105	38648
30	38322	38973	39624	40275	40926	41577
35	40709	41469	42228	42988	43747	44507
40	43096	43964	44832	45700	46568	47436
45	45483	46460	47436	48413	49389	50366
50	47870	48955	50040	51125	52210	53295
55	50257	51451	52644	53838	55031	56225
60	52644	53946	55248	56550	57852	59154
65	55031	56442	57852	59263	60673	62084
70	57418	58937	60456	61975	63494	65013
75	59805	61433	63060	64688	66315	67943
80	62192	63928	65664	67400	69136	70872
85	64579	66424	68268	70113	71957	73802
90	66966	68919	70872	72825	74778	76731
95	69353	71415	73476	75538	77599	79661
100	71740	73910	76080	78250	80000	80000
105	74127	76406	78684	80000	80000	80000
110	76514	78901	80000	80000	80000	80000

Number of Single Jigging Machines	G R T					
	700	725	750	775	800	825
10	30076	30293	30510	30727	30944	31161
15	33114	33440	33765	34091	34416	34742
20	36152	36586	37020	37454	37888	38322
25	39190	39733	40275	40818	41360	41903
30	42228	42879	43530	44181	44832	45483
35	45266	46026	46785	47545	48304	49064
40	48304	49172	50040	50908	51776	52644
45	51342	52319	53295	54272	55248	56225
50	54380	55465	56550	57635	58720	59805
55	57418	58612	59805	60999	62192	63386
60	60456	61758	63060	64362	65664	66966
65	63494	64905	66315	67726	69136	70547
70	66532	68051	69570	71089	72608	74127
75	69570	71198	72825	74453	76080	77708
80	72608	74344	76080	77816	79552	80000
85	75646	77491	79335	80000	80000	80000
90	78684	80000	80000	80000	80000	80000
95	80000	80000	80000	80000	80000	80000
100	80000	80000	80000	80000	80000	80000
105	80000	80000	80000	80000	80000	80000
110	80000	80000	80000	80000	80000	80000

G R T

Number of Single Jigging Machines	850	875	900	925	950	975
10	31378	31595	31812	32029	32246	32463
15	35067	35393	35718	36044	36369	36695
20	38756	39190	39624	40058	40492	40926
25	42445	42988	43530	44073	44615	45158
30	46134	46785	47436	48087	48738	49389
35	49823	50583	51342	52102	52861	53621
40	53512	54380	55248	56116	56984	57852
45	57201	58178	59154	60131	61107	62084
50	60890	61975	63060	64145	65230	66315
55	64579	65773	66966	68160	69353	70547
60	68268	69570	70872	72174	73476	74778
65	71957	73368	74778	76189	77599	79010
70	75646	77165	78684	80000	80000	80000
75	79335	80000	80000	80000	80000	80000
80	80000	80000	80000	80000	80000	80000
85	80000	80000	80000	80000	80000	80000
90	80000	80000	80000	80000	80000	80000
95	80000	80000	80000	80000	80000	80000
100	80000	80000	80000	80000	80000	80000
105	80000	80000	80000	80000	80000	80000
110	80000	80000	80000	80000	80000	80000

G R T

Number of Single Jigging Machines	1000	1025	1050	1075	1100	1125
10	32680	32897	33114	33331	33548	33765
15	37020	37346	37671	37997	38322	38648
20	41360	41794	42228	42662	43096	43530
25	45700	46243	46785	47328	47870	48413
30	50040	50691	51342	51993	52644	53295
35	54380	55140	55899	56659	57418	58178
40	58720	59588	60456	61324	62192	63060
45	63060	64037	65013	65990	66966	67943
50	67400	68485	69570	70655	71740	72825
55	71740	72934	74127	75321	76514	77708
60	76080	77382	78684	79986	80000	80000
65	80000	80000	80000	80000	80000	80000
70	80000	80000	80000	80000	80000	80000
75	80000	80000	80000	80000	80000	80000
80	80000	80000	80000	80000	80000	80000
85	80000	80000	80000	80000	80000	80000
90	80000	80000	80000	80000	80000	80000
95	80000	80000	80000	80000	80000	80000
100	80000	80000	80000	80000	80000	80000
105	80000	80000	80000	80000	80000	80000
110	80000	80000	80000	80000	80000	80000

(2) Trawlers —

- (a) The fees for trawlers are given below as a sum for every 100 GRT.
- (b) Where a boat has a GRT that is not specifically set out in the table the fee shall be calculated on a pro rata basis.
- (c) The maximum licence fee for a trawler fishing in the area North of Latitude 51° 20' South shall be £60,000 and for a trawler fishing in the area South of Latitude 51° 20' South shall be £72,214.
- (d) (i) Fees for trawlers in pounds sterling fishing North of Latitude 51° 20' South —

G R T	FEE
100	6650
200	13310
300	19960
400	26610
500	33260
600	37880
700	42530
800	46100
900	48650
1000	51200
1100	52900
1200	54600
1300	56300
1400	58000
1500	58900
1600	59300
1700	59500
1800	59600
1900	59680
2000	59740
2100	59790
2200	59840
2300	59885
2400	59930
2500	59970
2600	60000
MAXIMUM	60000

- (ii) Fees for trawlers in pounds sterling fishing South of Latitude 51° 20' South —

G R T	FEE
100	6667
200	13334
300	20001
400	26668
500	33335
600	37985
700	42653

800	46248
900	48819
1000	51383
1100	53101
1200	54819
1300	56537
1400	58255
1500	59965
1600	61110
1700	62255
1800	63400
1900	64545
2000	65704
2100	67006
2200	68308
2300	69610
2400	70912
2500	72214
2600	72214
MAXIMUM	72214

3. DOUBLE LICENCES

- (a) A licence may be issued for a trawler to fish in two areas in the season in which case one fee being the higher of the rates of fees for the two areas shall apply.
- (b) A licence may be issued specifying a fishing boat which uses both trawling and jigging equipment in which case the fee that will be applicable will be the fee for a trawler at the appropriate rate and an additional fee calculated at 20% of the trawler fee.

4. ADMINISTRATIVE FEE

The administrative fee for surrender and exchange of a licence shall be £200 sterling.

5. ROTATION OF LICENCES

A rotation licence issued in accordance with Regulation 7 shall be given for a period of not less than two and a half months and a fee of three fifths of the licence fee for the full season in respect of the boat specified in the licence shall be payable.

DECLARED this 24th day of December 1986.

G. W. JEWKES,
Governor.

Application for Residential Licence

In accordance with Section 7 (1) of the Licensing Ordinance the following application has been made for a Residential Licence —

<i>Applicant</i>	<i>Name of Establishment</i>
MR WILLIAM ROBERT LUXTON	— CHARTRES LODGE, CHARTRES

Any objection to the granting of this licence must be made not later than 7th January 1987.

THE TREASURY,
STANLEY.
17th December 1986.

H. T. ROWLANDS,
Financial Secretary.

Application for licence under the provisions of the Licensing Ordinance (Vol. I Cap 38)

In accordance with the provisions of the Licensing Ordinance an application has been made by —

MR. AND MRS. K. KILMARTIN

for a Restaurant Licence for the premises known as Bluff Cove Restaurant, situated at Bluff Cove.

Provided that no objection be taken to the granting of the licence before 21st January 1987 the same will be granted.

THE TREASURY,
STANLEY.
31st December 1986.

H. T. ROWLANDS,
Financial Secretary.



THE
FALKLAND ISLANDS GAZETTE
(Extraordinary)
PUBLISHED BY AUTHORITY

Vol. XCV

5 DECEMBER 1986

No. 18

NOTICE

The following are published in this Gazette —

- (1) The Fisheries (Conservation and Management) Ordinance 1986
(No. 11 of 1986).
 - (2) The Fisheries (Conservation and Management) Ordinance (No. 1)
Commencement Order 1986 (No. 19 of 1986).
 - (3) The Fisheries (Fishing) Regulations Order 1986 (No. 20 of 1986).
-

THE FISHERIES (CONSERVATION AND MANAGEMENT)
ORDINANCE 1986

Arrangement of Sections

Section

1. Citation and commencement.
2. Interpretation.
3. Fishing waters.
4. Fishing prohibited without a licence.
5. Notification of fish on board by fishing boats entering fishing waters.
6. Stowage of gear.
7. Transshipment and export of fish prohibited without a licence.
8. Manner of exercising of licensing powers.
9. Director of Fisheries and Fisheries Protection Officers.
10. General powers of fisheries protection officers.
11. Release of boat or thing if no proceedings instituted.
12. Security for release of fishing boat.
13. Indemnity.
14. Obstruction of Fisheries Protection Officers.
15. Offences, penalties and proceedings.
16. Jurisdiction of Summary and Magistrates Court.
17. Forfeiture of licence.
18. Administrative penalties for minor offences.

19. Detention or forfeiture of fishing boat on failure to pay or secure fine.
20. Regulations.
21. Restriction of application of Fisheries Ordinance Cap 27 and saving.

Assented to in her Majesty's name this 14th day of November 1986

G W JEWKES
Governor

No. 11



1986

AN ORDINANCE

to make provision for the regulation, conservation and management of the fisheries of the Falkland Islands and matters incidental thereto.

ENACTED by the Legislature of the Colony of the Falkland Islands as follows:-

Citation and commencement.

1. This Ordinance may be cited as the Fisheries (Conservation and Management) Ordinance 1986 and shall come into force on such day as the Governor shall appoint by Order published in the Gazette and the Governor may appoint different days for the coming into force of different provisions.

Interpretation.

2. In this Ordinance unless the context otherwise requires:-

"Director of Fisheries" means the Director of Fisheries appointed under Section 9(1);

"export licence" means a licence so described provided for in Section 7;

"fish" means any marine animal not being a mammal or bird, whether fresh or cured including shellfish and any part of such animal and includes salmon, migratory trout and fish meal;

"shellfish" includes crustaceans and molluscs of any kind, and includes any (or any part of any) brood, ware, half-ware or spat of shellfish and any spawn of shellfish, and the shell, or any part of the shell, of a shellfish.

"Fisheries Protection Officer" means the Director of Fisheries and any of the Fisheries Protection Officers provided for in Section 9(3) and (4) or any person authorised by a Fisheries Protection Officer for the purposes of this Ordinance;

"fishing" means -

- (a) the catching or taking of fish;
- (b) any other activity which can reasonably be expected to result in the catching or taking of fish; or
- (c) any operations at sea in support of, or in preparation for, any activity described in (a) and (b);

"fishing boat" means any vessel of whatever size, and in whatever way propelled, which is for the time being employed in fishing operations or for the processing, storage or carriage of fish or of any operations (including transshipment of fish) ancillary thereto;

"fishing licence" means a licence provided for under Section 4;

"fishing waters" means the fishing waters of the Falkland Islands provided for in Section 3;

"interim fishery conservation and management zone" means the zone of that name established by and described in the Proclamation by the Governor of the twenty ninth day of October 1986;

"internal waters" means those seawaters on the landward side of the baselines from which the territorial sea is measured;

"master" includes, in relation to a fishing boat, the person for the time being in command or in charge of the boat or in charge of the fishing operations on board the boat;

"transhipment licence" means a licence so described provided for in Section 7;

"transhipment of fish" includes the passing of fish from one fishing boat to another whether or not the fish has first been taken on board the boat from which the fish is passed.

Fishing waters. 3. The fishing waters of the Falkland Islands comprise -

- (a) the internal waters;
- (b) the territorial sea;
- (c) the Interim Fishery Conservation and Management Zone; and
- (d) any other marine waters over which exclusive rights of fishing or fisheries management are claimed by proclamation, law or convention for the time being in force in the Falkland Islands.

Fishing prohibited without a licence.

4.(1) Fishing by a fishing boat in the fishing waters is prohibited unless authorised by a licence granted under this Ordinance.

(2) Where any fishing boat is used in contravention of subsection (1) the master, the owner and the charterer shall each be guilty of an offence.

PENALTY - £100,000.

(3) A fee may be charged for a

licence.

(4) A fishing licence shall be granted to the master, owner or charterer in respect of a specified fishing boat and may authorise fishing generally or may confer limited authority by reference to, in particular -

(a) the area within which fishing is authorised;

(b) the period, times or particular voyages during which fishing is authorised;

(c) the descriptions, quantities, sizes and presentation of fish which may be taken; or

(d) the method of fishing.

(5) A fishing licence may authorise fishing either unconditionally or subject to such conditions as appear to the Director of Fisheries to be

necessary or expedient for the regulation of sea fishing, the conservation or management of fisheries in the fishing waters or for the economic benefit of the Falkland Islands and in particular a licence may contain (without prejudice to the generality of the foregoing) conditions as to -

- (a) the landing of fish taken under the authority of the licence;
- (b) the use to which the fish taken may be put;
- (c) the marking of the licensed fishing boat including the display of its assigned international radio call sign;
- (d) the records of fishing operations which shall be kept on board the licensed fishing boat;
- (e) the navigation equipment and charts to be carried on board

the licensed fishing boat; and

- (f) the place or places where the licensed fishing boat may carry out transhipment of fish;

and if a licence condition is broken the master, the owner and the charterer of the fishing boat concerned in such breach shall each be guilty of an offence.

PENALTY - £20,000.

(6) It shall be an offence for a master to allow to remain on board a fishing boat within the fishing waters fish which has not been taken under the authority of and in accordance with a fishing licence.

Provided that it shall be a defence to a prosecution for an offence arising under this subsection if the person charged satisfies the court that the fish was not taken, caught or captured in the fishing waters.

PENALTY - £75,000.

(7) The Director of Fisheries, in granting a fishing licence, may require the master, the owner and the charterer of the fishing boat specified in the licence to provide him with such statistical information (including information in relation to any period before the commencement of this Ordinance) as he may direct, and a person who fails without reasonable excuse to comply with such a requirement or provides information which he knows to be false or recklessly furnishes information which is false shall be guilty of an offence.

PENALTY - £15,000.

(8) A fishing licence may be -

(a) varied from time to time, and

(b) revoked or suspended,

if this appears to the Director of Fisheries to be necessary or expedient

for the regulation of sea fishing, the conservation or management of fisheries in the fishing waters or for the economic benefit of the Falkland Islands.

(9) No exercise by the Director of Fisheries of the power contained in subsection (8) shall be liable to be challenged, reviewed, quashed or called in question in any court on the ground that the conditions for the exercise of the power by him had not arisen or had ceased.

(10) If a fishing licence is varied, revoked or suspended the Director of Fisheries may, if he considers it appropriate in all the circumstances of the case, refund the whole or part of any fee charged for the licence.

Notification of
fish on board
by fishing boats
entering fishing
waters.

5:(1) The master of a fishing boat
that has fish on board shall

(a) prior to entry of the boat into
the fishing waters, or

(b) prior to the boat leaving an area of the fishing waters in which the master, owner or charterer of that boat is licensed to fish,

notify a Fisheries Protection Officer of the amounts, descriptions, sizes and presentation of fish on board the boat.

PENALTY - £50,000.

(2) The giving of a notification under subsection (1) shall not of itself constitute a defence to a prosecution for an offence under Section 4(6).

Stowage
of gear.

6.(1) At any time when a fishing boat is in any area of the fishing waters and either -

(a) it is prohibited by Section 4 from fishing in that area; or

(b) it is permitted by fishing licence to fish only for

certain descriptions of fish in
that area.

then its fishing gear, or so much of
the gear as is not required for
permitted fishing, shall be stowed in
such manner that it is not readily
available for use for fishing or in
such manner as may be prescribed.

(2) If this section is contravened
in the case of any fishing boat -

(a) the master of the boat shall be
liable on conviction to a fine;
and

(b) the court may on convicting him
order the forfeiture of any
fish or fishing gear found in
the boat or taken or used by
any person from the boat.

PENALTY - £100,000.

Transshipment
and export of
of fish
prohibited

7.(1) Within the fishing waters the
transshipment from a fishing boat or

without a
licence.

the receiving of fish by a fishing boat from another fishing boat or the transport from the territorial seas or internal waters by any fishing boat of fish transhipped from any other fishing boat is prohibited unless authorised by a transshipment licence or export licence granted under this section.

(2) Where any fishing boat is used in contravention of a prohibition imposed by this section the master, the owner and the charterer shall each be guilty of an offence:

Provided that it shall be a defence to a prosecution for an offence arising under this subsection if the person charged satisfies the court that the fish was not taken, caught or captured in the fishing waters.

PENALTY - £50,000.

(3) A fee may be charged for a transshipment licence or an export licence.

(4) A transshipment licence or an export licence shall be granted to the owner or charterer in respect of a specified fishing boat and may authorise the transshipment or transport of fish generally or may confer limited authority by reference to, in particular -

(a) the area within which the fish is to be transhipped;

(b) the periods or times during which the fish is to be transhipped or transported;

(c) the number of transshipments that may be undertaken;

(d) the descriptions and quantities of fish that may be transported out of the fishing waters; or

(e) the number of times that the fishing boat specified in the

licence may transport fish out of the fishing waters.

(5) A transshipment licence or an export licence may authorise the transshipment, receiving or export of fish either unconditionally or subject to such conditions as appear to the Director of Fisheries to be necessary or expedient for the regulation of the transshipment or export of fish, or the economic benefit of the Falkland Islands including conditions as to the treatment on board a fishing boat receiving fish of the fish received by it and different conditions may be so imposed with respect to different fishing boats or fishing boats of different descriptions.

(6) If a condition under subsection (5) is broken the master, the owner and the charterer of the fishing boat shall each be guilty of an offence.

PENALTY - £20,000.

(7) The Director of Fisheries may require the master, the owner and the

charterer of the fishing boat named in
a transshipment licence or an export
licence and any agent named in the
licence to provide him with such
statistical information as he may
direct, and any person who fails
without reasonable excuse to comply
with such a requirement shall be
guilty of an offence.

PENALTY - £15,000.

(8) Any person who -

(a) for the purpose of obtaining
transshipment licence or an
export licence; or

(b) in purported compliance with
subsection (7),

provides information which he knows to
be false or recklessly furnishes
information which is false shall be
guilty of an offence.

PENALTY - £20,000.

(9) A transshipment licence or

export licence -

(a) may be varied from time to time, and

(b) may be revoked or suspended,

if it appears to the Director of Fisheries to be necessary or expedient for the regulation of transhipment or export or for the economic benefit of the Falkland Islands.

(10) No exercise by the Director of Fisheries of the power contained in subsection (9) shall be liable to be challenged, reviewed, quashed or called in question in any court on the ground that the conditions for the exercise of the power by him had not arisen or had ceased.

(11) If a transhipment licence or an export licence is varied, revoked or suspended the Director of Fisheries may, if he considers it appropriate in all the circumstances of the case, refund the whole or part of any fee

charged for the licence.

Manner of
exercise of
licensing
powers.

8. The licensing powers conferred by this Ordinance may be exercised so as to limit the number of fishing boats, or of any description of boat (including boats or any description of boats registered in a specified country) engaged in fishing, transshipping or transporting fish to such an extent as appears to the Director of Fisheries necessary or expedient for the regulation of fishing, transshipment and export, the conservation or management of fisheries or for the economic benefit of the Falkland Islands.

Director of
Fisheries and
Fisheries
Protection
Officers.

9.(1) This Ordinance and regulations made hereunder shall be administered by the Director of Fisheries appointed by the Governor who shall be responsible for:-

(a) the conservation of fish
stocks;

(b) the assessment of fish stocks
and the collection of
statistics;

(c) the development and management
of fisheries;

(d) the monitoring, control and
surveillance of fishing
operations;

(e) the regulation of the conduct
of fishing operations and
operations ancillary thereto;

(f) the issue, variation,
suspension and revocation of
licences for fishing,
transshipment, export and
ancillary operations;

(g) the collection of fees in
respect of licences;

(h) the making of such reports to
the Governor as the latter,
acting in his discretion, may

require;

(i) other matters referred to in this Ordinance.

(2) In the performance of his duties under this Ordinance the Director of Fisheries shall be subject to the direction of the Governor acting in his discretion.

(3) This Ordinance and regulations made hereunder shall be enforced by Fisheries Protection Officers acting subject to the direction of the Director of Fisheries, and for that purpose Fisheries Protection Officers shall have the powers set out in Section 10.

(4) The following persons shall be Fisheries Protection Officers, that is to say every person appointed in that behalf by the Governor, every member of the Falkland Islands Police Force, commissioned officers of any of Her Majesty's ships and persons in command

or charge of any aircraft or hovercraft of the Royal Navy, the Army or the Royal Air Force or of the Falkland Islands Government.

General powers
of fisheries
protection
officers.

10.(1) For the purpose of enforcing this Ordinance or of any regulation made hereunder a Fisheries Protection Officer or any person authorised by him may exercise the following powers with respect to any fishing boat within the fishing waters:-

- (a) he may stop the boat;
- (b) he may require the master to cease fishing and take back on board the boat's fishing gear;
- (c) he may require the master to facilitate the boarding of the boat by all appropriate means;
- (d) he may go on board the boat and take with him such other persons as he may require to assist him in the exercise of his powers;

(e) he may require the master, the crew or any of them to produce and he may examine and take copies of any certificate of registry, licence, official logbook, official paper, article of agreement, record of fish caught, and any other document relating to the boat or to the crew or any member thereof, or to any person on board the boat, which is in their respective possession or control on board the boat;

(f) he may muster the crew of the boat;

(g) he may require the master to appear and to give any explanation concerning the boat and any crew, or any person on board the boat, and any document mentioned in paragraph (e);

(h) he may make any search, examination or enquiry which he considers necessary to find out whether any provision of this Ordinance or any regulation made hereunder has been contravened;

(i) he may take or require the master to take the boat to any place, port or harbour in the Falkland Islands for the purpose of the carrying out of any search, examination or enquiry;

(j) in the case of any person who appears to him to have committed any offence against this Ordinance or any regulation made hereunder, he may, without summons, warrant or other process, take the suspected offender and take or require the master of the boat to take the boat in respect of which it appears to him there has been an offence together

with the crew thereof to a port or harbour in the Falkland Islands, and bring him or them before a competent court and detain him and them and the boat in the Falkland Islands until the alleged offence has been adjudicated upon;

(k) he may, having regard to the safety of the boat, take steps to immobilise any fishing boat seized, taken or detained in accordance with this section for the purpose of preventing the boat being taken by any person prior to the release of the boat under Section 12 or by the Court;

(l) in the case of any offence against Section 4(2) or (5) or Section 7(2) or (6), he may seize any boat (together with its equipment, stores and cargo) which he believes has been used in the commission of

such offence or in respect of which he believes such offence has been committed;

(m) he may seize any fishing gear, instruments or appliances which he believes have been used in the commission of such offence;

(n) he may seize any fish which he believes have been taken or fish products produced in the commission of such offence;

(o) he may seize or take copies of any documents which he believes are relevant to any such offence.

(2) In exercising the powers referred to in subsection (1) a Fisheries Protection Officer may use such force as may be reasonably necessary.

(3) The powers contained in this section may be exercised in respect of

a fishing boat irrespective of whether the boat is at the time of such exercise engaged in fishing or any activities in any way related to fishing.

Release of boat or thing if no proceedings instituted.

11. Where a fishing boat or any other thing has been taken seized or detained in accordance with Section 10 the Director of Fisheries shall on demand release the boat or other thing to the master, owner, charterer or agent if no proceedings are instituted within 14 days of the arrival of the boat or thing in a port or harbour.

Security for release of fishing boat.

12.(1) Where a fishing boat is taken, seized or detained under this Ordinance or any regulation made hereunder and an information or charge is laid against the master, the owner or the charterer of the boat in respect of the offence for which the boat has been detained, the master, the owner or the charterer or the agent of the owner or charterer of the boat may at any time before the

determination of the information or charge apply to the Court by which the information or charge will be determined for the release of the boat on the provision of security in accordance with this section.

(2) On hearing the application the Court shall either -

(a) being satisfied that adequate security has been given to the Crown in respect of the aggregate of the maximum penalty to which the defendant may be liable and the costs and expenses that the Crown may recover under Section 16(2), order the release of the fishing boat; or

(b) order the release of the fishing boat on the execution by any suitable person or persons approved by the Court for the purpose of a bond in favour of Her Majesty the Queen in the prescribed form and

conditioned in accordance with subsection (4) in an amount not less than the aggregate of the maximum penalty to which the defendant may be liable and the costs and expenses that the Crown may recover under Section 16(2).

(3) Notwithstanding subsection (2) the Court may, where it is satisfied that there are special circumstances to justify it in doing so, order that the bond shall be in a specified amount that is less than the amount required by that subsection.

(4) The condition of the bond shall be that if -

(a) the defendant is found not guilty of the information or charge; or

(b) the defendant on being convicted of the information or charge pays in full within 14

days after he is convicted the amount of the fine imposed by the Court, and the amount of all costs and expenses due by him to the Crown under Section 16(2),

then the bond shall be of no effect, but that otherwise the bond shall remain in full force and effect.

(5) The amount specified in the bond shall be recoverable in full, in any Court of competent jurisdiction, as a debt due to Her Majesty the Queen jointly and severally by the person or persons by whom the bond is given, unless the person or persons prove the due performance of the condition on which the bond is defeasible.

(6) In this section "fishing boat" includes all equipment on board or used by the boat, and also includes all fish that has been seized from the boat under this Ordinance or any regulation made hereunder and is detained on board the boat in the

custody of the Crown.

Indemnity.

13. No civil or criminal action shall lie against a Fisheries Protection Officer in respect of any act done or omitted to be done by him in good faith in the purported exercise of his powers under this Ordinance or any regulations made hereunder if there shall have been reasonable cause for such action or omission.

Obstruction of
Fisheries
Protection
Officers.

14. If any person obstructs a Fisheries Protection Officer when acting in the exercise of his powers under this Ordinance or any regulation made hereunder, or refuses or neglects to comply with any order, requisition or direction lawfully made or given by, or to answer any question reasonably asked by, a Fisheries Protection Officer in pursuance of this Ordinance, or prevents or attempts to prevent another person from complying with such orders, requisitions or directions or from answering such questions, such person

shall be guilty of an offence.

PENALTY - £50,000.

Offences,
penalties and
proceedings.

15.(1) Any person who contravenes any provision of this Ordinance or any Regulation made hereunder where no offence is specifically provided commits an offence.

(2) Any person who commits an offence against this Ordinance or any regulation made hereunder, for which no other penalty is specifically provided, shall be liable to a fine not exceeding £20,000.

(3) Where a person is convicted of any offence against this Ordinance or any regulation made hereunder the court may, in addition to any other penalty it may impose, order that any fishing gear, instruments or appliances used in the commission of such offence, and any fish on board a fishing boat shall be forfeited to the Crown and if so forfeited shall be disposed of in such manner as the

Governor, acting in his discretion, may direct.

(4) For the purposes of any proceedings under this Ordinance any fish found on board a fishing boat shall be presumed to have been caught -

(a) within the fishing waters and

(b) within the vicinity of the boat at the time the fish was so found where the licence to fish, specifying the boat, restricts fishing to a particular area

unless the contrary is proved.

(5) An attempt to commit an offence under this Ordinance shall itself constitute an offence and may be dealt with in like manner as if the attempted offence had been committed.

(6) Any master who tranships, receives on board a fishing boat,

transports or in any other manner deals with fish caught or transhipped in contravention of this Ordinance shall be guilty of an offence.

(7) Any person who aids, abets, counsels or procures an offence under this Ordinance or conspires to commit such an offence shall be guilty of the offence so aided, abetted, counselled or procured or conspired to be committed.

(8) Notwithstanding any law providing for the limitation of time within which proceedings may be commenced any proceeding in respect of an offence against this Ordinance or any regulation made hereunder may be commenced at any time after the commission of the offence.

(9) Subject to the powers of the Attorney General provided for in the Constitution all prosecutions and proceedings in respect of offences under this Ordinance or any regulation

made hereunder may be commenced and taken in the name of the Director of Fisheries and he or any Fisheries Protection Officer may conduct such prosecutions and proceedings before the Court.

(10) A certificate purporting to be signed by the Director of Fisheries or any officer authorised by him for that purpose to the effect that on a date specified in the certificate -

(a) a fishing boat specified in that certificate was not licensed under this Ordinance; or

(b) the defendant or any other named person was not the holder of a licence under this Ordinance;

shall in the absence of proof to the contrary be sufficient evidence of the matter stated in the certificate.

Jurisdiction 16.(1) All penalties, offences and

of Summary and
Magistrates
Court.

proceedings under this Ordinance or any regulation made hereunder may be recovered, prosecuted and taken before the Summary Court or the Magistrates Court.

(2) In respect of offences charged under this Ordinance or any regulation made hereunder, and notwithstanding the provisions of the Administration of Justice Ordinance Cap 3, the Summary Court and the Magistrates Court are hereby given extended jurisdiction to impose any fine provided for under this Ordinance or any regulation made hereunder and may award to the Crown such costs and expenses (including expenses incurred in exercise of the power under Section 10(1)(j) and (k)) incurred in relation to the prosecution of such charges as may appear to it to be proper.

Forfeiture
of licence.

17.(1) Every person who is convicted of an offence against this Ordinance or any regulation made hereunder and is again convicted of an offence

against this Ordinance or any regulation made hereunder shall, in addition to any other penalty, forfeit any licence granted under this Ordinance and any fees paid for that licence and shall be incapable, for a period of three years from the day of conviction, of holding any such licence under this Ordinance.

(2) Notwithstanding subsection (1) the Governor may in the circumstances of any particular case and upon application being made to him by the person concerned within 30 days from the date of conviction or such extended period as the Governor may allow direct that the provisions of that subsection are not to apply to any particular licence otherwise forfeit.

Administrative
penalties for
minor offences.

18.(1) Where the Governor has reasonable cause to believe that -

(a) an offence against this Ordinance or any regulation made hereunder has been

committed by any person in
respect of any fishing boat;

(b) the offence is of a minor
nature;

(c) having regard to the previous
conduct of the boat and the
person concerned it would be
appropriate to impose a penalty
under this section;

he may cause a notice in writing in
accordance with subsection (2) in the
prescribed form to be served on that
person.

(2) A notice under subsection (1)
shall specify -

(a) the date and nature of the
offence;

(b) a summary of the facts on which
the allegation that an offence
has been committed is based
(being a sufficient summary

fully and fairly to inform the person of the allegation against him); and

- (c) any other matters (not being previous convictions) that the Governor considers relevant to the imposition of a penalty;

and shall be endorsed with a statement setting out the provisions of this section.

(3) Any person on whom a notice under subsection (1) is served may, within 28 days after such service, by notice in writing in the prescribed form served on the Governor require that proceedings in respect of the alleged offence shall be dealt with by the court, in which case the following shall apply:-

- (a) no further proceedings shall be taken under this section by the Governor; and

- (b) nothing in this section shall

be construed to prevent the subsequent laying of any information or charge in respect of the alleged offence, or the conviction of the person of the offence by the court, or the imposition of any penalty or forfeiture under this Ordinance upon such conviction.

(4) Any person on whom a notice under subsection (1) is served who does not require that proceedings in respect of the alleged offence shall be dealt with by the court may by notice in writing served on the Governor -

(a) admit the offence; and

(b) make submission to the Governor as to the matters he wishes the Governor to take into account in imposing any penalty under this section.

(5) Where a person on whom a notice

under subsection (1) is served does not within 28 days after the notice is served on him -

(a) require that proceedings in respect of the alleged offence shall be dealt with by the court; or

(b) admit the offence;

he shall on the expiration of that period be deemed to have admitted the offence.

(6) Where under this section a person admits or is deemed to have admitted an offence the Governor may, after taking into account any submissions made by that person under subsection (4), impose a monetary penalty on that person in respect of the offence not exceeding one third of the maximum monetary penalty to which the person would be liable if he were convicted of the offence by the court.

(7) Where the Governor imposes a

penalty on a person under this section in respect of an offence the Governor shall cause a notice in writing in the prescribed form of the particulars of the penalty to be served on the person.

(8) A person on whom a penalty is imposed under this section shall pay the amount of the penalty to the Crown within 28 days after the notice of the penalty is served on him in accordance with subsection (7).

(9) Without prejudice to the requirement of subsection (8), a penalty imposed under this section shall be recoverable by the Crown from the person on whom it has been imposed in the same manner as a fine is recoverable on conviction for an offence.

(10) Notwithstanding any other provision of this Ordinance or of any other enactment, where an offence has been admitted or is deemed to have

been admitted under this section no information or charge may be laid in respect of the offence against any person by whom it is admitted or is deemed to have been admitted.

(11) Nothing in this section shall apply -

(a) in respect of any offence or alleged offence under Section 4(2); or

(b) in respect of any offence or alleged offence in respect of which any information or charge has already been laid.

Detention or forfeiture of fishing boat on failure to pay or secure fine.

19.(1) If any fine or amount of costs is adjudged to be due by the master, owner or charterer of any fishing boat in respect of a contravention of any provision of this Ordinance or any regulation made hereunder, the court may, if no security or it considers that insufficient security has been given to the Crown, order that in default of payment forthwith the

defendant shall give security for payment of the amount due, and if such security to the satisfaction of the court is not given, the court may order the detention of the fishing boat concerned with the contravention, and such fishing boat may accordingly be detained in the Falkland Islands until the amount due is paid or until sufficient security shall be given to the satisfaction of the court.

(2) If a fine is not paid or security given within 30 days of the date of the order of the court, or such longer period as the court may determine, the court may order that in the case of any offence against Section 4(2) or (5) or Section 7(2) or (5) any boat and its equipment used in the commission of such offence shall be forfeited to the Crown and if so forfeited shall be disposed of in such manner as the Governor, acting in his discretion, may direct.

Regulations. 20.(1) The Governor may by Order in

Council make Regulations for the better carrying into effect of the purposes of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing such regulations may provide for -

(a) anything which is to be, or may be, prescribed under this Ordinance;

(b) the forms to be used for the purposes of this Ordinance;

(c) the persons to whom and the manner in which applications may be made;

(d) the procedures to be followed by applicants for licences;

(e) terms and conditions that shall apply to licences issued under this Ordinance;

(f) the fees to be paid in respect

of licences;

- (g) the equipment to be carried on board fishing boats;
- (h) the reports to be made for the purposes of this Ordinance;
- (i) the designation by applicants for licences and licensees of authorised agents in the Falkland Islands in respect of fishing boat operations and otherwise for the purposes of this Ordinance;
- (j) the provision by applicants for licences or licensees of bonds or other forms of security for securing their compliance with the obligations under and terms and conditions of their licences or their compliance with the provisions of this Ordinance;
- (k) the placing of Fisheries Protection Officers and

official observers on fishing
boats and the terms for their
presence thereon;

(1) a penalty not exceeding fifty
thousand pounds for
contravention of any of such
regulations.

(3) Regulations made under this
section may make different provisions
for different parts of the fishing
waters.

Restriction on
the application
of Fisheries
Ordinance
Cap 27
and saving.

21.(1) The Fisheries Ordinance Cap 27
shall not apply to fishing in the
fishing waters.

(2) Notwithstanding subsection (1)
Regulations made under the Fisheries
Ordinance Cap 27 shall remain in force
until revoked.

Passed by the Legislature of the Colony of the Falkland Islands thi
12th day of November 1986.

P.T.King
Clerk of Councils

This imprinted 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.

P.T. King
Clerk of Councils

THE FISHERIES (CONSERVATION AND MANAGEMENT) ORDINANCE 1986

The Fisheries (Conservation and Management) Ordinance (No.1)
Commencement Order

Arrangement of Paragraphs

Paragraph

1. Citation and commencement.
2. The bringing into force of some sections of Ordinance No.11 of 1986.

THE FISHERIES (CONSERVATION AND MANAGEMENT) ORDINANCE 1986

The Fisheries (Conservation and Management) Ordinance (No. 1)

Commencement Order 1986

No. 19 of 1986

In accordance with Section 1 of the Fisheries (Conservation and Management) Ordinance 1986 the Governor makes the following Order:-

Citation and commencement. 1. This Order may be cited as the Fisheries (Conservation and Management) Ordinance (No. 1) Commencement Order 1986 and shall come into force on the first day of December 1986.

The bringing into force of some sections of Ordinance No. 11 of 1986. 2. Sections 1, 2, 3, 4(1) and (3) to (5) inclusive and (7) to (10) inclusive 8, 9, 13 and 20 of the Fisheries (Conservation and Management) Ordinance 1986 shall come into force with effect from the first day of December 1986.

Made this fifth day of December 1986.

G W Jewkes
Governor

THE FISHERIES (CONSERVATION AND MANAGEMENT) ORDINANCE 1986

The Fisheries (Fishing) Regulations Order 1986

Arrangement of Regulations

Regulation

1. Citation and commencement
2. Interpretation
3. Application for a licence
4. Bond
5. Fishing licence
6. Issue of licence and payment of fee
7. Period of validity of licence
8. Compulsory radio equipment
9. Code of signals and flags to be carried
10. Use of English language and international code of signals
11. Navigational charts and aids
12. Notification of entry into fishing waters
13. Stowage of gear by fishing boats
14. Reports to be made by Masters of fishing boats
15. Report to be made on completion of fishing
16. Post fishing inspection and hand over of fishing log
17. Keeping of radio log books
18. Arrangements to be made on radio becoming inoperative
19. Display of radio call signs
20. Compliance with instructions from patrol vessels.
21. Compliance with instructions from surveillance aircraft
22. Requirement to have an English speaking crew member
23. Radio listening watches
24. Accommodation of observers and Fisheries Protection Officers and provisions of other facilities
25. Stanley Agent
26. Offences

Schedule Fishing Licence - General Conditions

**THE FISHERIES (CONSERVATION AND MANAGEMENT) ORDINANCE
1986**

The Fisheries (Fishing) Regulations Order 1986

No.20 of 1986

In accordance with Section 20 of the Fisheries (Conservation and Management) Ordinance 1986 the Governor in Council makes the following Order:-

Citation and commencement 1. This Order may be cited as the Fisheries (Fishing) Regulations Order 1986 and shall come into force on the first day of December 1986.

Interpretation 2. In these Regulations unless the context otherwise requires:-

"Director" means the Director of Fisheries as defined in Section 2 of the Ordinance.

"licensee" means the person granted a fishing licence under the Ordinance and these Regulations

"licensed fishing boat" means a fishing boat specified in a fishing licence.

"the Ordinance" means the Fisheries (Conservation and Management) Ordinance 1986.

"Stanley Agent" means the agent referred to in regulation 25.

Application for a licence 3. (1) Subject to sub-regulations (2) and (3) an application for a fishing licence in respect of a fishing boat shall be made to the Director at the Falkland Islands Government Office, London or at Stanley, Falkland Islands, by the owner, charterer, master or agent for the owner or charterer of the fishing boat in the form issued from time to time by the Director not less than seven working days before the licence is required.

(2) The Director may in his absolute discretion accept an application made less than seven working days before the licence is required.

(3) The application may be made by the applicant or his duly authorised agent in person or by telegram, or facsimile provided that all the information required by these Regulations and by the form is provided.

(4) The application shall not be deemed to have been properly made until the receipt by the Director of an officially certified statement of the gross registered tonnage (as calculated under the International Tonnage Rules) of the fishing boat in respect of which the application is made which may be verified by the Director after the arrival of the boat in the fishing waters.

Bond

4. A licensee or the Stanley Agent of the licensee shall, if required by the Director before or after issue of the fishing licence, either execute and maintain a bond in an amount and form satisfactory to the Director to guarantee compliance with the Ordinance, these Regulations or the Conditions of the licence or provide such other financial or other security as the Director may approve.

Fishing
licence

5. (1) A fishing licence shall apply to the one fishing boat specified therein and shall not be transferable.

(2) The licence or a copy authenticated by the Director of Fisheries shall be carried on board the boat and be available for inspection at all times together with a copy of these Regulations unless otherwise permitted by the Director.

(3) A fishing licence shall be subject to the general conditions contained in the Schedule and such special conditions as may be attached to the licence.

(4) The Director or a person designated by him may with the consent of the master of a fishing boat amend or vary any provision set out in a licence issued in respect of that boat.

Issue of
licence and
payment of
fee

6. (1) A fishing licence shall be issued in respect of a specified fishing boat for the appropriate season provided, subject to subregulation (2), that payment of the fee for the licence assessed in accordance with the schedule of fees declared by the Governor in Council from time to time and published in the Gazette shall be made for the licence on or before the issue thereof.

(2) The Director may issue a licence under subregulation (1) although the full licence fee

has not been paid provided that prior to the issue of the licence such bond, bankers guarantee or other guarantee for payment of the outstanding part of the fee satisfactory to the Director has been furnished and the Director has also approved the arrangements for payment of the outstanding part of the fee.

(3) The licence shall be issued at Stanley in person to the Master of the fishing boat specified therein prior to the commencement of fishing in accordance with the licence.

(4) The Master of the boat shall, if required by the Director, bring the boat to Port Stanley or such other port or harbour as the Director shall stipulate for the purpose of inspection by a fisheries protection officer prior to commencement of fishing by the boat.

Period of
validity,
surrender of
licence
and substit-
ution therefor

7. (1) Subject to sub-regulations (2) and (3) a licence shall be valid for a fishing season in respect of the fishing boat specified therein.

(2) A licensee may, at the discretion of the Director, surrender a fishing licence in exchange for another fishing licence, specifying another fishing boat of no greater a gross registered tonnage than that of the boat specified in the original licence, valid for the balance of the season for which the licence being surrendered, is valid.

(3) A licensee shall, prior to the issue of an exchange licence, pay the administrative fee set out in the Schedule of fees declared under Regulation 6 (1).

(4) A licensee may, at the discretion of the Director, surrender a fishing licence on payment to the licensee by the Falkland Islands Government of a refund of part of the licence fee paid for the licence calculated in units of not less than one calendar month and with a deduction therefrom of the administrative fee referred to in sub-regulation (3).

(5) An application for a surrender of a licence under sub-regulations (2) or (4) shall be made to the Director in Stanley in the form issued by him.

Compulsory
radio
equipment

8. Each licensed fishing boat engaged in fishing and operations ancillary to fishing shall be equipped with radio equipment capable of providing radio telephony (voice) communications using maritime frequencies in the High Frequency and Very High Frequency (VHF FM) bands.

Code of
Signals and
Flags to
be carried

9. Each licensed fishing boat when in the fishing waters, shall carry on board a copy of the International Code of Signals and an appropriate set of flags and shall be competent to exchange messages by this means with a Fisheries Protection Officer embarked in any vessel.

Use of English
language and
International
code of signals

10. (1) All records, reports or notifications required to be maintained or made under these regulations shall be maintained or made in the English language.

(2) In every communication by radio, flag or light between any licensed fishing boat in the fishing waters and a fisheries protection officer, the signals specified in the "International Code of Signals" published by the Inter-Governmental Maritime Consultative Organisation shall be used.

Navigational
charts and
aids

11. Each licensed fishing boat shall when in the fishing waters, carry appropriate, navigational charts and publications and be fitted with such electronic navigation aids as will enable the Master to ascertain its position within the fishing waters with reasonable accuracy.

Notification
of entry into
fishing
waters

12. (1) The Master of a licensed fishing boat intending to fish in the fishing waters shall notify the Director of his intention to enter the fishing waters not more than 48 hours and not less than 12 hours before entry.

(2) Such notification shall include:-

(i) the boat's

(a) name

(b) registration number

(c) radio call sign

(d) fishing licence number

(ii) full details of any catch on board and

(iii) the intended date and time of commencement of fishing operations by the boat; and

(iv) the position of her intended initial fishing position.

(3) All such signals shall be given the prefix COMFISH REPORT.

Stowage of gear by fishing boats

13. Any licensed fishing boat shall properly stow fishing gear in accordance with Section 6 of the Ordinance.

Reports to be made by Masters of fishing boats

14. (1) The Master of a fishing boat fishing within the fishing waters shall each day at a time and in such manner as may be notified by the Director, make reports to the Director detailing the fishing activities of the boat. Each report shall include:-

(i) the boat's
(a) call sign
(b) present position

(ii) the approximate weight of each species of fish retained on board the boat since the last report;

(iii) the number and duration of trawl hauls made since the last report.

(iv) the number and duration of operations of jigging machines in use.

(2) Such reports shall be given the prefix CATCH REPORT and shall be numbered consecutively.

(3) Where a number of fishing boats are operated as part of a fleet, the reports required under this regulation or under any other of these regulations, may with the prior approval of the Director, be made on behalf of a number of designated boats by the master of one of those boats designated for such purpose.

Report to be
made on
completion
of fishing

15. (1) Prior to a transhipment or to departure from the fishing waters the Master of a fishing boat shall make a report to the Director giving in respect of his fishing boat:-

- (i) the boat's:-
 - (a) call sign
 - (b) present position
- (ii) the total quantity of each species of catch taken within the fishing waters since COMFISH;
- (iii) his intentions and if leaving the expected date and time of departure from the fishing waters.

(2) Such reports shall be given the prefix FINFISH REPORT.

Post fishing
inspection and
hand over of
fishing log

16. (1) The master of a fishing boat who intends to leave the fishing waters shall if required by the Director, bring the boat to Port Stanley or such other port or harbour as the Director shall stipulate for the purpose of post fishing inspection of the boat by a Fisheries Protection Officer.

(2) The master shall, if so required by the Director, prior to departure from the fishing waters, hand over to the Director the fishing log referred to in Regulation 17 (2).

Keeping of
log books

17. (1) The master of each fishing boat engaged in fishing shall keep a radio log book in English showing dates and times when fishing reports were transmitted.

(2) The master of each fishing boat engaged in fishing shall keep a fishing log in a form prescribed by or approved by the Director.

(3) The radio log book and fishing log shall be made available to a Fisheries Protection Officer for inspection on demand and copies or copy extracts therefrom shall also be given to a Fisheries Protection Officer on demand.

Arrangements
to be made on
radio
becoming
inoperative

18. In the event of the main radio equipment of a fishing boat becoming inoperative the Master shall make appropriate arrangements for all information required by these Regulations to be relayed to the Director of Fisheries through another vessel.

Display of
radio call
signs

19. (1) The Radio Call Sign of each licensed fishing boat shall be displayed on each side of its superstructure clear of obstruction and where it can best be seen from an aircraft or patrol vessel.

(2) The letters and numbers shall be painted in white not less than one metre high and twenty-five centimetres wide on a black background.

(3) The paintwork where the letters are painted shall be maintained in good condition so that the letters are clearly visible at all times.

Compliance
with
instructions
from patrol
vessels

20. (1) Masters shall comply with any instruction or order given from any patrol vessel.

(2) Fishing boats intended for inspection will be informed by Falkland Islands Fishery patrol vessels, either by VHF radio (Channel 16), the international code signal SIERRA QUEBEC 3 or flashing by a signal lamp the Morse code symbol LIMA. In the event of failure to make contact through the normal means the patrol vessel will direct a series of flashing white lights towards the boat indicating that the Master must stop carrying out his previous intentions and follow the patrol vessel.

Compliance
with
instructions
from
surveillance
aircraft

21. (1) Masters shall comply with any instructions or orders given from any surveillance aircraft.

(2) When wishing to communicate with a fishing boat on Channel 16 VHF the aircraft will signal the morse code symbol LIMA with a yellow light, or alternatively will switch the navigation and landinglights on and off. In the event of failure of direct communication the aircraft will be seen to waggle its wings from side to side and then settle on a steady course. The fishing boat shall then stop fishing and proceed in the direction indicated by the aircraft while at the same time attempting to make radio contact with a Falkland Islands Fishery Patrol Vessel or the Office of the Director of Fisheries in Stanley.

Requirement to have an English speaking crew member 22. (1) At least one member of the crew of each licensed fishing boat shall be reasonably fluent in the English language.

(2) Where a number of fishing boats are operated as a part of a fleet this requirement may be waived at the discretion of the Director provided that a competent interpreter is available at all times on a designated fishing boat in that fleet.

Radio
Listening
Watches

23. (1) The Master of each fishing boat shall arrange for a continuous listening watch on VHF 16 and 2182 Khz to be maintained whilst in the fishing waters.

(2) The Master shall if possible listen for calls from any fisheries patrol vessel in order to receive individual and collective messages from the Director concerning fishing operations.

Accommodation
of observers
and Fisheries
Protection
Officers and
Provision of
other
facilities

24. (1) The Master of a fishing boat shall, when in the fishing waters, and when requested to do so by the Director of Fisheries, permit and assist official observers designated in writing by the Director of Fisheries to go on board and remain on board the boat for the purpose of recording scientific data and observations, of inspecting the boat's radio and fishing logs and of taking samples, and shall permit them to retain and remove from the boat any samples and records he has taken or compiled.

(2) Where an official observer is on board a boat and remains on board the boat for a period of more than four hours the Master of the boat shall provide the observer with suitable food and accommodation.

(3) The Master shall also provide facilities similar to those provided for in sub-regulation (2) for any fisheries protection officer forced by circumstances to stay on board his boat for a prolonged period.

(4) The Master of the boat shall:-

(i) at the request of a fisheries protection officer or official observer, arrange for that officer or observer to send or receive

- messages by means of radiotelegraph or radiotelephone facilities on board the boat, and
(ii) provide all reasonable assistance in his power to enable a fisheries protection officer or official observer to carry out his duties and functions.

Stanley
Agent

25. (1) The owner or charterer of a licensed fishing boat shall during the period of the licence maintain a local agent in Stanley who shall be authorised to accept legal and financial responsibility on behalf of the owner in respect of the operations undertaken by the boat and to accept service of any notice, summons or other document on behalf of the owner in any legal proceedings arising out of the conduct of the fishing operations or related activities by the boat.

(2) The agent shall be resident in Stanley and have an office or establishment in Stanley.

(3) The owner or charterer of a licensed fishing boat shall notify the Director of the name of any agent substituted for the agent notified to the Director in the application by the owner or charterer for a licence in respect of the licensed fishing boat.

Offences

26. Any master, owner or charterer of a fishing boat, or Stanley Agent or other agent of an owner or charterer of a fishing boat who fails to comply with any requirement of these regulations, any general or special condition of a fishing licence or any order, requisition or direction lawfully issued by a Fisheries Protection Officer or any such order, requisition or direction issued by any other person authorised by a Fisheries Protection Officer embarked in any vessel or aircraft commits an offence.

PENALTY 50,000 pounds.

SCHEDULE

Fishing Licence - General Conditions

- (a) (i) The licence shall be valid only for such activities, for such period and for such areas as are specified in the licence.
- (ii) The licence shall not be valid for the territorial sea of the Falkland Islands unless the licence otherwise states.
- (b) (i) Only such species of fish shall be fished for in such quantities, using such methods of fishing and such fishing gear, as are authorised by the licence.
- (ii) All relevant laws and regulations regarding the conservation and management of fisheries resources in the Falkland Islands and the conduct of fishing operations shall be complied with.
- (iii) The Master shall cause written records to be maintained on a daily basis of the fishing effort and catch of the boat in the form set out in the Schedule attached to this licence or in such form as the Director of Fisheries may approve.
- (c) Any transshipment of fish shall be done in Berkeley Sound or such other place as the Director of Fisheries may approve.
- (d) The Master shall bring the fishing boat into Port Stanley or another port or harbour notified to him by the Director of Fisheries for inspection at any time when required to do so by the Director of Fisheries.
- (e) The Master shall, at all times while in the fishing waters, comply with any directions or instructions given to him by any Fisheries Protection Officer and co-operate with such officer in any inspection carried out by him and, in particular, shall bring the fishing boat to when requested so to do, permit and facilitate any fisheries protection officer or official observer to board and leave the boat in safety and in accordance with ordinary practices of seamen shall manoeuvre his boat to make a lee and shall provide an adequate and safely secured pilot ladder.
- (f) When making position reports the Master should use the grid shown on the illustrative chart attached to this licence.

Made this fifth day of December 1986

G W Jewkes
Governor



THE FALKLAND ISLANDS GAZETTE

Supplement No. 4

28th APRIL 1986

Minutes of Meeting of Legislative Council
held 10th December 1985

MINUTES OF THE MEETING OF THE LEGISLATIVE COUNCIL
HELD ON TUESDAY, 10TH DECEMBER 1985

The Council assembled at 11am on Tuesday 10th December 1985,
His Excellency the Governor, Mr G W Jewkes CMG, presiding.

PRESENT:

MEMBERS:

Ex-Officio

The Honourable the Chief Executive
(Mr D G P Taylor)

The Honourable the Financial Secretary
(Mr H T Rowlands OBE)

Elected

The Honourable A T Blake
(Elected Member for Camp Constituency)

The Honourable D L Clifton
(Elected Member for Stanley Constituency)

The Honourable C D Keenleyside
(Elected Member for Stanley Constituency)

The Honourable L G Blake OBE JP
(Elected Member for Camp Constituency)

The Honourable J E Cheek
(Elected Member for Stanley Constituency)

The Honourable R M Lee
(Elected Member for Camp Constituency)

The Honourable T J D Miller
(Elected Member for Camp Constituency)

The Honourable Mrs Norma Edwards
(Elected Member for Stanley Constituency)

PERSONS ENTITLED TO ATTEND

The Commander British Forces
(Air Vice-Marshal R J Kemball CBE RAF)

Attorney General
(Mr M C Ll Gaiger)

CLERK: Mr P T King

PRAYERS were said by the Reverend H Bagnall OBE, Rector of Christ Church Cathedral.

ADDRESS BY THE PRESIDENT

Honourable Members,

I count it a privilege and, indeed, a pleasure to be here today presiding over my first meeting of Legislative Council. Although it was not originally planned this way, I am glad that there has been a reasonable interval since my arrival in October before meeting you formally. The passage of exactly eight weeks has enabled me to get to know each one of you here at least a little better, and to acquire a broader and deeper knowledge of the Falkland Islands and their people, of their problems, of their challenges and of their hopes for today and for the future.

I regard myself fortunate indeed, as a newcomer to one of the more interesting posts available to a member of HM Diplomatic Service, to be supported by such an experienced and loyal team of official colleagues drawn from a variety of backgrounds. Each one of them works unselfishly in the interests of this Colony, and I take this opportunity to thank them publicly for doing so. Perhaps at this juncture it would be appropriate for me to wish Bon Voyage and a happy and restful leave to our overworked Attorney General and his wife. I am so glad that he is able to depart for a few weeks having successfully overseen recently the installation of a new Senior Magistrate and a new Crown Solicitor.

I am fortunate also in having as my partner on the military side a distinguished Senior Officer who so clearly combines professional talent of the highest order with a deep and sensitive understanding of this community and its needs. If I may say so, Air Marshal Kemball, you go at times far beyond the mere calls of duty, and perhaps a special campaign medal should be struck for you in recognition of your patient forbearance of lengthy Executive Council Meetings where matters of direct interest to you are so often buried deep within the lengthy, essentially civilian agenda. The quality of military/civilian relationships is, I know, a constant preoccupation of yours as, indeed, it is of mine.

When I came here on my preliminary visit last April, one topic of conversation between my predecessor and myself was the forthcoming election to be held under the new Constitution. As we travelled together throughout the Islands, it was difficult to judge who might offer himself or herself for election. Indeed, Sir Rex Hunt referred publicly to his fear that not enough candidates of the right calibre would come forward. I was deeply relieved, therefore, when I heard after the election that the new Council would be so well balanced between those with previous experience of service in the Legislature and complete newcomers. I congratulate each one of you on your return and am already much impressed by your individual and collective appetite for work in the interests of your constituents. It has certainly not gone unnoticed by me that each of you carries the onerous burden of Membership in this Council on top of the work by which you earn your living.

If I may say so, I hope that in addition to grappling with the short-term, day to day, problems which are the inevitable lot of representatives of the people, there will emerge from this Council a vision of the kind of society that you wish the Falkland Islands

to be in the days ahead and a willingness to make the often painful choices which may need to be made in order to fulfil that vision.

It is not for the modern Governor to prescribe what is good for those to whom he is accredited even though he may hold strong views of his own. Rather it is for him to seek to ensure that the machinery of internal government is correctly balanced, well-maintained and, so far as human, financial, and external constraints will allow, responsive to the wishes of the people as expressed through Councillors, their elected representatives.

I noticed, incidentally, that my predecessor referred in this place last June to those critics who apparently had decried the new Constitution on the grounds that it did not go far enough and left "dictatorial" powers in the hands of the Governor. It is true that the Constitution provides for reserve powers but I suspect that it would be a sad and disappointing day for all of us, not least myself, if they had to be used. But they are there and I believe they provide a most necessary constitutional safeguard at this stage of the Colony's political development.

I was referring before my diversion on the Constitution to the topic of the machinery of government. I have been giving quite a lot of thought to this matter in recent weeks. Final decisions have yet to be taken, and any actual re-shaping of the structure of the central machine may turn out to be so small as to be almost invisible to those on the outside of Government House and the Secretariat. In the spirit of the new Constitution, I see my own principal tasks as being to provide leadership and to foster the climate in which elected representatives and officials can work together constructively, resolving differences in a spirit of understanding and goodwill; of ensuring in the Councils that all views are accorded proper weight; of safeguarding the rights of individuals; and, not least, doing all that I can to ensure that the respective views of the FIG and MMG are known to and understood by the other.

I am anxious that I as Governor should be less directly and subjectively submerged in the conduct of day to day business. This involves some shifting of the weight of such business towards the Chief Executive, the Government Secretary and, I trust, in turn to the functional Government departments. That I can even suggest such steps implies an unreserved vote of confidence on my part in our Chief Executive whose key role I sense is perhaps misunderstood by the public at large but for whose integrity, intellectual grasp of issues and capacity for extremely hard work I have nothing but praise.

The Government machine exists to assist Councillors in the formation of policy and in its execution. But a good machine cannot of itself compensate for the abuse of policies or for bad or inadequate policies. I venture to turn briefly to just two areas of policy which I feel deserve your early attention.

First, I discern an urgent need for a rational housing policy in Stanley. We live on remote islands with slender human resources. If the local economy is to flourish, new immigrants must be attracted; they need to be housed. If people with much needed professional and technical skills are to be attracted and retained, they need to be housed. Last, but certainly not least, the question of how to reduce the lengthy list of Falklanders in need of housing must be addressed. I shall not go into detail here, but let me

make some observations. When I spoke about partnership in my inaugural address, I meant it for real, as the Americans say. The challenge of the need to provide more housing of a type that people can afford provides enormous scope for imagination and partnership between Councillors and the Administration, between the FIG and the FIDC, between public and private funding agencies and, not least, between the FIG and the Overseas Development Administration in London. Dare I say it, private landowners too can play their part by selling voluntarily undeveloped land for housing.

Second, the question of communications within these Islands is a matter which caught my attention as long ago as last April. What sense, I asked myself then, as I waited on a Saturday for a military helicopter, did it make to have an internal air service which did not provide passenger services at weekends? Furthermore I wondered, is there a case for rationalising and making inter-island shipping services more responsive to customers' needs? I have learned that such problems are indeed under review, but I cite them as examples of the types of internal issue to which I hope this year Council will turn its attention with a sense of urgency. You may be sure that you will have my encouragement as you do so.

I end these remarks by turning to the most important issue of all as far as Falkland Islanders are concerned - what I perceive to be their overwhelming desire to remain in association with Britain.

Events in the United Nations just under two weeks ago did not, on the face of it, go our way. Councillors Cheek and Clifton, who once again represented the Falklanders' cause with sincerity and distinction in the United Nations, will no doubt have briefed you on events in New York and on the atmosphere there. It will have escaped no one's attention here, however, that the British Prime Minister, Mrs. Thatcher, and the Foreign Secretary, Sir Geoffrey Howe, have since been as forthright as ever in their expressions of support for this Colony and of the Islanders' rights, under the United Nations Charter and their own Constitution, to determine their own future.

Their reassurances were not the facile reactions of Ministers disappointed by a set back in the United Nations. Rather they reflected that deep sense of commitment which manifests itself visibly here in the shape of the Defence Forces under the command of Air Vice-Marshal Kemball, and also in various efforts being made to strengthen and diversify the economy which are financed by Britain. I trust that such commitments will give you confidence as you seek to do what is necessary to sustain and indeed improve the quality of life for yourselves, for your families and, as Councillors, for every resident of these Islands.

MOTION OF THANKS TO HIS EXCELLENCY ON HIS ADDRESS TO COUNCIL

The Honourable A.T.Blake

Your Excellency, in rising to support this Motion let me first of all welcome both yourself and the other half of the partnership, Mrs. Jewkes, to the Islands, and I hope that your stay is both fruitful, worthwhile and a happy one.

In referring to various points in your speech, Sir, I would also like to wish the Attorney General a pleasant and much deserved leave. He does an enormous amount of work which I am sure most of the people in the Colony are totally unaware of and even if it is combatting some of the comments that I make from time to time about him and his department I am sure that we hope he enjoys himself.

Another of your comments, Sir, about the Military relationships and how things are progressing. I think it is an area we must continue to look after and work very hard to maintain decent levels, and this must spread from the top to the bottom on both sides of the coin as it were.

The new Constitution and the new Council. I think the new Constitution, Sir, will prove itself - as a critic of it in some areas earlier on I think that perhaps you have laid low some of my apprehensions and I am very happy with the make up of Council. I think we have a very well balanced Council and the new Members, I notice, have already flung themselves into the fray with much energy. Long may it last.

I also notice your comments, Sir, on the balance between the Council and the Administration and probably this balance does go even further to include the various departments of the British Government which we have association with and I could not agree with you more; we should really pay more attention to making the partnership work instead of sometimes holding it up. The execution of policy, I notice, which sometimes comes from Council is in the end held up by Council at a later date. I think we must pay more attention and much more consideration to these policies and the way they are carried out.

I have for some years Sir, considered that there has always been a rather large amount of work thrust in front of Councillors, and particularly Camp Councillors at this time of year. It is a particularly busy time of the year for Camp Councillors. I think the hundred-weight of paper which I have received over the last couple of months will be some indication to the new Councillors, Camp Councillors in particular, of what happens and if we as Councillors are able to give our best to the consideration of some very important topics it is no good - in my opinion - thrusting lots of work on top of us when we are actually

right up to our necks as it is. I have for some time thought that we should have a recess around about this time of the year. I have every faith that the Administration could proceed with its functions, at least for a couple of months of the year, without Councillors looking over their shoulders. If they cannot then there is something terribly wrong.

I am very pleased, Sir, that you seem to follow my thoughts and have picked up very quickly two major areas of concern in the Development Programme - that of housing and communications - and I really do think that we are going to have to think very carefully about the distribution of funds that we have for development, with particular note in these two particular areas. I do not want to carry on too long but I think I ought to point out to the public that, with the debates we have attended at the United Nations and with the Motions that are moved in the United Nations, General Assembly Resolutions are only recommendations whereas Security Council Resolutions are mandatory. I would point out to everybody that Resolution 502 was a Resolution passed by the Security Council which should have been carried out by Argentina and that they refused to do so. The recommendations that have been made by the United Nations in respect of the Falkland Islands we have all heard and we have no doubt all considered - I think everybody in the Falkland Islands has listened very avidly to what has gone on in the United Nations and we have heard those recommendations, we have considered those recommendations and we do not consider that we are required, and do not wish to, change our status in any way, state or form. I just wanted to point out that it is a recommendation. It is not mandatory that these things are carried out. Sir, I will not carry on any longer as we have a busy day. I beg to support the Motion.

The Honourable D.L.Clifton

Sir, Rising to support the Motion I would like also to extend a welcome to yourself and Mrs. Jewkes and also to the Commander British Forces as well. I was under the impression that your speech would have been circulated somewhat earlier, Sir, so we would have been able to make some perhaps rather forthright comments on it, but there are one or two items here I would like to bring up to give a little bit of an airing.

I, too, was somewhat concerned that the General Election that we had in October this year only produced four candidates for the Camp Division. I think that is a sad reflection on the people in the Camp generally, that they are not perhaps prepared to put in the effort that is needed to ensure continued existence. It is rather strange that this Council sits with yourself as President, we have two ex-officio members, we have four elected members and four non-elected members.

There are one or two other points. Housing - I fully endorse your sentiments that we must strive very quickly and efficiently to produce a realistic housing programme.

You touched upon communications, Sir, and I do look forward to viewing the Falkland Islands Development Corporation Transport Study. I understand a draft report is now within these Islands and upon that, Sir, I would also endorse your sentiments that inter-Island shipping is not all that it should be. I believe that we can do a lot to pool our resources to make this much more effective, particularly on the air communications side. I wonder in fact if FIGAS had been flying on weekends whether we would have been able to sit at this meeting much earlier today rather than waste half a day of everybody's time. I would also welcome the opportunity this week, as all Members of the Civil Aviation Advisory Committee will be in Stanley, to now meet to decide how we are going to tackle the FIGAS problem.

I would also, if I may, reflect briefly upon the United Nations visit that Councillor Cheek and I undertook in November. For me it was a very new experience and in fact I welcomed that experience in the United Nations more than I do standing here at this microphone today. At least the enemy were clearly visible in the United Nations; here they are not. The Resolution that was eventually passed in the United Nations I consider to be a rather immoral one. I will not go into this at length as an Honourable Member for Camp Division will be putting forward a Motion on future talks with Argentina. The Resolution that was accepted by the United Nations does not endorse Her Majesty's stand regarding these Islands. I think that is something we have to put across more forcefully and clearly to Islanders. Her Majesty's Government are fully behind our case and we should not take too seriously the matter of the Resolution at the United Nations, although we should continue to fight as much as we possibly can to determine our own future. Sir, I beg to support the Motion.

The Honourable C.D. Keenleyside

Sir, in rising to support the Motion I would very much like to welcome both yourself and Mrs. Jewkes to these Islands. I should also like to welcome the Commander British Forces to our Table.

As far as dictatorial attitudes go Sir, I have not noticed this yet. Perhaps it is a hidden facet but one has not yet seen it.

As far as the Constitution goes, my own feelings on this matter are that things are proceeding along the lines certainly that I would wish. I have been happy with the way things have been moving. Being kind of thrown in at the deep end, straight into the higher powers as one may put it, I have found that everybody seems to be constructive, certainly as far as matters of Government Policy

are concerned.

In terms of housing, in your speech I notice you actually put immigrants first. I am afraid this is not necessarily my view. There are many local people here who in my opinion have prior claim to housing in these Islands. There is a balance I agree. There must be some immigration but not at the cost of the local people.

As far as communications go, the air service, I agree that weekend flying is certainly desirable. One aspect that does concern me a little is that we are operating a subsidised service already. I hope that would not really mean we were spreading out the load of passengers over more days and therefore paying more to actually run the service. We need to look at this matter carefully, I think, before we actually consider flying on weekends. I am certainly not against flying at weekends but I do think we need to harbour our monetary resources as well as we can.

The shipping. The present situation we seem to have is one where we have two small, basically non-profit making organisations vying with one another on a very small market. This to me seems to be a rather sad state of affairs. I think perhaps we could do something about bringing things together - all we are succeeding in doing at the moment is pushing the prices up as one tries to make ends meet against the other.

On the United Nations it seems to me very sad that the United Nations seem unable to support a Resolution which includes the rights of self determination of the Falkland Islanders, when this is actually incorporated in their own Charter, and I think it is an unfortunate reflection on the way things have gone in that area. I really cannot think of much more to say on this matter, Sir. I therefore wish to support the Motion.

The Honourable L.G. Blake O.B.E., J.P.

In rising to support the Motion I would also like to join in the welcome to yourself and Mrs. Jewkes. This is a new Council. We have a new Governor and a new Constitution and we have four years ahead of us and I think it must be almost a unique situation. Such a chance. I hope, like you Sir, that we can do more than just keeping the machinery ticking over and making ends meet but plan our future in an orderly and proper fashion.

I would also like to welcome Air Vice-Marshal Kemball and, although he is no longer Military Commissioner, we in no way wish to downgrade his status and we are grateful for his interest and attention in our business. It is this interest in the Islands, I believe, from the top to the bottom which makes the co-operation as effective as it is. I have recently had a chance to witness this co-operation when we put out a strangled call for help at a time when, I understand, they had just started an exercise at BFFT.

I believe also that there might have been other problems that occurred at the same time yet the Civil/Military Liaison Officer rushed in saying 'we have had a cry for help' and within hours we had some servicemen out to help us. I would like to express my thanks publicly to those men and to the 2nd Queens Regiment.

I was heartened by your remarks with regard to housing and I again ask the planners to examine the possibility of erecting shells instead of complete houses and allowing the new residents to turn them into finished dwellings. I believe that this could be far less costly and not only less costly but a far faster way of getting more houses put together than by aiming for finished dwellings.

Also, Sir, I would like to join in your comments with regard to transportation. I would suggest not just inter-Island transportation but also transportation generally. With Mount Pleasant Airport we have a joint act going. It seems odd to me that we, the Islanders' community, basically have cargo needs north and the forces basically have cargo needs south, yet we cannot get our act together. As a community we all have a demand for regular resupply yet we all run our own little boats. The private sector, the Forces and the Government. Really and truly we ought, I believe, with careful study and cooperation, to be able to get our act together to reduce everybody's costs so that instead of one military and two civil boats following each other around the Islands - and they do tend to follow each other around the Islands - we could possibly do it as a joint venture, jointly funded, and improve the service to all.

Sir, I beg to support the Motion.

The Honourable J.E.Cheek

Your Excellency, Honourable Members. In supporting this Motion I, too, would like to start off by welcoming you to this Council, and both yourself and your wife to these Islands.

Starting off with the visit to the United Nations which my colleague has already covered. I was thinking last night of introducing a Motion and trying to get it through this morning, but instead I thought I would make some remarks here. I think it is time that we formally noted our deep appreciation of Sir John Thompson's work and that of his staff in the United Nations - the United Kingdom Mission to the United Nations. I would be grateful if the Clerk of Councils would forward a letter of appreciation to the Mission. I think if it would be possible that letters of appreciation should also go to those countries who voted for the inclusion of the right of self-determination for the Islanders, or tried to vote it into the Motion. I cannot remember the number now but certainly I and my colleague were both very appreciative of that and I believe all Islanders should be - that the Motion did not get through is, I think, immaterial.

You mentioned the building of houses and the hope that some owners of plots, where they are not using those plots, will be willing to sell. I endorse that hope and I would take it a stage further. There are a number of plots where the owners may not sell and they are not using them. In some cases in fact they have derelict buildings on those plots. Some of those buildings are probably now totally unsafe. I know some children tend to play in them and so one of these days someone is going to get hurt. I think we shall seriously have to think of compulsory purchase if those people are not prepared to sell or make good use of those plots.

Just one brief comment on communications, particularly with regard to FIGAS. It worries me a little that there is talk of tourists coming in and those tourists will want to go to just a very small particular number of islands. It worries me that the airstrips will not handle the number of flights by the Islander aircraft. I do not know whether there is a solution or not, but I think we will have to start thinking about this before the problem arises.

Just one last point Sir. I hate to moan about your speech but I must take up one point. I see you refer to us as Falklanders. That was a term introduced by the media in Britain and elsewhere during the Falklands war. I certainly tried to stop it but my voice was not loud enough. I think most of us prefer to be called Falkland Islanders or Kelpers.
Thankyou Sir.

The Honourable R.M.Lee

Your Excellency, Honourable Members. In rising to support the Motion I would like also to endorse the remarks made by Councillors welcoming you to this, our first meeting of Legislative Council.

As I am the only Camp Member without previous experience on Legislative Council I feel I should maintain a low profile at this meeting. Also having just learnt that I was not even properly elected according to the Honourable Mr. Clifton makes me think I should curtail my remarks at this stage.

I found your speech most interesting and very encouraging. You ended your speech with remarks about the Argentine problem. I would like to begin my few words talking about the Argentines. I was disappointed also by the vote at the United Nations but personally I think that the reason they got so much support is that the countries around them are giving the Argentines the benefit of the doubt at the moment. They are starting off with a new democracy, or so called, and I think countries around them are saying well let us give them the benefit of the doubt at this stage. That is my theory. But I wonder how democratic they really are because I read both Alec Bett's and Susan Coutt's speeches

at the United Nations. I do not know Susan Coutts very well but I certainly know Alec Betts. I'm convinced he did not write his speech. It was written for him. I just know that Alec would not express himself in that manner.

I agree also with remarks that have been made about FIGAS. I am pleased to hear that people are ready to tackle this problem. It has been a problem now for many years. We are just about to receive a third aircraft so now is the time to tackle the problem in my opinion.

Just a few other things that I feel strongly about. One of my main grouses listening to Council speeches over the years has been that the Falkland Islands main industry is agriculture and quite often you will get right around the Table and you will not hear the word farming mentioned. I always consider this to be rather sad. Not that I have a lot to say about Agriculture at this stage.

I would like to talk briefly about sub-division - the way it is going. I think there is a demand for more small farms and I support the idea of small farms. Government should however be very careful to make sure that supply is not outstripped by demand. I think we should be encouraging people to sell more land, because there is no doubt at the moment that there is a demand for more subdivisions. Having said that I strongly believe that not all farms should be subdivided. Some of the major farms should be left. They should change their ways, their system of management, perhaps even considering selling-off houses and small plots of land but, in the main, I think that we need some large farms in the Falklands and I do not support the view that all farms should be subdivided.

Fox Bay Village. I have special interests in Fox Bay Village and I would just like to comment that I think Fox Bay Village is developing but it is developing very slowly and it is having an awful lot of problems. It is very important to everyone on West Falkland that Fox Bay Village succeeds. Government could do more to help it and I hope they will in future.

Radio communications. I know the Honourable Tim Miller has special responsibilities in this area but I would like to make a comment here. I do not consider we are doing enough to improve radio communications within the Islands. I know we are waiting for yet another report, but have been waiting for what seems years for reports and something to be done. In the interim we should set aside some money and buy a number of VHF repeaters and have them stationed around the islands. It is not the long term answer but we desperately need better radio communications in the Falklands. Campers are criticised for not taking great interest in the business of Government. I believe strongly that one of the problems is that it is so difficult to contact your elected member and this is one of the reasons why people do not. If you do, it is very public and very difficult. Stanley have four elected

members - they can phone them up practically twenty-four hours a day. It is not the case in the camp I am afraid.

I am very keen on tourism. I think it has got a very viable future in the Falklands. I was very pleased to see the recent visit of the tourist operators. I was involved in that and I thought their favourable comments were most encouraging. Only one comment I would have in relation to tourism is that when we look around Stanley there is still a lot of very untidy property we have to do something about. If we are going to encourage tourism then the need to improve those properties and tidy them up is even greater. I support anybody that wants to see Stanley tidied up.

As has already been said we are very short of time today so I will conclude by supporting the Motion.

The Honourable T.J.D. Miller

Your Excellency, in supporting this Motion I, too, welcome yourself and Mrs. Jewkes to the Islands.

I wish to refer first of all to the political scene which you mentioned, both external and internal. Recently, as others have said, we have had the annual round at the United Nations. I would like to thank our two representatives for putting our case so well there, even if it does fall on some deaf ears. It is nevertheless important that we maintain that presence and thus show that we, the Islanders, are involved and it is our future at stake and not just an argument between Britain and Argentina. Having said that I agree, as has been said by other Councillors, I am not vitally worried when the votes go against us. United Nations General Assembly Motions are not binding on anybody and regarding the Falklands the only vote that really matters to us is the British one. And the United Nations General Assembly was aptly described a few years ago by the then American Ambassador, Daniel Moynihan, as a multi-storied, glass-sided menagerie and sometimes one thinks that that is not far from the truth. I refer to the British vote as the important one and that is where we are not doing sufficient canvassing of opinion. The pro-Argentine lobby have had it mostly their way in Britain as regards publicity since 1982 and our point of view appears to be rarely heard. I spent five months in Britain in 1983 and two months earlier this year, and I was convinced that the majority of the ordinary British public think that the dispute can be settled by talking sovereignty to Argentina and compromising somewhere, because that is the message put across by the pro-Argentine groups and the media. The average person there does not realise that what Argentina means and has always meant, as we all so well know, by sovereignty talks is her claim and when will it be accepted and when will she get the Islands. The majority in Britain think that we Islanders are also in receipt of millions of

pounds of their taxes; that we are just rolling in money and it is coming out of our ears and that we are all very well off. That is the impression that is put about. They do not really know the facts, that most of the defence costs of men and equipment would otherwise be spent in Germany, Ireland or where ever else the forces were stationed. Once the capital costs of building projects are completed out here, as far as I can see, the actual real cost charged to the Falklands is really only the transportation of the servicemen and their stores and materials to and from the Islands. Regarding the £31 m development grant, the ordinary man in the street in Britain thinks that this has all come straight into the Falklands. He does not know that about half of that money is actually being paid to British Civil Servants and expatriate staff and U.K. based firms and workers who are producing goods and materials sent to the Falklands, which count as British exports. In fact probably about half of that money actually comes in a cash form to the Falkland Islands Government or the Development Corporation. It is in Britain where we need to concentrate our efforts more on getting our message and the facts across because at the end of the day it is the British people and the British Parliament who may decide our future.

Looking at the internal scene I have for sometime favoured the idea of finding a suitable way to get away from the traditional Colonial status and having more visible control of our own internal affairs. A British Falklands yes, but a Falklands governed by the Falkland Islanders where self determination is practiced as well as claimed. Something probably based on the Isle of Man or Channel Islands type status, but obviously adapted to our size and resources and practical means. As the Chief Executive is aware, I have recently been carrying out an opinion poll by questionnaire of 100 camp voters, men and women from all jobs and back grounds. Whilst not complete the results to date show a 75% majority in favour of a gradual move towards some form of internal self-Government. It is most encouraging and I hope the remaining poll forms will soon be returned to me. I look forward to studying the options and carrying the general concept forward and would be most interested to hear how Councillors view this concept.

I believe it can be done gradually. Obviously it is not a step one takes overnight. I believe it can be done in a way to suit us if we have the will to achieve it.

Turning to agriculture and land reform. The process of gradual subdivision adopted by the previous Falkland Islands Government appears to have ground to a halt and an urgent injection is needed to get it moving again. Let me make it clear that I do not advocate the immediate carve up of all large, Company farms into family units. A far more resolute and positive approach is needed. I am glad to see that some farms of 5000 plus sheep have emerged from recent subdivisions and we are getting away from the concept of everybody just having a three thousand sheep, family farm. Land and its practical management varies and I see nothing wrong with new farms appearing with anything between three to eight, or even ten thousand sheep coming out of larger estates according to the land and the

practical considerations of subdividing it. The larger units will obviously need one or two employees which would help to fill the gap for those who like to work on a farm but are not actually interested in owning or renting a property of their own. In the past I feel we have taken the wrong line with estates containing a fair proportion of mountain country normally used as summer grazing. We have tried to make such land into an individual farm and then said to somebody, there is your farm go and get on with it. I would ask what is wrong with following the policy of thousands of successful hill farmers in Britain and leaving a mountain section as common grazing, so long as it is properly controlled, with those farms whose boundaries come onto the area having a fixed and controlled allocation as summer grazing rights on the hill. Properly set up I am sure the system would work. Referring again to my opinion poll. Results so far show that 80% of those questioned want to either own or rent a farm of their own. 70% feel that, irrespective of the principle of sub-division, we cannot afford to carry on indefinitely with such a high proportion of our Islands owned by landlords and shareholders who live at the other end of the world. One does not mind overseas businesses owning factory premises, fish plants or oil refineries or whatever may come along in the future but land in large amounts is a different thing altogether. Particularly when it is such a large proportion of the Islands total area. I feel we can hardly claim self determination for our Islands when we actually own only half of them, if we are lucky.

Looking at some of the other local issues I would like to add to the remarks made about the state of Camp communications. This features top of the list in my opinion poll. The present R./T. service is very overloaded, in my opinion. The Stanley operator does a first class job and I just do not know how she copes with R./T. calls, two-metre calls and the phone going all at the same time. Ten years ago there were about thirty users of the Radio Telephone service; today the number of sets must have at least doubled. Many thousands of pounds have been collected by the Government over the years in two-metre band licences and very little has been provided in return. I agree with my colleague from the Camp that this is an area which needs urgent attention. It is proven that VHF two-metres work around the Islands and one, or possibly two at the most, repeaters would probably cover the whole of the Falklands allowing person to person contact much easier, more reliable at night and thus relieving a lot of the workload of the radio telephone service.

On FIGAS, the condition of some camp airstrips gives me rise for concern. Some farms have made or are making improvements recommended by FIGAS, some of the very small farms obviously have man power and machinery problems. I am sure that FIGAS will do all they can to help them out with practical alternatives here, but one or two farms appear to have done virtually nothing to improve their airstrips to follow up recommendations suggested by FIGAS.

I would say to those farms that, faced with the ever rising, spare parts bill and ever rising cost of overhauls to damaged aircraft, you cannot rule out the possibility that the day may come when FIGAS will have to withdraw their services from your airstrip because it is getting in to such a poor state that it is too dangerous for the aircraft to carry on using it.

I would also support Your Excellency's remarks on housing. I believe that this is a problem which we must tackle urgently if we are to carry on developing in the way that we want.

There are an awful lot of other points that I would like to talk about but most of them are well covered in some of the Motions we have coming up before us later in the day. Sir, I support the Motion.

The Honourable Mrs. Norma Edwards

Your Excellency, in rising to support the Motion I, too, would like to add my best wishes to yourself and Mrs. Jewkes for your appointment in the Islands, and best wishes also for a good leave to the Attorney General and his wife. Speaking after all of these worthy gentlemen - I think they have brought up most of the points that I feel strongly about. But I would just like to say that I welcome very much your comments on reshaping the machinery of Government; I think it badly needs it here at the moment.

The Public Works Department takes a lot of beating. Much maligned are the Public Works Department because I think, they work under very difficult circumstances. I would certainly like to see some form of overtime for essential workers, such as the power workers and the water department, brought into force because they are bogged down at the moment with extra work. Time off in lieu of extra work done seems a crazy way of running the department in my opinion.

Housing. I agree entirely that we desperately need housing in Stanley, but I would point out that when we talk about the compulsory purchase of land which is now to waste in Stanley, which would be good housing land, we have to realise that Government itself owns a lot of land. This, I think, should be put on the market first for sale to individuals for house buildings plots. Falkland Islanders are well used to building their own houses and I think that if we sold Government plots with a view to the Clanwood type house being used here in the future, this should be done before we start any take-over bids regarding private land in Stanley, other than Estate Louis Williams. I would support taking that over now.

The United Nations vote. I know it is important that we have Britain on our side but I would like to point out that it is important also, when the vote goes against us, as it does in the United Nations, because of the bad pub-

licity it generates, that we have a far better public relations set-up to work on our behalf; not just in the United Nations but in Britain in particular. We hear the Argentinian point of view put constantly but we very rarely hear our points put forward from Falkland Islanders and I would like to see some kind of communication set up where we can make our points heard quickly and effectively if need be.

FIGAS. Hopefully next year will be better organised. I think it is very sad that it is the only air service I know of which always takes its aircraft out of service to service them. Perhaps, again, we need to look at overtime rates for the men to work at nights to service the aircraft and therefore keep them running, rather than losing the hours.

I would like to briefly comment on Tourism. While I agree it is wonderful to have tourism here I would just reiterate that, in Stanley, we still have no public toilets which are open constantly. I think that on Sunday it deserved a band and a march past when I saw the public toilets in the gymnasium were opened for the day! Congratulations. Please let us have a public toilet, a permanent public toilet at least sometime in the near future.

I can think of no other matters I would like to raise at the moment so I support the Motion Sir.

The Honourable the Financial Secretary

Your Excellency, I would like to endorse the welcome extended to yourself and Mrs. Jewkes and also to Air Vice-Marshal Kemball. I must say, thinking about the Military, how marvelous it was on Sunday to see the Royal Marine Band present and how smart the Royal Marines looked as they were marching through Stanley.

I noted a number of points to take up but most of them were critical of Government and as I am part of the Government Machine I had better refrain from mentioning them here.

I would also like to extend a very warm welcome to the new members of this Council. I am particularly pleased to have an old member of my staff working with me as the Councillor taking a special interest in Finance. I do not know why he left us as I am sure it is his bent and I am so pleased to have him with us.

I also welcome back some old sparring partners and I look forward to the days ahead because we have quite a number of wide ranging financial measures to consider during the course of this Council, particularly this next budget session, Mr. Harry Ritchie, our Financial Advisor, was here and has left me with a mountain of paper to consider and which I will be spoiling the Attorney General's well-earned leave with because much of it will be discussed by him during his leave, in Britain, before it comes to members of Council.

I support the Motion.

The Honourable the Chief Executive

Your Excellency, Honourable Members. First of all may I add to the formal greeting which I gave to Your Excellency and to Mrs. Jewkes at your swearing in. It seems a long time since that October morning when you were sworn in. Nothing, I suppose, makes a Governor seem more established and gubernatorial in the Falkland Islands than to participate in that most important event in Falklands history and tradition, the Battle Day ceremony on the 8th December. As you said at that very pleasant event in the Town Hall on Sunday, you feel you have arrived. Today, too, is a historical event, the first full business meeting of this House under the new Constitution. I am sure that I speak for all Honourable Members in saying to Your Excellency 'welcome to the club'.

May I, on my own behalf, also say a welcome to all those new Honourable Members taking their seats for the first time today, the new Honourable Members for Stanley, Mr. Clifton, Mr. Keenleyside and Mrs. Edwards, and the new Honourable Member for Camp Mr. Lee. May I congratulate them on their maiden speeches which they made without the benefit of a foresight of your speech which I have had. May I say also welcome back to the Honourable Member for Stanley Mr. Cheek, and the Honourable Members for the Camp, Messrs Tim and Tony Blake and Mr. Miller. It is surely only the right and proper too, to congratulate the learned Attorney General on having, as it were, legitimised his status within the new constitution and, whilst offering condolences to the gallant Commander of the British Forces on the removal of the commissionership held by his predecessors, to say how very much we value his continued participation in the proceedings of this House. That leaves only the Honourable the Financial Secretary and the Clerk of Councils and the Chaplain, the Reverend Bagnall. The Honourable the Financial Secretary's very presence is a reassurance that although we shall move ahead, we shall hasten, if not slowly, at least with due financial prudence. And the presence of Mr. King that we shall move in an orderly fashion and whatever we say, however foolish, will be faithfully and accurately recorded. The presence of the Chaplain reminds us of the moral frame work within which any Government must operate and perhaps makes us restrain our language as well.

Now Your Excellency and Honourable Members who have spoken before me have rightly drawn our attention to two very serious and seemingly intractable problems with which this Honourable House and the new Executive Council has to deal - housing and communications. As most Honourable Members will know, I was recently made aware in tangible fashion of the importance which we must attach to housing. I was tempted at the time to say that charity, and faith perhaps too, begins at home. What I would say more seriously now is that housing provision is probably the most critical development problem with which we have to deal simply because so much other development depends on it. Unless the Falklands can house the people it needs, to make the economy grow, unless the Falklands can house the immigrants who must come if the population is to increase significantly, much of the effort and

resources which has gone into creating new activities in the past two years will have been wasted. Virtually every new thing of any significance which we do means more people to make it work, whether it be fisheries or market gardening or tourism and that means more houses and, as the Honourable Member for Stanley, Mr. Keenleyside, has correctly emphasised, we are not just talking about houses for the newcomers but only the economic growth which newcomers will bring, can ultimately create the wealth which will enable all our people to be better housed and to have the quality of life which we want for them.

Now Honourable Members speeches today, their questions later on and one Motion reflect their concern at various problems to be faced and decisions to be taken over communications, in particular inter-Island communications. Something like 25% of all the questions asked relate to communications, I see, in some shape or form. I am delighted to confirm the Falkland Islands Development Corporation have indeed just received the first draft of the study on sea, air and land internal communications, done recently by Mr. Prynne of Halcrow Fox and Associates who are specialists in this field. I glanced at it and my guess is that it will provide a great deal of food for thought which I hope Falkland Islands Development Corporation will digest and pass to the Falkland Islands Government as soon as they can. This must, I think, as Honourable Members have underlined, be a major area for decision-making in 1986. Again, like housing, it is critical to development, especially to agricultural development as the Honourable Member for Camp Mr. Lee, has underlined. Our success or failure in dealing with housing and communications could well be the touchstone by which our performance as a Government in developing the Islands is judged.

Now, talking of questions, there is nothing I suppose which concentrates the mind of a Chief Executive quite so much as having to sit down and think about what he is going to say in answer to seventeen oral questions. It would have been nineteen, I understand, if the Honourable Member for Camp, Mr. Tim Blake, had made his intentions clear. I certainly do not enjoy it, Your Excellency, but it certainly makes me think - whether in fact eight Honourable Members should be allowed three Oral questions each! But that apart, it makes me very keenly aware of those concerns which people have and which they believe Government can do something about. In the questions which Honourable Members have put, I already detect in the new Council a very strong desire to deal with problems, to sort them out and to find solutions, and an impatience that some of them have not been dealt with long ago. Some of my answers will serve to underline the complexity of some situations, indeed almost everything in the Falklands seems almost disproportionately complex in relation to the size of the place and, as I have said before, the room for manoeuvre is sometimes much less than the public believe. All my answers will, I hope, indicate a sensitivity to the concerns which underline the question and determination that we should together find the right

solutions to the issues which it raises.

I am most grateful, Your Excellency, indeed I am very touched by your expression of confidence in myself. I shall do everything I can to justify it.

I am delighted also, if I may say, at the management philosophy, if I may so describe it, which you have expressed in your thoughts about the machinery of Government. I have always believed very firmly in the philosophy that decisions should be taken at the lowest possible level, not at the highest. The lower you go in a management situation, and that is what Government is, the more likely you are to find someone who really knows what the practical problems are in doing something one way or another. And the more opportunity you give the people at the lower levels of management to make decisions, the more they are likely to gain satisfaction from their job and to develop their own capacities to the full. Now that is not, Your Excellency, an easy philosophy in a community of this size with a legacy of dependence on the "big house" in the settlement in the Camp, and the "big house" with the Union Jack outside in Stanley, and I realise too that some civil servants at least feel that they are not being paid what they should be for those responsibilities which they exercise now. I am convinced, however, that this is the way to produce responsive, efficient, unbureaucratic government.

Your Excellency did not refer to the subject of the fisheries zone and we shall in any case be debating that subject in due course so I will not dwell on it here. I should simply like to say in conclusion that, just as our success or failure here in dealing with housing and communications may be regarded as a touch-stone for judging our performance as a Government, so I believe would a satisfactory resolution of the offshore fisheries situation be regarded by Islanders as of enormous significance in terms of their relationship with Her Majesty's Government, and go a great way to underpinning the confidence which they already have in Her Majesty's Government's commitment to the Islands. I thank you for your address, Your Excellency, and I look forward very much to the remainder of this session under your presidency and to our partnership with you in it. Thank you.

The Commander British Forces

Your Excellency, Honourable Members. It had not originally been my intention to speak to this Motion. I do so now, not because I believe that anyone can be in any doubt that I support the Motion after your extremely kind words in your opening address and also the kind words that have been spoken around the Table, but mainly because it would not be churlish to rise and thank you all for those expressions of support. I hope that my pre-occupation, and yours, with civilian and military affairs will bring positive results, and I would like to go on to say that, although stripped of the appointment of Military Commissioner, I am very pleased to be in the Islands and associated with you at this critical stage of your development and to say that although

the title has gone I feel my position is more than protected in the current Constitution. So I feel at ease to deal with you and in no way put out by the lost title. I am particularly keen as we work together over the next few years to ensure that, taking due regard of the Ministry of Defence's accounting officers sensitivities over the proper application of monies voted for defence purposes, we can actually develop arrangements within the Islands for the long-term support of the Military which will be both M.O.D's financial advantage and also to the advantage of the Islands' economy. I think that is an area in which I can make most positive contribution to the future of the Islands. On that note, although not possessing a vote in this body, I would just beg leave to encourage Councillors to support the Motion.

The President

I thank Honourable Members for their contributions and for their very kind words of thanks.

PAPERS LAID ON THE TABLE BY THE HONOURABLE
THE CHIEF EXECUTIVE

Copies of subsidiary legislation made or approved by the Governor in Council since the 26th June 1985.

QUESTIONS FOR ORAL ANSWER.

QUESTION NO. 7 of 1985 by the Honourable J.E.Cheek.

Will the Honourable the Chief Executive please give details of the price paid for the new one megawatt generators installed at the power station, the price of the 1.25 megawatt generators from the same supplier, and the criteria used in choosing the equipment.

The Honourable the Chief Executive

Your Excellency, the price paid for the two new 1 megawatt, APE/Allen generators installed at the power station was £496,112. This was the price in the tender document in early 1984. That is for two APE/Allen, 1 megawatt generators. The alternative that was also considered when the new power station was built, was two 1.5 megawatt, APE/Allen generators. My advice, Your Excellency, is that though documents mentioned the 1.3 megawatt generators and although the Honourable Member asked for a comparison of 1.25 generators these sizes were not actually seriously considered. The only figure I have for two 1.5 megawatt generators is a 1983 quotation from APE/Allen which was for £624,437. That obviously cannot be quite directly compared with a figure which I quoted for the two 1 megawatt APE/Allen generators which, as I have said, is from the 1984 tender document. The criteria used for choosing the APE/Allen equipment were, it appeared in calculations to be the most efficient and cost effective compared with other makes. APE/Allen sets were already in use in the Power Station and there was then user familiarity.

QUESTION NO. 8 of 1985 by the Honourable J.E.Cheek.

Would the Honourable the Chief Executive please indicate if funds of an equal amount are available to parents of children suitably qualified to attend the F.I.G. approved sixth form college in the United Kingdom, / those parents who wish their children to attend alternative schools ? /but where

The Honourable the Chief Executive

Your Excellency, as former Chairman of the Education Committee the Honourable Member for Stanley, Mr.Cheek, at least he is the former chairman until we propose him to continue as Chairman later today, I am sure he understands that this is another not entirely uncomplicated matter. And I would beg the indulgence of the House if I could just explain the background to this question for the benefit of those not so well informed as the Honourable Member. First of all it is necessary for the Falkland Islands children who are unable to progress to 'A' levels to go to school in the United Kingdom and, normally, the school to which those children go has been the Thomas Peacock School in Rye. Tuition is free at this school. The other costs amount to some £3,900 per annum, and these are funded out of the £31m by the Overseas Development Administration and administered on their behalf by the British Council. Recently consideration has also been given to changing to a different school, the Peter Symonds College at Winchester where the costs are likely to be the same. In addition, the Education Committee has considered the question raised by the Honourable Member as to whether parents who have children capable of benefiting from 'A' level education, should not be permitted to send them to a school of their own choosing and, where this a fee paying school, to pay the difference between the £3,900 or so provided by the Overseas Development Administration and the total cost of education at that school. The Education Committee is firmly of the view that this should be permitted. It would of course have to be within the total funding permitted for one year but in any case it is generally true that the Overseas Development Administration have funds available for as many 'A' level candidates in a year as the Falkland Islands are able to produce. The child concerned would also have to meet the minimum criteria for continuing on to 'A' level education which is, generally speaking I understand, five or more 'O' level passes at Grade C, or better. Now, the Superintendent of Education wrote to the Overseas Development Administration on these lines in August and had discussions with the education advisors on this subject when he was on leave in the United Kingdom in October. The educational advisors have considerable reservations about children attending schools of their parents choosing. They take the view that it is desirable psychologically for Falkland Islands children to be together in one school - that they are less likely to be homesick or have problems of adjustment if there are a number of them together. They also appear to be concerned at the administrative costs of the British Council staff, who, I understand, visit the school to see how the children are getting on. Perhaps having to visit several schools rather than one. The Education Committee do not

except these arguments and the Falkland Islands Government will continue to press the Overseas Development Administration to change their view in the interests of there being the greatest possible parental choice.

QUESTION NO. 9 of 1985 by the Honourable J.E.Cheek.

Would the Honourable the Chief Executive please give details of the current situation regarding the new Hospital and with particular regard to the completion of a formal contract, anticipated costs and completion date or ready for service date ? Thank you Sir.

The Honourable the Chief Executive

Your Excellency, as can be seen work has now begun on site for construction of the new Hospital. The construction contract was awarded to Fairclough-Miller, Joint Venture, and the detailed design work and site supervision is in the hands of the Building Design Partnership. The project also includes additional housing and, of course, sheltered accommodation for the elderly. The overall cost of the project is expected to be £11.3m. Of this the Overseas Development Administration has contributed £6.1m, the Ministry of Defence has contributed £4.1m. - a total of £10.2m. from British Government sources. Mr. Jack Hayward has generously added £1m which will be specifically for the sheltered housing. The states of Guernsey have donated £100,000 which will also be used for sheltered housing. The project is scheduled for completion in January 1987 and the hospital is expected to be ready for patients at the end of March 1987.

QUESTION NO 10. of 1985 by the Honourable C.D.Keenleyside.

What plans does Government have for the Hostel complex presently occupied by the British Forces when the building is vacated as a result of the Military move to Mount Pleasant ?

The Honourable the Chief Executive

Your Excellency, as yet Government has no settled plans for H.Q. B.F.F.I., the hostel complex presently occupied by the British Forces, and Government does not yet know precisely when the building will be released by the Military for civilian use. We have been advised that this could be any time between late 1986 and early 1987. There are a number of possible uses and the most obvious of which is some form of housing. It will be for Executive Council to consider the question and decide.

QUESTION NO. 11 of 1985 by the Honourable C.D.Keenleyside.

What provision has Government made for a Fire Station to accommodate the new fire engine at present parked outside the Old Power Station?

The Honourable the Chief Executive

Your Excellency, the Falkland Islands Government is very conscious of the need for a new fire station. It was one of the recommendations both of the hospital fire commission report and before that of the Davis Report in 1977. A fire station is an item under proposed development expenditure in the current estimates. However the token sums of money set aside reflect the fact that there is no site which is suitable. One that has easy access to all parts of the town in all weathers, and which is available has yet to be established. I entirely agree with the implication of the question which is that the Falkland Islands Government should give the matter a high priority. It is a task which could be impressed on the new Superintendent of Fire Services when he returns from his training in the United Kingdom.

QUESTION NO. 12 of 1985 by the Honourable C.D.Keenleyside.

Can Government indicate when a house building programme financed by Government is likely to commence ?

The Honourable the Chief Executive

Your Excellency, as the Honourable Member for Stanley, Mr. Keenleyside, is aware from his membership of Executive Council, the Falkland Islands Government has been considering a way ahead on housing recently, both with a great sense of urgency and with great concern to reach a correct decision which makes the very best uses of the resources available. And with the indulgence of the House, under Your Excellency, I would give a rather longish answer on this subject because of the concern which I know Members and indeed the electorate feel about this subject. Indeed it is more of a statement than an answer.

There are currently over a hundred names on the Stanley Housing Committee's Housing list. The rehabilitation build of 54 Brewster houses was expected to make substantial inroads into Stanley's housing needs but it is quite clear that it is nothing like enough. In particular, it is not enough to house the newcomers, whether specialists to run development projects or general immigrants to the Islands so desperately needed if we are to develop, let alone the local people. It is also transparently clear that for the foreseeable future the Falkland Islands Government cannot either in terms of financial or human resources provide additional houses on a scale required to satisfy all housing needs. People cannot go on looking to the Falkland Islands

Government to cater entirely for the Stanley housing needs. It simply cannot do it and the quicker people realise it the better. Modest increases in housing provision will result from the hospital build which includes several two bedroomed houses and sheltered housing for 15 elderly people. In due course H.Q. B.F.F.I. could, as I have said in a previous answer, be available to provide some sort of housing as could the Brewster Hospital. A few houses presently occupied by the Military will also eventually become available. All this will be of some help. The Falkland Islands Government may also wish to consider purchasing some more mobile homes. However, that is clearly not enough. There is £1.5m available for housing from the £31m. The Falkland Islands Government should simply ask the Overseas Development Administration to use this money to arrange another Brewster-type build. This would produce houses quickly but at great expense since it would have to rely on expatriate labour as well as of course, imported raw materials. It would indeed increase the housing stock but on a once and for all basis. It would also burden the Public Works Department with a liability for maintenance beyond their capacities, as has happened with the Brewster Houses. A better way ahead now under discussion with the Overseas Development Administration is one which combines resources of the Falkland Islands Government, the Falkland Islands Development Corporation and those of private entrepreneurs in the shape of Clanwood Falklands Limited, a subsidiary of Clanwood Components Limited of Dundee, Scotland. Under this scheme Clanwood form a local subsidiary with F.I.D.C. assistance to build houses and other Clanwood Kit buildings, hotels and shops for example. Falkland Islands Development Corporation funds a commercial property development company with a capital of £750,000 to commission the building of houses. Using the £1.5m available the Falkland Islands Government provide the land and clear service sites on which the house building can take place. Using the same allocation the Falkland Islands Government also purchase such houses as they wish to afford from the Property Development Company. Private owners can also commission houses or build their own with Clanwood kits or other kits on the sites provided. This will create in the Islands a continuing commercial building and maintenance facility which is certainly expected to have the capacity to build the houses needed for development purposes and maintain them provided that the Falkland Islands Government can make available the land and the services. I should emphasise that this is still under discussion with the Overseas Development Administration who are ultimately both the providers of the £750,000 to the Property Development Company and also for the providers of the £1.5m general housing aid allocation. I should also, I think, emphasise again that this will not produce houses on a scale to satisfy those who believe the Falkland Islands Government should house everyone. It should enable Stanley to house more of those people of whom the future so much depends and who will ultimately create the prosperity from which all will benefit.

The Honourable A.T. Blake

I wonder if the Chief Executive would mind explaining whether he has a breakdown of those 100 people who are on the list or would he be able to supply a breakdown in respect of whether any of those people on that list already own property in Stanley which is either occupied by somebody else, or is unoccupied, or whether they have recently sold a house in Stanley and are now applying for a house, a government house ?

The Honourable The Chief Executive

Your Excellency, there is in fact a detailed list of those people requiring houses in Stanley and details of them. I am not absolutely sure whether that information would be precisely available from that list but this is certainly something we could look at and which I would be very pleased to discuss with the Honourable Member for Camp, Mr. Blake.

The Honourable A.T. Blake

I thank the Honourable the Chief Executive for that and I would like to see that list if possible. You also mention, Sir, in your reply, mobile homes and I have had quite a number of people express to me their concern about the haphazard way in which these are being planted around town. Is there any consideration being given to a centralised place for putting mobile homes ?

The Honourable the Chief Executive

I am most grateful, Your Excellency, to the Honourable Member for Camp, Mr. Blake, for mentioning that question because I did not, I think, cover it in my answer full though it was. Certainly it is the view of the Falkland Islands Government that there should also be a site set aside for mobile homes and we are in the process of identifying such a site.

QUESTION NO. 13 of 1985 by the Honourable Mrs. Norma Edwards

We have been assured by Her Majesty's Government that they are not being dilatory in establishing an exclusive fishing zone around the Falkland Islands. Can we therefore enquire, having regard to the disagreement of Russia, expressed during 1982 conflict, to United Kingdom involvement in the South Atlantic, whether that country has been approached concerning participation in a possible multi-lateral fishing agreement for the South Atlantic ?

The Honourable the Chief Executive

Your Excellency, I of course share the Honourable Member for Stanley, Mrs. Edwards' concern that the matter of the

F.A.O.'s multilateral initiative on fishing should be pursued with all speed. Her Majesty's Government has, I am advised, been in contact with all the Governments whose vessels are currently fishing in Falklands waters and this, of course, includes the Russians. Her Majesty's Government has impressed on all these Governments the importance which it attaches to the FAO's initiative and the need for a multilateral based fisheries conservation and management regime.

QUESTION NO. 14 of 1985 by the Honourable Mrs. Norma Edwards

Does Government intend to enforce Section 3(h) and 4(b) of the Fisheries Ordinance which empower the Government to control and impose licence fees on the transshipment of fish in our territorial waters in order to supplement the revenues of the Colony ?

The Honourable the Chief Executive

Your Excellency, the law certainly empowers the Falkland Islands Government to control the transshipment and export of fish in our territorial waters and to charge fees for licencing the export of transhipped fish. I agree also that, in principle, it is desirable for the Falkland Islands Government to take reasonable opportunity to increase its revenue by every appropriate means. Indeed as the Honourable Member for Stanley, Mrs. Edwards may be aware Harbour dues were increased in the last budget by 15%, being estimated to produce I think £650,000 in 1985/86 as against £491,000 in 1984/85. However, it is not quite as easy as it looks. There is first of all the general principle that we must not pitch the revenue which we demand from the fleets to a point where they no longer use Berkley Sound. There are already cases of Fishing Fleets transferring their catches at sea just outside the 3-mile limit. Secondly, if we are talking about transshipment charges this would not necessarily be that easy to administer because it could require considerable strengthening of the Customs and Harbour Departments. Having said all that, I believe that the Honourable Member is right to prod the Government over this issue, and I will undertake to examine it again at a very early stage, in particular considering in consultation with the Honourable the Financial Secretary and the Harbour Master whether there might not be a case for changes in Harbour Dues.

The Honourable L.G. Blake OBE, JP

Your Excellency, I note with interest the Chief Executive's mention of the three mile limit. A number of months ago it was under discussion that the territorial waters should be extended by a limit between points, I am not quite sure what the appropriate term is. Can he assure Council that this limit has been enforced ?

The Honourable the Chief Executive

Your Excellency, I know that there was a discussion. There was consideration given to the possibility of there being a 12-mile limit. I was not aware of the other discussion to which the Honourable Member for Camp, Mr. Tim Blake, refers.

The Honourable L.G.Blake OBE,JP

I think perhaps the Attorney General could help us in the definition.

The Attorney General

Yes, I know that there was talk of using the bay closing line system where you increase your territorial waters by measuring from closed lines across the bays. This, of course, is a matter for Her Majesty's Government and, as far as I'm aware they have not issued an Order in Council to do that.

QUESTION NO 15 of 1985 by the Honourable Mrs.N.Edwards

Having regard to the recent rise in cost of living, is it Government's intention to improve the standard of the Old Age Pensioners by a) reviewing the Old Age Pensions with a view to making a substantial increases and b) offering concessions to old age pensioners in the provision of public utilities. That is with regard to internal air services, fuel and electricity ?

The Honourable The Financial Secretary.

Your Excellency, consideration will be given to reviewing old age pensions at the time the 1986/87 budget is prepared. I am unable to advise you of figures at this stage, but I can assure you that Government will give careful consideration to improving pensions substantially. Offering concessions to Old Age Pensioners could be difficult, especially relating to fuel and electricity charges. However, Government will study this proposal and in particular consider concessionary air fares for pensioners.

QUESTION NO. 16 of 1985 by the Honourable R.N.LEE

Does Government support the idea of a vehicle ferry between east and west Falklands ? If so, what is being done about it?

The Honourable the Chief Executive

Your Excellency, I know that the Honourable Member for Camp, Mr. R.M.Lee, has very great enthusiasm for this

idea and the previous Executive Council was also enthusiastic, in principle, for it but I must ask him to exercise a little patience before I can tell him whether or not it finally has Government support. This is because, as was mentioned this morning, F.I.D.C. and then the Falkland Islands Government need to study the plan for the coordinated development of inter-island transport which has recently been sent to the islands by Halcrow Fox & Associates and I would not wish, at this stage, to anticipate what the Falkland Islands Government may decide as a result of their study of that plan.

QUESTION NO. 17 of 1985 by the Honourable R.M.Lee

Can people in Camp expect regular weekend flying as soon as the third Islander arrives in the Colony ?

The Honourable the Chief Executive

Your Excellency, unfortunately I cannot promise that there will be regular, scheduled weekend flying as soon as the third Islander arrives. Charter flying will of course continue. The problem, as I believe all Honourable Members are aware, is to make suitable arrangements with the pilots and engineers to be remunerated to fly at weekends. This would involve shift work or a rota system and / or overtime payments. Now, numerous exchanges took place on this subject in 1985 - mainly between Honourable Members of the Standing Finance Committee and representatives of the engineers without them reaching a mutually satisfactory conclusion. It is to be hoped that the Civil Aviation Advisory Committee, to look into the future of Civil Aviation in the Islands, established in June 1985, will make progress on this matter.

The Honourable A.T.Blake

Your Excellency, could the Chief Executive, with all speed, make sure that the various sections of the report he speaks about this morning are issued as soon as possible to the various sections. One of the main holdups in getting this committee into action was we knew this report was coming and recommendations in it may well fault, or otherwise, any action this committee might take.

The Honourable The Chief Executive

Yes, Your Excellency, I would undertake certainly that there will be the fullest possible arrangements to make sure that the study done by the consultants and the work that is to be done by the Civil Aviation Advisory Committee are co-ordinated. I think the two go hand in hand and I believe that I should have made that clear in my reply. I am obliged to the Honourable Member for Camp, Mr. Tony Blake, for drawing my attention to it.

QUESTION NO. 18 of 1985 by the Honourable T.J. Miller

Sir, Honourable Members. Whilst accepting that a fully confidential and reliable system would be expensive, will the administration actively pursue the siting of suitable V.H.F., 2-metre repeaters at strategic sites to allow a simple and considerable increase in the reliability, quality and availability of inter-farm and Camp-Stanley communications ?

The Honourable the Chief Executive

Your Excellency, I fully share the desire of the Honourable Member for Camp, Mr. Miller, to improve the quality of communications in and with the Camp. The Government has already accepted in principle the report on the development of telecommunication services prepared by the British Tele-Consult which recommends the installation of 2-metre repeater equipment on Mount Maria. However, this single installation was estimated at £98,000 capital cost by British Tele-Consult and this together with their estimated annual operating cost of £700 is considered to have been an underestimate. It would indeed, as he suggests, be expensive to build a number of repeater stations and maintain them. It is thus a situation which the relative imperfection of the present system must be balanced against the relatively high cost of improving it.

The Honourable T.J. Miller

I accept what the Chief Executive says about the cost from British Tele-Consult but I wonder whether perhaps they are looking too much at the technical/commercial angle and, as with so many things in the Falklands, there are cheaper practical alternatives. I wonder whether perhaps there is not a cheaper alternative to the actual equipment that they recommend.

The Honourable The Chief Executive

Your Excellency, I really would not have the technical knowledge to comment on that. I think it is true to say that the British Tele-Consults study will have to be studied further before it is implemented. There has been some delay in implementing it because of, I think it is a matter of public knowledge, a further proposal from another institution in the telecommunications field is currently awaited for the Falkland Islands Government and the Overseas Development Administration to be able to compare those proposals. We hope that proposal will come quite soon. At that time, in addition to making that comparison, I believe it will be necessary for us to look more closely at the work done by British Tele-Consult.

QUESTION NO 19 of 1985 by the Honourable T.J.D. Miller

Sir, comment has been expressed recently on the state of appearance of much property in Stanley. There appears to be a number of properties that are unsightly and possibly unsafe. Should Government not consider compulsory purchase of such properties for resale, re-development or demolition to provide more building sites in the town ?

The Honourable The Chief Executive

Your Excellency, it is not the policy of the Falkland Islands Government to arbitrarily seize private property, however unsightly and unsafe it may appear to be. It is true that the Land Ordinance gives compulsory acquisition powers to Government, but I hope that the Honourable Member will agree that these powers should be used sparingly, and not applied arbitrarily. If Government wished to acquire land for public purposes, as defined in the Ordinance, it would first of all take the route of acquisition by negotiation and private treaty and only use its powers of compulsory acquisition in the last resort.

The Honourable T.J.D.Miller

Sir, will Government be prepared, as an alternative to building out of town, to open negotiations with owners of existing properties that are in such states, that are either not used or little used, to open negotiations towards their possible purchase ?

The Honourable the Chief Executive

Government, Your Excellency, is always willing to open negotiations with owners of existing properties if Government requires that land for a particular purpose. I do think that we should bare in mind that Government does have a considerable amount of land of its own, in and around the town. I think it would be sensible if Government were to make the best use of the land which it already owns before entering into further acquisitions from other owners.

The Honourable A.T.Blake

Your Excellency, I wonder if I could ask the Chief Executive if in fact we have not already taken action under the compulsory acquisition/in respect of a piece of land in Stanley for public use ? /law

The Honourable the Chief Executive

That is absolutely correct, Your Excellency, we have indeed done that in the case of a piece of land which was required for the new joint hospital. In that particular case we endeavoured as far as we could to acquire the land in the first place by negotiation and failed to do so.

QUESTION NO 20 of 1985 by the Honourable T.J.D.Miller

Every year some farms are unable to ship wool on the first United Kingdom sailing of the Charter Vessel under present arrangements due to too early a collection date by Coastal Shipping from their farms. Will the administration ensure, if practicable, M.V. Forrest will visit these ports and ship wool to Stanley in time for the late January United Kingdom sailing ?

The Honourable The Chief Executive

Your Excellency, there appears to be no reason in theory why the Forrest should not collect wool from those farms which have consignments which are too late for Coastal Shipping. However it would have to be unloaded and stored by the F.I.C. so the agreement of the F.I.C. would need to be sought to the arrangement.

The Honourable T.J.D.Miller

Sir, have at any time, the Government made any move towards asking the F.I.C. if they would be prepared to agree to such a proposal ?

The Honourable The Chief Executive

Your Excellency, to my knowledge the Government have not asked them whether they would be prepared to agree to such a proposal. I would just like to say in this particular case, I do not like having continually to refer this House to the Transport study, but I believe that one of the things that will come out of the transport study will almost certainly be some review of the arrangements for inter-Island shipping and, quite frankly, I would prefer not to anticipate any discussions or negotiations there may need to be over that by making an approach to the Falkland Islands Company on this particular matter at this particular time.

QUESTION NO 21 of 1985 by the Honourable D.L.Clifton

Will the Honourable the Chief Executive indicate what compensation claims have been made against the Ministry of Defence in relation to the damages to the Stanley roads and when such settlement, if any, can be expected?

The Honourable the Chief Executive

Your Excellency, the list of specific claims for damage to roads is as follows:

1. Damage caused to Davis Street, Philomel Street and Ross Road £13,421.00
2. Crozier Place, £9,517.00.
3. Ross Road, Crozier Place (further damage), £17,312.00.

4. Brandon Road, Davis Street, £14,244.00.

5. Airport Road, £18,195.00.

6. Ross Road East, £181,481.43.

7. Ross Road West and Moody Brook Road, £529,927.69.

Of these the last (no.7) is accepted in principle by the Ministry of Defence, but the amount is still under discussion. The other items, 1 - 6 are all disputed, in principle, by the Ministry of Defence. This dispute goes back to the time when more money was needed for the repair of the Stanley Airport Road at the end of 1983. During that year the Overseas Development Administration voted £2.5 million for the rehabilitation of Stanley Roads and the Ministry of Defence voted £3 million for repair of the Stanley Airport Road. By December 1983, it was clear that more money would be needed and the Ministry of Defence agreed to vote a further £1.3 million for road repairs on the basis accepted by the Overseas Development Administration that the additional sum was in full and final settlement of all claims arising from the current road programme. There is essentially a dispute at what was meant by this arrangement. The Ministry of Defence maintained that this rules out any acceptance by them of claims for roads included in that programme. The Falkland Islands Government point out that the Overseas Development Administration made certain reservations about future damage to roads already repaired and, in addition, that the Crown Agents programme was never properly completed. The Falkland Islands Government continue to press their claims and I understand that the Command Secretary was discussing the case further in the Ministry of Defence on a recent visit to London, on the basis of further representations made by the Falkland Islands Government.

The Honourable A.T.Blake

Sir, a supplementary, could I ask the Chief Executive who gave the agreement to full and final settlement. I do not remember this being discussed in any committee of Government that I was part of, and I just wondered when or who gave that assurance, because I cannot imagine anybody with a close relationship with the Falkland Islands ever doing such a thing.

The Honourable the Chief Executive

Your Excellency, agreement was given to the arrangement, which was proposed by the Overseas Development Administration, by the Falkland Islands Government at that time. But I think that the understanding of the Falkland Islands Government was that it was on the basis of a more satisfactory outcome for the work done by the Crown Agents than was actually the case.

The Honourable J.E.Cheek

Could I ask, looking more to the future, what instructions

are given to the drivers of Military refuse vehicles, when they are travelling from the two extremities of the town, to use the by-pass rather than continuing to use the centre of town for traversing town.

The Honourable The Chief Executive

Your Excellency, I'm sure that we could take that matter up with the Military Authorities.

QUESTION NO 22 of 1985 by the Honourable D.L.Clifton

Will the Honourable the Chief Executive advise of the agricultural departments commitment to the refencing of the Stanley Common land boundaries when the Military garrison moves to Mount Pleasant ?

The Honourable the Chief Executive

Your Excellency, the Falkland Islands Government does not have any present commitment to refence the Stanley Common when the Military move to Mount Pleasant. It would appear, however desirable in principle, that the common should return to something like its original state pre-conflict, but there are considerable areas which are minefields with no immediate prospect of their being cleared and there will be other areas where, for example, military buildings will be retained for civilian use. I would have thought that the whole future use of Stanley common deserved careful study in the period before the military leave, and I will happily undertake to bear this in mind.

QUESTION NO 23 of 1985 by the Honourable D.L.Clifton

Will the Honourable the Chief Executive indicate the civilian staffing structure required to operate the new hospital, and how many of the nursing positions are likely to be offered locally ?

The Honourable the Chief Executive

Your Excellency, agreed proposals for the staffing of the new joint hospital, both civilian and military, were made by a joint British Military Hospital and Falkland Islands Government Medical Department team in the document about the running of the Hospital, which they prepared at the beginning of the year and which was forwarded by the Falkland Islands Government and by H.Q.B.F.F.I. to the Overseas Development Administration and the Ministry of Defence respectively. In that document it was proposed that the numbers on the civilian side should remain as they are in the existing establishment of the civilian hospital. The nursing positions are as follows :
Director of Nursing Services (with an S.R.N. qualification):

Nursing Sisters (with S.R.N. qualifications):	5
Enrolled Nurses (with an S.E.N. qualification):	3
Unqualified Auxilliaries :	8
A district Nurse/Health Visitor (with an S.R.N qualif-ication) :	1

It is the policy of the Falkland Islands Government that as many posts as possible should be filled by local recruitment and this of course would apply to nurses as well. The proposals are still under discussion between the O.D.A. and the M.O.D. with appropriate references back to the F.I.G. as required.

The Honourable C.D.Keenleyside

I would just like to add one supplementary question please.

In the new structuring of the new hospital is it anticipated that an administration officer will be required as the doctor at present undertakes all the administration himself, which frequently leaves him with little time to cover his medical practices --?

The Honourable The Chief Executive

Your Excellency, as the complement of the establishment stands at present no administration officer is required. I think this is something which will actually have to be thought about in the context of deciding what the administrative arrangements will be for the new hospital. There still has to be a good deal of discussion with the M.O.D about the basis of the cost sharing. This is obviously still a difficult problem which still has to be faced, and it may be that, in that context, it would be sensible to consider whether we shall not require to have a full time administrative officer on the civilian side. It will certainly be borne in mind, when thinking about that problem.

MOTIONS

MOTIONS BY THE HONOURABLE THE FINANCIAL SECRETARY
RELATING TO EXEMPTIONS UNDER THE TAXES AND DUTIES
(SPECIAL EXEMPTIONS) ORDINANCE 1984.

NO 1. RELATING TO ANCILLARY SERVICES TO H.M. FORCES

Your Excellency, the last Council agreed to the exemption from Income Tax, Old Age Pensions Contributions, the Medical Services Levy and Harbour Dues in respect of the various agencies and companies that are supporting the Military operation here. In particular, the Property Services Agency, Turner Diesels Limited, Kelvin Catering, Bristows Helicopters, ITM Offshore Limited, Amey Roadstone Construction Limited, Trojan Structures Limited, and Wallminster Limited. The exemption is due to expire on the 31st December this year and an application has been received that we exempt the same companies for two years commencing on the 1st January 1986. Provision is made in the Resolution to exclude local companies, persons who are recruited locally, or persons who are normally resident here from the exemptions. This means they do not get the exemption because they are not recruited abroad. I beg to move that the Resolution be passed.

The Resolution was adopted without debate or amendment.

NO 2. REGARDING MOUNT PLEASANT AIRPORT.

Your Excellency, before the Mount Pleasant Airport was commenced the Council here received a request from the British Government to exempt the various companies constructing the airport at Mount Pleasant from Income Tax, Customs Duties, Old Age Pensions Contributions, the Medical Services Levy and Harbour Dues. The actual Resolution which exempted them expired on the 31st October 1985 and it has been requested that the exemptions should be renewed with effect from the 1st November 1985 and continue until the 30th June 1987.

There are a number of occasions when there has been criticism of the duties exemption at Mount Pleasant. However, it is considered that they should continue to apply; they would certainly be very difficult to administer and police and it is understood that the controls at Mount Pleasant are strict.

I beg to move that this Resolution be passed.

The Honourable J.E. Cheek

Your Excellency, Honourable Members, I would like to introduce an amendment deleting Section 1 (b) pertaining to Duties. I believe that is was an error when we first passed it eighteen months ago, and I think that error should be corrected today. Because a law, or in this case a Resolution, is difficult to enforce it does not mean that it should not be passed.

Sir, I beg to move that Section 1 (b) be deleted.

The Honourable R.M. Lee

I wish to second the proposal that Section 1 (b) be deleted. Like the Honourable Mr. Cheek I think it has done its job and should now be removed.

The Honourable L.G. Blake O.B.E. J.P.

Your Excellency, Honourable Members. I rise to oppose the amendment. I do so for reasons set out in the reply to your address by the Honourable Member from Camp, the Honourable Tim Miller. I do not believe that we can be seen to be profiting from the investment Her Majesty's Government is making in these Islands and we quite definitely would be profiting from that investment if we start to charge them duties. I know that the Honourable Members are concerned about, shall we say, leaks in thought if not in spirit, but I do not believe that we can afford to be seen to be trying to profit from such massive investment, and I believe that it is a contribution to the construction of Mount Pleasant Airport that we have to make by forgoing the Duties.

The Honourable A.T. Blake

Your Excellency, I also will oppose the amendment. I have done quite a lot of research on what I feel is going on. There is no doubt there are minor leaks. There are minor leaks in Stanley and there have been major leaks from visiting ships about which nothing has been able to be done for control. The minor leak which is occurring at Mount Pleasant Airport is to a large extent offset by the fact that the average chap out there cannot buy alcohol in large quantities. He cannot buy six crates of beer, three or four bottles and then sell it on the open market. In fact, figures reveal that the purchase of alcohol from stores in Stanley has increased considerably since the opening of the M.P.A. road. If anybody had gone into the West Store this morning and had a good look at that bus load of chaps that came in from M.P.A. they would have found that there might have been quite a bit of trade going the other way. I have listened to criticisms of what has been going on over the past months out there. I have gone out there incognito and had a look for myself and I am perfectly happy that all possible controls have been applied. I think it would be almost impossible to control it altogether. I think we have benefitted to a certain extent already and consider that the chaps out there are doing a wonderful job- they run their own club; they have

been very generous to local clubs, Pensioners, etc. and I think they do a grand job. I would not like to be the one that is short changing those fellows out there. I definitely oppose the amendment.

The Honourable D.L.Clifton

Sir, I rise to support the Honourable Councillors Tim and Tony Blake, to oppose the amendment that has been tabled by the Honourable J. Cheek. I, too, have spent some time observing this problem. I have spent some time with the resident Director, Mr. Jack Stokes, and I have viewed the accounts of the welfare fund at Mount Pleasant and am quite satisfied that there is no abuse or misuse of the privileges that the previous Council passed to the contractors at Mount Pleasant. I would like to point out in advance that we are going to have to consider, in 1987, a further resolution which is likely to cover maintenance workers, a team of about 250 men at Mount Pleasant Airport I think perhaps we should then look at it in a different light but at the moment I oppose the amendment as it is tabled. I accept the resolution in full and I would also add that the Falkland Islands cannot afford any bad press at this particular time.

The Honourable Mrs. N. Edwards

Sir, I rise to oppose the amendment as well for reasons already stated and would reiterate what the Honourable Lewis Clifton has just said, that we cannot afford bad publicity in any way from Mount Pleasant.

The Honourable T.J.D. Miller

Sir, I also rise to oppose the amendment for reasons stated by previous Councillors who are also opposing it. The British Government have made a massive investment in these Islands, in the form of Mount Pleasant Complex, of, I believe, somewhere in the region of £ ½ billion and I feel that it would do us a lot of harm if we were seen to be what amounts to penny-pinching by trying to make profit out of it ourselves. We are profiting beyond all expectations by the mere presence of the Mount Pleasant Complex.

The Honourable C.D.Keenleyside

Sir, I also wish to oppose the amendment. I see this re-mission of duty, in this case, as very much our contribution to the Mount Pleasant Airport and I would do nothing to endanger that. I have seen nothing which makes me think that it is really being abused to the extent that has been indicated in past months. I would say that the monetary funds that have been gained from the exemptions are being used for the benefit of the men and I would wish this to continue.

The President

Honourable Members. In considering the amendment proposed by the Honourable Member for Stanley, Councillor Cheek, five Members have spoken against that amendment and two in favour of that amendment. I deem therefore the Resolution

carried in the form tabled originally.

NO 3. RELATING TO THE NEW HOSPITAL CONTRACT

The Honourable The Financial Secretary

Your Excellency, construction of the New Hospital is now in progress and the various companies, in particular this time Building Design Partnership, Kelvin Catering Limited, Balfour Kilpatrick Limited, Fairclough International Construction Limited, Miller Construction (Northern) Limited and NEI Projects Limited have asked for exemption from Income Tax, Old Age Pensions Contributions, the Medical Services Levy, and Harbour Dues under the Harbour Ordinance. This Resolution provides to implement that request. I beg to move that the Resolution be passed.

At this point the Honourable A.T.Blake proposed an amendment which he subsequently withdrew.

The Financial Secretary then made the following point:

The Honourable the Financial Secretary

There is one point that I should mention at this stage. It is O.D.A. policy on tax exemptions which is that aid funds may not under any circumstances be used to meet local taxes and duties levied on goods and services fronted under the aid programme and if the recipient Government cannot wave such taxes they must be met locally.

The Resolution was adopted as tabled.

MOTION BY THE HONOURABLE THE FINANCIAL SECRETARY

THAT IT BE RESOLVED THAT THE REPORT OF THE STANDING FINANCE COMMITTEE FOR THE PERIOD ENDING 2nd JULY 1985 BE ADOPTED.

The Honourable The Financial Secretary

Your Excellency, the Standing Finance Committee met on six occasions during the first seven months of 1985 and approved £ 379,420.00. Much of the expenditure relates to setting up the infrastructure at Fox Bay; the vote of money to pay for the audit of the Colony accounts and other more routine matters. I beg to move that the report of the Standing Finance Committee for the period ending 2nd July 1985 be

adopted. As the report does not deal with expenditure proposed to but not approved by the Committee, I recommend that it is adopted without debate, in accordance with Standing Order 42.2.

The Motion was adopted without debate.

MOTION BY THE HONOURABLE L.G.BLAKE O.B.E., J.P.

"That this House doubts the possibility of getting a multi-lateral agreement for the control of fish resources in Falkland waters. It believes that any such agreement would take too long to bring into being, would be too loose to control overfishing and would not truly benefit the Falkland Islands. We therefore urge Her Majesty's Government to reconsider its policy in this matter and introduce a unilateral zone at an early date."

The Honourable L.G.Blake OBE,JP.

Your Excellency, Honourable Members, I tabled this Motion in fact before we heard via the B.B.C. that Argentina had agreed to co-operate with the Food and Agriculture Organization. I find this co-operation very interesting. As a result of this agreement and the approaches by Her Majesty's Government, we understand the Food and Agriculture Organization is now going to carry out a feasibility study. Feasibility of what I have not quite gathered yet. Whether it's feasible to fish in the Falklands, whether it's feasible to control the fishing in the Falklands or whether it's feasible to ask the Nations fishing in the Falklands to control the fishing in the Falklands ! But we can be fairly sure that on that august body's current track record that it will take five years to bring into being. I think we are fortunate and must be grateful to the Development Corporation for the commission of the Dr. Beddington report, and I would also like to commend to Members the report on squid fishing by Dr. Patterson. Both these reports make it absolutely clear that these waters are being overfished and that if this continues then the fish stocks will be damaged for a long period of time. This is the first point that I would like to make, that the multilateral agreement is going to be slow anyway.

If I may, Sir, and we are not I believe allowed to read, if I may read from Dr. Beddington's report with regard to control of Fisheries and, in particular, to a multilateral control:

'In general multilateral regimes have in the past been remarkably unsuccessful in achieving conservation goals: still less a reasonable economic regulation of the fishery. The competing interests of the parties to the agreement have

tended to reduce agreed policies to the lowest common denominator. Where multi-lateral regimes have had any success it has been when the coastal states, party to the regime, have indicated that they would be prepared to act unilaterally, unless measures were agreed by the fishing states." And further he states 2 paragraphs further on in paragraph 50:

"In the case of the Falklands there are obvious advantages in seeking scientific advice from a multilateral group. However there is no reason to expect that a multilateral management regime would be any more successful there than elsewhere."

It makes for confidence, such a statement, and Dr. Beddington is, of course, a very renowned expert and so we can take it I believe, that if the multilateral approach continues, that we will have little control. I think also we can take it that we will have even less return, because one thing that we can be quite certain of if Argentina has got a finger in the pie there is no way she will permit the flow of revenue to this Government because it will mean that she has to recognise our being. It may go to the central coffers of the FAO for staffing such an organization, and I think that we will probably be paying out of our £31 million to supplement that. So, basically, there seems to me little hope of any benefit to these Islands either financially nor in the control of our resource, in pursuing for any great time the multilateral approach. If I may quote some figures which I have gleaned from Dr. Beddington's and Dr. Patterson's reports. In 1983 the maximum estimated sustainable yield for the Southern Blue Whiting was 130,000 tonnes. The estimated uptake in our waters within the 200 mile zone was 258,000 tonnes. The maximum sustainable yield for Hake was 54,000 tonnes and the uptake in 1979 (seems to be the last year for which there are records) in this area 469,000 tonnes taken up. The maximum sustainable yield for squid last year was approximately 80,000 tonnes and the estimated uptake in the first 6 months of this year (1985) was 103,000 tonnes. I am glad I am not a fish in the South Atlantic because ones chances of survival look fairly slim. And to be really mercenary let us look at the money we are talking about. On a modest licence fee of 5%, in 1984 we could have expected 10 million dollars. Assuming that we had a unilateral zone which we controlled ourselves, and we adopted the conservative figures of catch suggested in these reports, we could still have expected something in the region of 5 million dollars. Just before this session began I was handed a newspaper cutting from, I think, the Buenos Aires Herald which says that Argentina is considering opening its fisheries to other Nations' fleets; and they are talking in terms, not of a 5% licence fee, but of a 25% licence fee. We would not need our 31 million pounds and we would control every last penny of it, if we could get our hands on that sort of revenue. However it looks as though we are going to have to be patient. When we first voted funds for the building of the Stanley Darwin Road, the then Senior Member said he hoped someone would take him along it in his wheelchair. He was not a lot older than I am today, I hope that when the multilateral fisheries regime starts controlling fishing in the Falklands and starts paying money to the exchequer here, I hope the Financial Secretary's still here, and I hope that someone

will take me from the sheltered accommodation and around the corner, so that I can be wheeled into his office and help shake the hand of the nice young man from the United Nations who has brought us the cheque !! I do not think that it will be before that date. I therefore urge Honourable Members to support me in this resolution and, again, draw Her Majesty's Government to ask concern about the slowness of possible control and the looseness of any such control.

If we do not get some sort of control then our fishing and our wildlife will be in jeopardy. And finally Sir, one idea and we are always brought up sharp by 'well it would always cost you more than that to control the fishing' Dr. Beddington hints at a way of ensuring that people always took out licences because the really profitable fishing of course here is squid and there are basically two markets, Spain and Japan. Now Spain and Japan set a levy on the importation of Squid into their countries which is a little bit less than their local fleets can catch. If we threatened the current fishing nations with the offer of giving the total available Squid catch to Japan and Spain it would cut the profitability of their fleets to a fraction of what it is today, and I think that just such a threat would be sufficient to have them queuing up at our door to ask for licences. I beg to move the resolution.

The Honourable C.D. Keenleyside

I beg to second the Motion. In fact I wholeheartedly support this Motion and I believe that a unilateral zone would be very much our best choice- to me the multilateral runs a very poor second; I am afraid that I have yet seen little evidence to make me believe that a multilateral agreement is even going to work. We are liable to be bogged down for years while politicians fuss about the minor details of any such agreement. Britain could in my opinion impose such a unilateral zone in a very short time indeed- if they are prepared to take that step. In fact I understand from Dr. Beddington's report that he considers many of the fishing fleets already here would be very favourable towards such a zone. Therefore I support the Motion.

The Honourable J.E. Cheek

Your Excellency, Honourable Members, I too wish to support the Motion. There is little else I can say after such a wide-ranging speech from the Honourable Member on my right. One thing I could add is that I saw Dr. Beddington shortly after his report was produced, and he had some additional information which is even more frightening. He is expecting a doubling in the number of ships from 150 to 300 this coming season, but what makes it even worse is that the percentage increase that will be fishing for squid will be far greater than that pure doubling of the number of ships. His feeling is that if he had control of these waters he would stop all squid fishing, certainly for the first three months of the coming season, if not for longer, and he believes that if the number of ships that are coming to fish for squid this coming season, do so, with no control there could be almost total devastation of our squid stocks. Thankyou Sir.

The Honourable Mrs. Norma Edwards

Your Excellency, I wish to support the Motion for the same reasons as the Honourable Tim Blake and the Honourable John Cheek. I would like to point out that when we are told that we could not possibly afford to police this area, perhaps we could refer the British Government to the way Canada police their fishing zone. Apparently they have an observer sent from Canada to each Fishing Vessel to record the catch and to report back to Canada if there is any discrepancy, and this costs the country nothing. This is funded by the fishing fleets and I can see no reason why we should not do this here if we can get an agreement for a unilateral zone.

I support the Motion.

The Honourable A.T. Blake

Your Excellency I rise to support the Motion. I have maintained for a long time that the fishing stocks are going to be exhausted before anybody can get a multilateral agreement settled and I am most grateful to the Honourable Tim Blake for bringing this Motion forward. I read an interesting fishing paper the other day. I think it was called 'Fishing News', a British paper, which in actual fact revealed the figures collected by the RAF aircraft which are keeping an eye on the fishing boats in this area. I was absolutely staggered. Every single day of the year there are 26 fishing boats fishing 24 hours a day. Some come and some go and at some stage last year I think there were over 300 vessels from one country alone in the area. I also know of certain other countries which are sending fishing fleets to this area, they are not here yet, but I am pretty sure they are going to be here shortly. The word is out that there is a bonanza on here and 'be in while the going is good' I feel is the attitude that most people are taking. So I definitely support the Motion; I rather feel perhaps it is not strong enough but I will not move an amendment.

The Honourable T.J.D. Miller.

Your Excellency, I too, rise to support the Motion. Quite frankly I think the Foreign Office are completely out of touch with realism in their idea of this multilateral agreement. You only have to look at the European Economic Community which is supposed to be a multilateral organization, and that is between European countries who are Western democracies and, in theory, act and think alike, and the problems they have. To expect about 20 or 30 countries of all different parts of the world, with all different outlooks, to get together and arrive at any cohesive policy is pie in the sky. I strongly support the Motion.

The Honourable R.M. Lee

Sir, I would like to support the Motion also. Being pro-tourism I worry a great deal about what might be happening to our wildlife with overfishing. I do support everything that has been said. As for policing I think they would police themselves, quite frankly. When we start issuing

licences and someone comes along who does not have a licence everyone else would start complaining and it would police itself.

I wish to support the Motion.

The Honourable D.L.Clifton

I too, rise to support the Motion. I was with Councillor Cheek and met Dr. Beddington when we passed through London on the way to New York, and I mentioned the fishing problem in the South Atlantic in my address to the Fourth Committee of the U.N. General Assembly. The Argentine Foreign Minister said in his statement that Britain's failure to resolve the Sovereignty dispute was largely responsible for the uncontrolled exploitation of the fisheries in the South Atlantic - a resource which would soon disappear at current levels of fishing.

We have to do something, Sir,. I cannot over-emphasise this point and a unilateral approach at this particular time seems to be the best alternative.

The Honourable L.G. Blake OBE,JP.

Your Excellency, I would like to thank Honourable Members for their support in this and ask you if you would convey to Her Majesty's Government the strong feelings of this Council on the subject. It is my hope that their patience is not inexhaustable and that they too will come round to our way of thinking in the long term. I do feel that we are going to be found at fault if we do not take every step to control the fishing in these waters. Thankyou.

The President

It is obvious from the course of this debate that feeling runs overwhelmingly in favour of the Motion which has been tabled by the Honourable Member for Camp, Councillor L.G. Blake, and I deem the Motion adopted accordingly.

MOTION BY THE HONOURABLE T.J.D MILLER

"That this House calls for an urgent and independent survey into the Islands internal and external shipping services, to make recommendations for a more efficient and economic service, bearing in mind the change in the situation in the Islands from 1982."

The Honourable T.J.D.Miller

Your Excellency, Honourable Members. First of all I would like to say that when I put this Motion forward I was unaware that F.I.D.C. had arranged for an internal shipping survey to be carried out. Hence I will keep my remarks on the internal side of things to general terms, not wanting to anticipate what the report may or may not say.

Basically concerning the internal thing I think, as has been mentioned earlier this morning, the problem is that there is too much shipping capacity within the islands chasing too little freight. What the exact answer is I am not sure. On pure economic grounds one would say we only need one ship in the Islands, but what would we do if that ship broke down or lost its propeller or something? I am not sure of the exact answer.

There have been heavy freight increases recently for the Islands main cargo vessel, the Coastal Shipping vessel Monsunen. Those heavy freight increases, away above the current inflation rate and despite a recent fall in the fuel costs, are caused purely by the fact that the volume of freight that they handle has dropped considerably. If one looks at their accounts one will see that in fact they have reduced their operating costs. Their operating costs for 1984/85 are slightly less than for the previous year 83/84, but at the same time there has been a reduction in freight revenue of some £40,000 due to a reduction in the volume of freight which that vessel is handling. As they are a business concern they have had to balance their books. The actual aim of Coastal Shipping is to be a non-profit making organization so they have to actually balance their books and obviously try and make a small profit to make sure they are not on the wrong side at the end of the year.

The situation with the Forrest, of course, is different. If she does not pay her way then there is no problem - the tax payer balances the rest. It is a point made by Coastal Shipping that occasionally in the past, when they have had unusual increases in the volume of freight carried, for instance a lot of cargo two years ago from East Cove into Stanley they actually made a profit. What happened, of course, was that they were not able, as a non-profit-making organization, to carry that profit forward to offset freight increases in following years. They made a profit and were immediately taxed on it.

So, as I say, I am not sure of the answer but the situation needs urgent review and I hope some of the answers will be forthcoming in the recently received report. Basically there is a need for all those concerned to get together to see if the system can be rationalized. There is also the question whether the Monsunen and Forrest are suitable vessels for the Falklands today. They are both fairly old ships. One can lift a reasonably heavy load but has a deeper draft and cannot visit some of the smaller ports due to not having sea truck facilities; the other one, which can visit smaller ports, cannot lift heavy weights and has a limited fuel carrying capacity. One wonders, in fact, whether either vessel is suitable nowadays with the increasing weights of cargoes of individual items. More and more farmers are thinking in terms of containers; farm machinery is getting heavier. So I am glad a report has arrived and I hope some good will come out of it because the farming industry and the private individuals simply cannot go on paying the massive freight increases that are coming about. It now costs, in round figures £200.00 per cu.metre in freight and wharfage charges to import something from Britain to the farm. For Example, a fencing post costs £3.95

from the fencing supplier in England but by the time it arrives on my farm it has cost over £12.00 and all the increase is due purely to shipping and freight charges.

On the external shipping services my thoughts are that since 1982 we are in a different situation as far as external shipping is concerned. Up until 1982 we needed and had an excellent service in the charter vessel 4 times a year, but I wonder now whether in fact we still need that service or whether the need for that service has been superseded by the volume of shipping coming into the islands for other reasons. As already pointed out this morning, the military have a commitment for freight coming southbound and certainly the agriculture industry is looking at, primarily freight going northbound. For example, wool arriving in Stanley now will sit there for five to six weeks until the next charter vessel north. Instead of sitting there it could go on the next available north bound cargo boat. That wool would be arriving in England much quicker, which would mean that that business, that farm, would be getting it sold and getting the money back that much quicker and business would be easier. Although the product leaves the premises in early December you don't actually get paid for it until April the following year. Also with the volume of freight coming into the islands now maybe we can get a bit of competition into it. The whole concept is worth looking at - so I therefore move the Motion.

The Honourable Mrs. N. Edwards

I second the Motion.

The Honourable R.M. Lee

I would like to support the Motion. I do agree with Councillor Miller that it's slightly outdated in view of Mr. Pryn's report. If such a report or survey is undertaken I would like to suggest that in their terms of reference they are asked to look in particular at Fox Bay Village and the possibility of establishing a container handling facility there. Being a bit selfish I feel that this would have a great advantage for people on West Falklands and I think it should be looked at seriously.

I wish to support the Motion.

The Honourable D.L. Clifton

Sir, I am not sure what stand to take on this Motion. I think the Motion is a little premature in respect of the FIDC report having recently been delivered to the Falklands. I think we should look at that very carefully before we consider the overall combination of local and external shipping services. I do not accept the argument in total that the Honourable Member puts up that Coastal Shipping is now charging outrageous freight rates. No commercial venture can compete with a heavily subsidised service and I think that is rather an immoral enterprise to continue operating. There are a number of aspects that I think

should be considered in context with this Motion. As I say there is a draft report on a transport proposal to hand and I would rather see that report circulated and discussed before any Motion comes to this House.

I am afraid Sir, I cannot support the Motion as present.

The Honourable the Chief Executive

Your Excellency, all I think I would like to say is that poor Mr. Prynn of Halcrow Fox Associates, his ears must be burning, I think, today; we must have talked about him and his report as much as we have about any other subject. Certainly the question of the internal services is covered very fully in the study which he has done and which we shall be considering in due course.

As far as the external shipping services are concerned, I think it would be possible to extend that study, by way of a desk study rather than anything else, to look at the external side. That certainly could be considered by the Falkland Islands Government and by the Falkland Islands Development Corporation in the context of considering the original Prynn report. I suppose the note of caution that I would want to strike in that area would be the extent to which we would want to commit ourselves to rely on military vessels in the future which will, I understand, be going to Mare Harbour rather than coming into Stanley, so that might be a difficulty about using military vessels in the rather obvious and helpful way that the Honourable Member for Camp Mr. Miller has mentioned. So I am merely saying that certainly I think that it would be sensible for the F.I.G. to look at the external side and perhaps to ask Mr. Prynn to do some more work on that subject if it were helpful.

The Honourable L.G.Blake OBE,JP.

Your Excellency, I would like to support the Motion in that it does call for an examination of the external shipping services and I would hope that we might take up the suggestion of the Honourable the Chief Executive on this subject. The fact that the vessels servicing the military will be calling at Mare Harbour is I think, possibly less significant because if they could get a return cargo from Stanley it would be a foolish ship master who did not call for a return cargo and at the same time deliver inward cargo. Providing that the market were there then I feel that it would be feasible, but I would like to see the possibilities examined further because the funds we provided the year before last to do a shipping survey, as far as I am aware, were never used.

The Honourable T.J.D.Miller

Your Excellency in summing up this Motion I would be quite happy to accept the proposals as outlined by the Chief Executive, that this could be done in some form of a desk study, particularly in view of the presence of the internal transport study which I was not aware of when I put this Motion forward. I accept that it has defeated part of it anyway, but at least we have focused our attention on it.

The President

What I think we might say in respect of this Motion is that the sentiments behind the Motion are well understood. Would it be acceptable to you, the debate having taken place, if the Motion were to be technically withdrawn, but left on record ?

The Honourable T.J.D. Miller

Yes.

MOTION BY THE HONOURABLE T.J.D. MILLER

"That this Council wishes to make clear that there seems no practicable benefits, economic or political, from any possible future talks with Argentina concerning her sovereignty claims, however such talks might be worded. Furthermore this Council would refuse to co-operate in such talks"

The Honourable T.J.D. Miller

Your Excellency, Honourable Members. In rising to move this Motion I would like to emphasise two things. First of all I am referring to any possible future talks of a future British Government concerning Argentina's sovereignty claim. I am certainly not against any talks with Argentina so long as they exclude their sovereignty claim to these Islands.

Secondly I suggest that this Council would refuse to co-operate in such talks. I am not saying that we would refuse to actually take part in such talks, purely that we would take part if the Council at the time felt that way inclined, but we would not be taking part willingly in any such talks. For instance if there was a change of Government in Britain next week and they decided to open sovereignty negotiations with Argentina in the United Nations then I would very much like someone from this House to be there; but we certainly would not be there willingly as part of the negotiating process.

Other than that I think the Motion speaks for itself. Honourable Members may wish to make some alterations to the wording but it is something that I feel as a new Council we need to get on the record. We know the present British Government policy and it is what we approve of, but we also know what has been expressed frequently by the Opposition parties in Britain and Britain will be having another general election before there is another general election in these islands unless something unusual happens and I think it is to our advantage that we get the view of the new Council on the record. I beg to move the Motion.

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The Honourable J.E. Cheek

Your Excellency, Honourable Members, I feel myself in rather an unusual position, in rising to speak to this Motion. I sympathise fully with the sentiment behind it and I am sure every other Member here does. I did not want to support such a Motion but I could not let such a Motion be lost by default as it were. My feeling is that I would question very much the wisdom of putting such a Motion before this Council at such a time. As the proposer himself has said, there is no doubt whatsoever of the undertaking of the present British Government, which has said many, many times that there is no possibility of discussion of sovereignty of these Islands with Argentina. I only support this because, although I very much question the wisdom of putting it forward at this time, the sentiment itself needs supporting and I cannot go by default. So, I support the Motion.

The Honourable L.G. Blake, OBE, JP.

Your Excellency, Honourable Members. It is the specific language I think of the last sentence which makes one hesitate in supporting the Motion and I wonder if the Honourable Member would accept an amendment to the Motion by the deletion of "furthermore this Council would refuse to co-operate in such talks" because I feel that under those circumstances, should there be a change of Government, then a new Government might consider they have no need to consult the Islanders on this aspect because they have said they will not co-operate; they will not talk to us on the subject. Therefore I think that the actual sentiment of the Motion is very well put in that this Council wishes to make it clear that it sees no practicable benefits, economic or political, from any possible future talks with Argentina concerning her sovereignty claim, however such talks might be worded. I think that foots the bill. I do believe that should we include that last sentence then we might give to Her Majesty's Government, or a future Government of Her Majesty's the chance of going ahead with such talks and not even consulting us or informing us of their attitude, and I would hate to run the risk of putting ourselves in that position. Therefore I wonder if the Honourable Member would accept such an amendment, perhaps other Honourable Members do not agree, but I put that as a possible way forward.

The Honourable A.T. Blake

Sir, could I second the amendment and speak to it. I agree with Councillor Tim Blake absolutely. I think it would be disastrous for us not to co-operate or wish to participate in any such talks. It is committing us beyond our duty. We do not know what those talks may consist of and what the outcome may be; we have to have as much say as possible in those talks if ever they are created over and above our heads so I could not really agree to the Motion without that amendment. So I support that amendment.

The amendment was also supported by:

The Honourable D.L. Clifton
The Honourable C.D. Keenleyside
The Honourable Mrs. Norma Edwards
The Honourable R.M. Lee.

The President

Does the Honourable The Chief Executive wish to add anything ?

The Honourable The Chief Executive

In this new situation an elected Council debating a Motion, Your Excellency, of this sort, I am always, now, diffident about entering the debate in any sense. I would simply like to say that I entirely agree that it would be sensible to debate the last sentence. I also have a little doubt in my mind about the wording of "however such talks might be worded ", at the end of the first sentence. The Honourable Member for Camp Mr. Miller has explained that wording and yet in my mind there is just a slight doubt that it implies in some way, that other talks with Argentina about other matters might be a cover for discussions about sovereignty, and I do not think that is the intention behind the Motion and yet, somehow, that is the way in which I read it when I first saw it. I just wonder whether it would not be sensible, and I do not think it would be proper for me to put an amendment here, but I would just like to put up for consideration whether it would not be sensible to also delete the words : "however such talks might be worded."

The President

Honourable Members the debate is still open. If I may say so it is most important that you do get the wording that you wish to express in a Motion of this nature. If there is anyone who wishes to oppose the second amendment, as it were, adumbrated by the Honourable The Chief Executive so be it, but otherwise I would sum up and return to the proposer. What we have then at the moment is the Motion as originally tabled by the Honourable Member for Camp, Councillor Tim Miller, and I do feel that there is very strong support for an amendment of the originally drafted Motion, the amendment being to delete the last sentence. But at this stage Councillor Miller you have the final word as the original proposer.

The Honourable T.J.D. Miller

Thankyou Your Excellency. I am quite happy to accept the amendment as proposed regarding the deleting of the last sentence. As I said at the start, perhaps I have not got the wording right but it is not always easy to communicate with other members beforehand to get the opinion as to what everyone would like to see as the exact wording, but I think that it is very good that we can sort it out in a debate. I accept the amendment and if there are no objections then I would also accept the second amendment as

proposed by the Honourable The Chief Executive. I do not see that it would make much difference either way. My original reason for including the words "however such talks might be worded" was purely because, as we all know, the Argentine Government, and it is in their interest to be so, are going to be as devious as possible to wrap whatever it is they are going to talk about in as much cotton wool as possible to confuse the issue and make it look as if they are not actually talking about when they want to regain the Islands. However taking into account what other Members have said I am quite happy to accept both amendments.

The President

If it would be acceptable to Honourable Members, because views have been made very clear, I would invite you simply to vote on two propositions. It is a consensus of the Council that the Motion as originally tabled be amended.

We have two amendments. Could I invite Councillors to indicate those who would wish to accept only the first amendment proposed. Subject to that we would move to those who would also be prepared to accept the second amendment proposed. The proposition is that in the first instance, that the last sentence be deleted. Could Councillors indicate in favour. Thankyou the first amendment is carried. The second amendment, are Councillors in favour? Please demonstrate as being in favour - the second amendment also is carried. The Motion is carried, twice amended.

The Honourable A.T. Blake

I may be out of order but I wish to speak to the amended Motion. I just wonder what the Honourable Tim Miller would propose if Argentina surrendered its sovereignty. He is entitled to answer that in his summing up I think!

The President

If I may say so you did not adequately catch my eye but, again, your question, rhetorical though it may be in a sense, is upon the record.

MOTION BY THE HONOURABLE THE CHIEF EXECUTIVE FOR THE RECONSTITUTION OF THE EDUCATION COMMITTEE. "Resolved in accordance with Standing Order 40 (a) the Education Committee be reconstituted and the Members shall be: The Honourable Mrs. Norma Edwards, the Honourable Charles Keenleyside, the Honourable Robin Lee, the Honourable Tim Miller and that the Honourable John Cheek be the Chairman of the Committee.

(At this point Air Vice-Marshal Kemble left the meeting.)

The Honourable The Chief Executive

Shortly after the General Election, Honourable Members discussed together the various portfolios that they would take and the various committees in which they would wish to take part, and it was agreed unofficially amongst Honourable Members that those persons named in this Motion should be members of the Education Committee and that the Honourable Member for Stanley, Mr. Cheek, should be Chairman of that Committee. It is necessary in accordance with Standing Order 40 (a) that this Education Committee now be formally constituted in this House and that is what this Motion is about.

The Honourable The Financial Secretary

I beg to second the Motion.

The President

Do Honourable Members wish to comment ?

The Motion is therefore adopted as tabled.

ORDERS OF THE DAY: BILLS

The Honourable The Chief Executive

Your Excellency, I lay on the Table a Certificate of Urgency in respect of the various Bills which are about to be considered :

The Co-operative Societies Bill 1985,
The Dangerous Drugs (Amendment) Bill 1985,
The Post Office (Amendment) Bill 1985,
The Falkland Islands Development Corporation (Amendment) Bill 1985 and
The Employment of Children (Amendment) Bill 1985.

THE CO-OPERATIVE SOCIETIES ORDINANCE 1985

The Honourable The Chief Executive

Your Excellency, this, as can be seen, is a lengthy and technical Bill. Government do, however, consider it necessary in order that Co-operatives may be set up and may function in the Falkland Islands within an appropriate legal and administrative framework. Companies for example are already provided for within the law. Co-operatives are not, and Government considers that Co-operatives should be.

Two Co-operatives already exist in the islands; a third is at present in the process of formation. It is considered that other Societies may be formed in due course. One very nearly was formed at Hill Cove, as a change from the existing form of ownership there, and Co-operative arrangements may very well be appropriate in other similar circumstances, or where subdivision holders, for example, wish to continue to share facilities on a co-operative basis.

Now the two existing Co-operative Societies have been consulted about this Bill. I understand that both are happy about it in principle, although I also understand that the Honourable Member for Stanley, Mr. Cheek, may wish to move an amendment to one Clause of the Bill, at the Committee stage. This is in fact an amendment to which Government would have no objection. The third Society in process of formation will, of course, be constituted in accordance with the Bill's provision if it passes. The Bill, I may say, is modeled on the Hong

Kong legislation. Unless this should cause any apprehensions, no other parallels to the Hong Kong situation are intended or implied. It simply seemed, as I understand from the learned Attorney General, the tidiest model to follow, of several models he examined.

I am not proposing to go through the Bill clause by clause. In essence the Bill first of all constitutes registered co-operatives as bodies corporate which can enter into contracts, take part in legal proceedings and so forth. Secondly, it clarifies the question of the liability of members. At present I am advised, for example, that the Committee Members of the Society in existence could be liable for its debts, but not its actual members.

Thirdly, it generally ensures that co-operatives are properly managed and provides a framework for the settlement of disputes. And, finally, it provides rules for the distribution of a Society's assets on dissolution.

I beg to move the first reading of the Bill.

The Bill was then read a first and second time.

During the Committee stage an amendment to Clause 46 was moved by the Honourable J.E. Cheek, as follows :

The Honourable J.E. Cheek

Your Excellency, I wish to move an amendment to Clause 46, subsection (3).

I will read out the actual details, if people will bear with me. I propose that the current subsection (3) be deleted and replaced by the following:-

'Any surplus remaining after the application of the funds to the purposes specified in subsection (1) and the payment of any claims from which an action is instituted under subsection (2) shall be available for distribution to members who have done business with the Society during any part of the preceding 10 financial years and the broken period prior to the dissolution in accordance with a scheme approved by the Registrar, but under which the share of the distribution to be received by each member shall so far as may be practicable be calculated in relation to the amount of money invested with the Society by that member and the amount of profits earned by the Society on that member's business during the said period.'

That is the amendment I propose. The reason for the amendment is that the Registrar could provide any surplus money for whatever purpose he decided. My feeling is that members who have invested their money in the Society have largely done so, I believe, for the good of the whole community. Certainly I have an interest; I do not by any means have the largest amount of money in the Society but I have had money in there since I was 16, and I am the current Chairman. But, as I say, I believe that generally people have put money in there for the good of the Society. They could have easily put it elsewhere and earned a far higher interest rate. My guess is that certainly five years ago they would have earned 2 - 2½

times as much as they do in the Society, and it means that a lot of people who are not Society members are, I believe, generally getting their stores and foodstuffs as cheap, and in quite a few cases cheaper, than they may do elsewhere. Therefore, if the Society is wound up, and I hope this never happens, then those people who have provided the money to keep that Society going should share in any profit, in any excess money above that which they have invested there. Some people may say that the Society makes a large profit and therefore the shareholders may suddenly come by a large windfall, but the Society can only be wound up under the direction of the Registrar. It cannot be wound up by the members alone, and, therefore, I think there is very little chance of the Society trying to make a large profit for its members. Therefore I move the amendment.

The amendment was seconded by the Honourable L.G. Blake O.B.E., J.P. and adopted.
The Bill then passed through its remaining stages without further debate or amendment.

THE DANGEROUS DRUGS (AMENDMENT) ORDINANCE 1985

The Honourable The Chief Executive

Your Excellency, the Dangerous Drugs Ordinance was enacted in 1949. As the law at present stands, a person charged with an offence, can be tried on indictment and, if convicted, fined up to £1,000 and/or sentenced to imprisonment to up to 10 years. Or they can be summarily tried and, if convicted, fined up to £100.00 and/or sentenced to imprisonment for up to six months. Normally drugs cases, unless they are very serious indeed, can be expected to be dealt with summarily in which case the fine is much too low by present day standards. There are in fact other defects in the Ordinance which, it is the opinion of the learned Attorney General, require some redrafting. This will take place in due course. In the meantime this Bill simply increases the maximum fine, at summary trial from £100 to £750. I beg to move the first reading of the Bill.

The Bill was then read a first time and passed through its remaining stages without debate or amendment.

THE POST OFFICE (AMENDMENT) ORDINANCE 1985

The Honourable The Chief Executive

Your Excellency, the Post Office Ordinance was enacted as long ago as 1898. Under section 4(a) of that Ordinance, postal rates have to be fixed by the Governor in Council. Since 1898 changes in the postal rates have become much more frequent. There are in fact now up to 600 rates that may need to be fixed from time to time.

At the same time the international rates follow the recommendations of the International Postal Union. Thus, while change is more frequent much of it takes place within the context of advice received from elsewhere and is in compliance with the International Postal Union's requirements. It seems sensible in the circumstances to give the Superintendent of Post and Telegraphs more executive power in the matter whilst ensuring that the Governor in Council has ultimate residual control. This is what the Post Office (Amendment) Ordinance provides.

I beg to move the first reading of the Bill.

The Bill was then read a first time and passed through its remaining stages without debate or amendment.

THE FALKLAND ISLAND DEVELOPMENT CORPORATION (AMENDMENT) ORDINANCE 1985

The Honourable The Chief Executive

Your Excellency, this Bill deals with three separate matters arising from the wording of the original Ordinance and its working during its first two years. The first is really a matter of terminology. At present the Interpretation Clause of the Ordinance defines the Chief Executive as the Chief Secretary - I sometimes wonder which I am myself actually - or the person for the time being discharging the functions of the Chief Secretary. As there is now a substantive Chief Executive and there is no longer a Chief Secretary this definition is proposed to be deleted.

The second point relating to this Bill is one of considerably greater substance. Currently the Ordinance provides that the Governor shall appoint as one member of the Corporation a member of Executive Council elected by Executive Council from amongst elected members of Executive Council. The Ordinance states that members of the Corporation serve for three years. However, elected Members/ Thus a member of Executive Council serving on the Corporation who is not re-elected to Executive Council after one year would have to leave the Corporation after only one year, instead of three. It appears highly desirable in the interests of continuity, and we must bear

/of Executive Council serve one year only before re-election.

in mind the fact that the Corporation only meets three or four times a year, that the person who is elected to the Corporation to be effectively the Councillor's representative on the Corporation should be on it for three years rather than one. The Bill therefore provides that the Councillor elected to the Corporation should be elected from this House and not from Executive Council.

The third point concerns the office of Executive Vice Chairman of the Corporation, which is held ex-officio by the Chief Executive. At present if the Chief Executive is absent and another person is appointed to that office he would automatically be Executive Vice-Chairman of the Corporation. However it is not necessarily appropriate in all circumstances that the person acting as Chief Executive should also act as Executive Vice-Chairman of the Corporation. For example, the Government Secretary might act as Chief Executive but it might be appropriate for someone such as the Attorney General, for example, to act as Executive Vice-Chairman of the Corporation simply because he has been involved previously and directly in the Corporation's affairs. The amendment therefore provides for the Executive Vice-Chairman to appoint who he will as Executive Vice-Chairman if he is unable to perform that function himself. I beg to move the first reading of the Bill.

The Bill was then read a first time. On the Motion that the Bill be read a second time the following discussion ensued:

The Honourable A.T.Blake

Your Excellency, when we discussed this amongst the elected members of Council we did agree that the elected person should serve for two years. This gave the opportunity for two members to serve on the Board of the Falkland Islands Development Corporation during an electoral period and I think that, unless Honourable Members object, I would like to see that included in the Ordinance. We were virtually unanimous in our agreement on the length of service of that elected member.

The Honourable The Chief Executive

Can I just say, Your Excellency, that all members of the Corporation serve for three years, except ex-officio members, so this would be rather an anomaly in the situation. It is in fact an anomaly which I thought we were removing via this provision in this Bill. As far as I understand it, this was agreed in Executive Council though I am not sure whether the Honourable Member for Camp, Mr. Tony Blake, was present when that was agreed.

The Honourable A.T.Blake

Your Excellency, I think what happens here is that by taking 3 years as the term of office, you have an elected councillor serving for three years, and then you have an elected councillor serving for one year and that gentleman or lady may not be re-elected. Therefore we are not

actually achieving the purpose for which the Bill was/
On every occasion that I was present when it was
discussed it was always 2 years for the elected member.

The Honourable The Chief Executive

Your Excellency, we don't actually have the minutes for the meeting at which it was discussed, although I would expect that the learned Attorney General's draft would reflect the discussion that took place at the meeting on the 4th December, at which of course the Honourable Member for Camp, Mr. Tony Blake, was not actually present.

The Honourable D.L.Clifton

The draft I have, and I quote " It is felt that the net should be widened to cover all elected members of Legislative Council, while membership of the Corporation be confined to an Executive Council Member. This will make it more likely that the member will serve longer than 12 months on the Corporation." I think that is the point that we are trying to make - that a 2 year period would be much more suitable rather than the 12 months, there being a more frequent turnover and a 2 year period would then enable more continuity of the Legislative Council.

The Honourable The Chief Executive

Your Excellency, the learned Attorney General has pointed out to me that if the election is for 2 years this will mean that other paragraphs in the original Ordinance will have to be amended, so I would suggest, Your Excellency, that, certainly as far as this particular section is concerned, we bring it to a further meeting of this House in due course. In the meantime I think we may take it that the Corporation will be happy to invite the Honourable Member for Camp, Mr. Tony Blake to sit as a member of the Corporation as Councillors chose him previously and which was also agreed subsequently in Executive Council. I do not know whether the Attorney General can advise us on whether we should sensibly withdraw the other amendments and take the whole lot together at a later stage or whether we should go ahead with those.

The Attorney General

I would suggest that we defer this Bill until later, possibly making an amendment in manuscript in the meantime. Otherwise we may create further anomalies in the law.

On the advice of the Attorney General consideration of the Bill was deferred until a suitable amendment had been drafted.

When Council resumed the Bill was read a second time. During the Committee stage the Honourable A.T.Blake moved the following amendment:

The Honourable A.T.Blake

Your Excellency, I would like to move an amendment to section (b), at the bottom of page 1, after members, to read -

" and subject to subsections 4 and 5 shall serve for a term of 2 years";
to change section (c) to (d) and insert a new Section (c) reading -
"the insertion "(1)(b)" after the word "subsections" in section 6 (3)."

I am indebted to the invaluable advice of the Attorney General who I am making sure is earning his leave !
Thankyou.

The amendment was adopted and the Bill passed through its remaining stages without further debate or amendment.

THE EMPLOYMENT OF CHILDREN (AMENDMENT) ORDINANCE 1985

The Honourable The Chief Executive

Your Excellency, I hope this is less complex but, remembering some previous discussion on educational matters, somehow I doubt it.

Essentially, this is a piece of legislation to tidy up the discrepancy between two pieces of existing legislation. There is the Education (Amendment) Ordinance 1983 which made schooling compulsory until the end of the academic year in which the child attains the age of 15 years. There is the Employment of Children Ordinance 1966 which placed controls and restrictions on the employment of school children.

However, in that Ordinance the definition of a child is a person under the age of 15 years. There is thus a conflict between the two pieces of legislation. A child of 15 years, although still of compulsory school age in terms of the Education (Amendment) Ordinance, may obtain employment without restriction in terms of the Employment of Children Ordinance. This Bill therefore amends the Employment of Children Ordinance 1966 so that a child is either of compulsory school age or under that age in terms of the Ordinance.

I beg to move the first reading of the Bill.

The Bill was read a first time and passed through its remaining stages without debate or amendment.

MOTION FOR ADJOURNMENT

The Honourable The Chief Executive

Your Excellency, I beg to move that this House stands adjourned sine die.

The Honourable The Financial Secretary

I beg to second the Motion.

President

The Motion is that this House stands adjourned sine die, does any Honourable Member wish to speak?

The Honourable A.T. Blake

Yes, Your Excellency, in rising to support the Motion I have a few comments and observations to make. I listened with interest to comments about the actions of various people on the radio recently and a comment by a certain gentleman about the ability and the quality of decisions made by Councillors. Although I did not agree with his comments it did stimulate a lot of publicity within the Islands and most probably some outside the Islands which I'm not aware of in relation to the proposed visit of the Argentine t.v. crew. I think certainly in my time on Council it is the first time anybody has in actual fact stood up and chastised and heavily criticised Council, and I think if the response from Councillors and from the public in general was any indication perhaps it should happen more often. We express our views in a manner which I would expect most locals to do, so I would congratulate the gentleman concerned for stirring up a lot of interest and discussion on a subject which has only reiterated the decision made by the Councillors involved and I would point out to the general public that all Councillors support the decision made by the original four Councillors one hundred percent.

I am grateful to the Honourable Mr. Lee from Port Howard who mentioned that Agriculture does not get mentioned very often in speeches in Council, probably because we are so busy getting on with the job and getting things done that we do not have time to create controversy within our own area. I reiterate that I would agree with him that there is a requirement for a number of big farms, there are people who do not particularly want to own their own farm and I do not think it is the aim of those people who support small farms to do away with all the big ones altogether.

Fox Bay Village does obviously cause concern from time to time and I, like some other Councillors, attach great importance to this area. I think it should be developed. I think there is some slight misconception about the amount of money that is being spent there. I would remind people that we did in fact run it as a farm

for a while and there was quite a considerable income into the general coffers from that farm which was spent elsewhere or, as it were, re-spent at Fox Bay Village. I do think that the responsibility for a lot that goes on out there should be passed on to the Fox Bay Village Council. They should be accountable for some of the things that happen, or could happen there, if they want that sort of responsibility, but I think that we should pay quite a lot of attention to how we want the Fox Bay Village to be run because, at the moment, there are too many ifs and buts and the decisions when they go wrong seem to be always passed on to the other one and it doesn't seem to be working terribly well. I do think we should solidify the situation at Fox Bay.

Communications have obviously created a stir as has housing and I would be very wary, and advise that other Councillors be wary, of going into 2-metre repeaters in too great a hurry. We have done quite a lot of research in this area and it would appear that although at the moment people would like 2-metre repeaters to be able to talk more freely to Stanley and about the Camp. There is a limit and I believe that the present repeater operating does sometimes run into operational difficulties. One has to remember that when we talk of low numbers they are going to have to be in highly inaccessible areas and make you run into fairly large maintenance problems, plus the fact that I think we should look to the future far further than with just 2-metre repeaters. People are beginning to want some privacy - small businessmen, small farmers and to a certain extent big farmers would I am sure like to be able to talk business matters in some form of privacy and I have had representations from a number of people who would like to talk to their doctor in privacy. I think we should be looking a little further into the future to see if we cannot formulate a system which does give people a certain amount of privacy.

I was very interested to hear the results of the poll started by the Honourable T. Miller and I am actually astounded that there seems to be an air of independence, I do not know whether I misinterpreted what was said, but it seems as though people were expressing their views towards independence. I was staggered by this in a country which I have considered in the past to be full of Royalists and Thatcherites. I cannot understand quite how this has occurred and certainly have had no great indication from people that this is the way they think and I would appreciate learning more about this because it is important that we are aware of any such movements within the Colony. I would therefore be grateful if anybody who has strong feelings towards independence would contact either myself or their Councillor and express their views.

One of the responsibilities that I have assumed with this Council is for military affairs and I would like to clarify that my thinking about military affairs is more with the Falkland Islands Defence Force than with military matters in general, although I am always interested and keen to learn and help with military matters.

I have had a number of representations made to me by people in Camp who feel that they would like to play a slightly bigger part in the defence of the Colony but do not feel that they can commit themselves to the extent that is required by the present system that the Falkland Islands Defence Force uses. I am afraid I am a little bit nostalgic and I look back to the time when the Royal Marines used to send an NCO and perhaps one other around to train people in Camp. It has been suggested that perhaps the Falkland Islands Protection Vessels might, during the winter months, be able to bring up to date the training of people who have spent a number of years. I personally trained with those Royal Marines for seven years and I think that there is a valuable part to be played by those people who wish to remain in contact with that organization and play their part in the defence of their specific area. I think that well trained people who are in situ, rather than flying scouts out from Stanley and dropping other members in the middle of Port Howard or wherever, are far better suited to cope with the situation, having a much better understanding of the lie of the land.

/ in the
Forces.

I am a little bit concerned about the length of time it takes for Government decisions to reach the people involved. We have a very small community and if I compare some of the decisions that have been made for example at Standing Finance Committee and Executive Council, my constituents and particularly those who live close to me know when a subject is going to Executive Council or Standing Finance Committee and they know when I have come back from town that I have discussed it, and they obviously want to know what the decisions are; and where possible and where prudent, I do inform them. But on some occasions I do not think that it is prudent and I am astounded that sometimes it is up to two months before decisions made in both these Committees, reach the people concerned. A typical example I believe is one that was recently brought to my attention concerning certain decisions regarding the termination of the post held by Mr. K. Halliday at Fox Bay, which were never officially given to him in writing. He was told verbally, and I notice the Chief Executive shaking his head violently so I guess there is a mishap there, but I have looked at the various files on the subject and I, too, am unclear as to what in actual fact he was informed of; so I may not have picked a good example. But there are extensive periods which I think are totally unnecessary in this small community.

We have had quite a bit of discussion on the Air Service and the Shipping Service and I think we do have problems here and I, Sir, will take a feather out of your cap here and say that I really do think we can solve these problems within the community and we must get round the table and graft these problems and see if we can sort them out. A valuable assessment has been made for the Falkland Islands Development Corporation and as soon as we are able to assess this I think we really must get round the table and try and sort these things out.

Sir, I beg to support the Motion.

The Honourable D.L. Clifton

Your Excellency, Honourable Members, Firstly I would like to apologize; one of my constituents said yesterday I was rather abrupt in addressing the Council initially by not referring directly to yourself, Sir, and to the Honourable Members present. I must confess to not being a great public speaker, nevertheless I do try and make an effort. I do not intend to take up the length of time that the Honourable Councillor Tony Blake has done.

There are one or two points here that I would like to bring up.

Concerning the United Nations Meeting that Councillor Cheek and I attended in November, I believe that it is absolutely essential that the Falkland Islands Council continues to send delegates to further the Falklands cause, wherever that may be, whether it is to the United Nations, to various Parliamentary bodies in England, wherever, we must promote that cause; we must be seen to be doing it vigorously and with the conviction that we are able to put it forward with.

I would also like to express my thanks to Councillor Cheek for being my tutor during my first visit to the United Nations. Councillor Cheek has, I believe, covered almost $\frac{1}{2}$ million miles in the last four years to and from the United Nations and I think that is a considerable feat in itself, without going there and preparing all the necessary paperwork and putting a case forward on our behalf.

I would also like to bring up the question of the Civil Service. I feel I have to, being a Civil Servant myself. I have made various comments in Executive Council and in Standing Finance Committee. The Civil Service today is not exactly a bag of worms, but there are a lot of causes for concern in it. I refer directly to the recent granting of ex-gratia payments.

There is the question of overtime rates now to be considered. There is still considerable difficulty in the recruitment of new clerical officers to the Service and I understand that this summer a fair percentage of the younger element of the Civil Service are going to go squid fishing. I think this illustrates the point that junior members of the civil service are not being paid enough and we should address ourselves to this problem as ardently and as efficiently as we can.

Finally, Sir, I would like to draw your attention, and Councillors' attention, to the rather dilapidated pieces of furniture that we have been sitting around for the last two days. I wonder if we could arrange to have the furniture problem looked into, particularly the hard wooden chairs and perhaps indeed, Sir, to some updated microphone equipment.

Sir, I beg to support the Motion.

The Honourable C.D. Keenleyside

Your Excellency, Honourable Members, in rising to support this motion I too would not like to take up too much of your time. I think you will find me more concerned with local matters as I was not involved in the United Nations.

I have become involved with the Hospital as part of one of my portfolios and one of the things that we have heard discussed a lot is the Hospital but we seldom actually hear discussed the people who are going to be in it. I have thought for quite a long time that the local people involved in the Hospital seem to have little opportunity for actually furthering themselves within the organization. There are people here who have the ability to take up more senior posts in the Hospital. I think a proper training programme would give these people the advantage they need to undertake these posts.

We walked around the town a short while ago looking for potential sites for housing and development. Some of the sites we saw were certainly not very pleasant. My personal feeling is that in choosing sites for housing there are several facts to be borne in mind, not least is the fact that we have a considerable mess around the town in some areas, and the way I see things, to go forward is to bear this fact in mind when choosing a site, i.e. when junk is cleared away there is land available for building. What is an eyesore at the moment could eventually be land available for housing. We also need to identify a site for mobile homes. I think there is a growing need for one. Something we must not forget when a site for mobile homes is set up is that the people involved there may want to have a garden and I suggest an allotment area be set aside for people who may want this as well.

I am a great supporter for making things better for the older society here and I refer of course to the pensioners. I think an increase in pensions is the only way to make things better for the older members of our community. Each option we look at whether it be any subsidy or whatever seems, in some ways, to be tied to peoples' income and appears cumbersome. I think the only real way of providing more for our Old Age Pensioners is to increase pensions and the only way I can see this coming to fruition is by increasing pension contributions. This may be an unpopular move, but I am afraid it is my opinion. I am pleased to be associated again with the Finance Department and I look forward very much to their continuing involvement with the age of computers. I think that this is very much a step in the right direction and should help with the more efficient running of the various departments. Those are steps forward as far as I am concerned.

However, I would comment on a certain large store which has recently opened a new section, presumably so one can shop longer hours, but unfortunately there has become increasingly less to buy. Basic products one would expect to be able to buy are sometimes not there and I think this is rather deplorable. Let us hope we can see some improvement there in the future.

I beg to support the Motion.

The Honourable L.G. Blake OBE JP

Your Excellency, Honourable Members, in rising to support the Motion and having been denied through my own errors the chance to ask oral questions, I would like to refer to one of the written answers. It was a query about the rating of unused town land and basically the answer I got was that formulating a law to bring this about is so difficult that it does not seem worthwhile. I find that a rather weak argument and I will return to the subject at a later date. It does leave me with my mouth open.

Talking of town land and following the Honourable Member for Camp, Councillor Tony Blake, in his comments with regard to the management and the running of Fox Bay by the Village Council brings back to my mind what I believe was one of the biggest mistakes we as a Government made some years ago in abolishing the Stanley Town Council. We seem to spend a tremendous amount of our time in this Council and in Standing Finance and Executive Council dealing with domestic town problems which I believe would be better dealt with by a Town Council. I do believe that we should reconsider the decision we made some years ago in abolishing that Council and think very seriously about reviewing it. I believe that the town itself would benefit from being run in that fashion and it would reduce the general involvement of Council in town and particularly domestic town matters. It would hopefully enable them to bring more pressure to bear on their residents regarding the state of buildings and the lack of land etc.

I would also like to take mild issue with another of my camp colleagues, the Honourable Tim Miller, with regard to his comments on land reform and the use of high land as common grazing following the pattern of the most efficient hill farming industry in Britain. I believe there is no worse farm land in the world than the British commons and hills, their only means of existence is through Government subsidy and if you drive across Dartmoor the condition of the land and the state of the stock is absolutely appalling, just as most of the other hills are because you have a totally uncontrolled system of grazing and a totally uncontrolled system of management. It is a system of management at the lowest level because the poorest farmer dictates the level at which all his co-common owners will behave. It is the most dreadful system, and if one cannot allocate high land with lowland then the best thing to do is to close it off because it will only be a source of infection and disease. I would also, in fact, having sat in on two round robins with columnists and what have you looking into the subdivision programme, take issue with the size of the farm. I have yet to hear a small farmer say that he would like double the size of his holding. Most of them I have heard have been very strong on the fact that they have got just about as much on their plate as they can handle, and that the sizes we are putting out are right.

Finally, Sir, I am very encouraged with the attitude I believe that we are developing and I think that we should continue to foster within Council that we are ceasing to be the official opposition to the administration, and that we are becoming an arm of Government and I do not think that we should ever lose sight

of that fact. Alright, there are areas that frustrate us as members, as citizens, and we will kick at those areas, but we should never forget, and particularly now when we really are the voting section of the community, or Government, we, the Members, actually vote on this now. There are no hidden controllers. If decisions are made in these Islands now, we are the people that make them. It is not the administration, it is not a Government Officer, it has been made by the Members of this Council and I think we should be proud of that fact.

I beg to support the Motion.

The Honourable J.E. Cheek

Your Excellency, Honourable Members. I see we are now coming towards the end of our first meeting under the new Constitution. It seems to have gone fairly well, without too many problems. I must admit at one stage I thought we might have to employ a prompt but the Chief Executive managed to find his papers and I think we have overcome that problem now. I noticed, I do not think I am nit-picking, one potential problem yesterday when we had some Motions before us, proposed by I think the Honourable Financial Secretary and seconded by the Honourable Chief Executive. Thereafter, no one spoke on it and, at the end of the silence, Your Excellency said that the Motion had been passed. I think the feeling of the House was that it had been passed, but I believe the rule is that there has to be a majority, to my way of thinking there was no majority, presumably the eight Members all abstained and in case someone does in the future argue about such a point, I wonder if it would be worthwhile, where no one speaks to a motion, if a vote should be taken to get around any future argument that at that motion no one was willing to speak for it. Just a minor point.

During the past three years the amount of traffic in Stanley increased dramatically, certainly the first two years after the war, and I think it has been quite amazing that there have been practically no accidents, no serious ones, although there was one potentially serious one when a military crane ran down one of our hills. I am pleased to see that the Police have now managed, with the extra labour that they have, to mark out "no parking" areas around the corners, and that people are now not parking right up to them.

I was rather appalled the other day to find that our rules are not being passed around as well they might be. Coming up to a corner and starting to pull out I realised the vehicle on my left was not going to give way to me being on his right and, having recovered from the shock, I managed to catch up with him a little bit later and asked him if he was aware that our rules are to give way to the right. He was not aware. What really appalled me was that the driver was a Military Policeman. I am not getting at the military. There are a lot of new people who come to this town. The military turn around roughly every four months. We get quite a lot of new construction people coming in and this is really a plea, for safeties sake, that our police and the military, the people in charge of the construction workers, do pass on our rules of the road. I would hate to see some child hit in the future, or even myself!

The Honourable Member for Camp, Mr. T. Miller, says we seldom talk about farming here. I find, as someone brought up in Stanley, I always feel a little bit guilty talking about farming, I do not know all that much about it, but one thing, I think I mentioned two or three years ago, and would like to mention again; it worries me that a number of farms are obviously being run very inefficiently. Some farming lands, particularly Islands, were bought and are no longer used as farms and we are not getting any revenue because of it. I am not sure what our new farming expert will suggest, whether he will even touch on the subject, but I think it may be worthwhile looking at some sort of legislation where land has a minimum tax base, and if the owner is not prepared to put enough effort into providing an income to itself which would provide Government with a certain level of tax, then that land is taxed to the level, whatever he does.

I suppose as the new Chairman of the Education Committee I should really mention something about it. If I remember right, over the last two or three years I have been saying that our education has been improving, which I think in general it has, and quite considerably in some cases. I would like to say one or two words of caution. I think our main problem is recruitment of teachers from U.K. and I have a nasty feeling, not entirely shared by the Superintendent of Education, that we are going to run into some more problems this coming year. We, the Committee, have tried by suggesting that current contracts have a clause which should be answered six months before their contract is up, stating whether they would like to return for another tour, but even those six months I do not believe give the Overseas Development Administration time enough to recruit new staff before that period expires. I am not sure what the answer is, whether we should extend that six month period even further or whether we should possibly allow in the Estimates for one or two more staff than we would ideally require, with the understanding that the chances of actually coming up to full establishment are so remote that we would not really have to worry about spending that extra money.

The Honourable Member for Camp, Mr. Tony Blake, I think it was, mentioned a decision made initially by the four Stanley Members regarding the Argentine film producer. I would just like to make one point as there has been quite a lot of discussion about it. I believe that the decision was made, and certainly as far as I am concerned, on the grounds that we were not allowing an Argentinian into the Islands. I was asked in England by at least three different bodies why we stopped a film producer coming in and my answer was, every time, that we did not stop a film producer coming in. As far as I am concerned we would not stop any media person coming in, however much we disliked him, however much we believed his reporting would be biased or even untrue. The press have the right to report whatever they want from here. The only reason he was stopped was because he was Argentine and I believe that the general public still feel very strongly about not wanting Argentines here. I hope that clarifies certainly the way I view the subject.

Just one last subject, Sir. I believe during the last number of years decisions have been made by this Council, by a number of its Committees and possibly by other Councils in which the decision makers know they have not made, probably in some cases, the best decisions, but have made decisions because they believe that which they have taken will generate less bad immediate publicity in the U.K. and elsewhere. I believe this is wrong and morally degrading to the people who make them, to the Islands and, in the long term, damaging to the Islands. I do not believe that we should continue this kind of decision; to me it is living a lie. We have to make what is a correct decision without regard to the adverse publicity. We either have to accept that publicity or try to counter it and give the reasons why the decisions have been made.

I support the Motion.

The Honourable R.M. Lee

Your Excellency, Honourable Members, in rising to support the Motion, I have a few words I would like to say.

This being my first Council Meeting, I have enjoyed the last 24 hours although it has been heavy going at times and I feel better informed as to how the Government machine we were talking about yesterday actually works. I know I have still a lot more to learn and I have not yet found the accelerator to the machine. If I could find it I would certainly press it in some cases! I would feed in the cross channel ferry and the improvements to FIGAS and would really put my foot to the floor!

I would just like to say a word or two about the old people whom we often forget when talking about development and so on. I agree entirely that their pensions should be increased and I also believe that the old people in the camp should have the right to retire on the farms. I think we should all do our best to ensure this. I know we have talked about this before but I feel very strongly about it. It is good for them and good for us. We need their advice on the farms and their stabilizing effect on the youngsters.

I would like to take the Honourable Tony Blake up on his remarks about VHF repeaters. Yesterday I suggested that we should set aside money to purchase repeaters as a means of filling the gap between now and a proper system that with all due respect the Government have been talking about for at least ten years. I am not suggesting that repeaters are the answer entirely, but I am suggesting that for a fairly low cost we could have a number of repeaters installed and improve the system no end.

This brings me onto another topic and that is experts. I think we need experts but I think we should be wary of some of the advice they give us. Relating to the repeaters, it was quoted yesterday that an expert claims it would cost £93,000 to install a repeater on Mt. Maria. Approximately five years ago J.L.W. and Holmstead & Blake installed a repeater on the same mountain for the cost of about £1,000. That repeater is still working after five years,

surviving an invasion and giving quite good service, so I would question the figure of £93,000 that was quoted. I think we should be wary of some of these experts and their advice.

Briefly, OSAS; whether we like it or not OSAS causes problems within the Islands. It causes friction between local people and people from overseas. I find it a bit disturbing that nearly 20% of the £31m has been spent on subsidizing wages and so on. I think the problem will have to be tackled from both ends. I think some OSAS people are paid too much and I think a great many Islanders are paid too little. I think somehow we will have to find the money to bridge that gap and reduce the present friction.

On agriculture, I am glad that my remarks yesterday provoked one or two people into actually mentioning the fact, no matter how reluctant they were to do so. I cannot say more strongly that our main industry is agriculture and we must talk about it and find ways and means of improving it.

I was very pleased to talk to the Superintendent of Education the other day and he told me he intends to include basic agriculture in the curriculum very soon. He also hopes to involve ARC with some teaching and demonstrations. I think that is really a good thing for the industry. There is also talk about field days about which I feel strongly. I think farmers should get together and discuss their problems and I would hope that Government would support anyone who decides to hold a field day. The big problem of course is travel, the expense and the organization and I would hope that Government would take a sympathetic view to providing free or subsidized travel to one farm per year where all the farmers could get together and have a good talk.

Fox Bay Village; I agree with the Honourable Tony Blake about the Village Council there. I think they are ready to take on more responsibility and we should take up their offer. I also agree that if they do, they will have to be prepared to take the responsibility for getting things done and perhaps taking the rap for some of the things that are not done, but I do think that they are ready to take on more responsibility and should be given the chance.

As I am on the Education Committee I would like to make a few remarks about Stanley House. I have noticed a great improvement in the running of Stanley House over the last month or two. I think the place is going from strength to strength. I have yet to hear all the problems they have because we have not yet had a meeting, but we hope to put that right today.

To conclude I would just like to support the Honourable Lewis Clifton on his request for better furniture in this room. I do not mind the wooden chairs but if we could have some that did not squeak every time we rose to speak it would be rather nice.

I wish to support the Motion.

The Honourable T.J.O. Miller

Your Excellency, Honourable Members, in rising to support this Motion I agree with one of the earlier speakers that it is good that this Council is becoming more a part of Government. In fact, from earlier comments there seems to be more flak coming my way than what is heading towards the administration!! However that is not going to make me any less controversial.

On the subject of communications I fully agree that private and confidential communications between the camp and Stanley must be the ultimate objective. There is nothing worse than having to discuss medical matters over the air in public, and many other subjects as well. But, as we all know, it is going to be expensive and will take time to achieve where, as the previous speaker has pointed out, the VHF system exists and works and I am convinced that one or two more strategically sited suitable VHF repeaters won't be vastly expensive and they will at least greatly improve the present communications bottleneck.

Regarding the opinion poll that I am in the process of carrying out and the questions regarding our future type of Government. Councillor Tony Blake has mentioned the word 'Independence', well that certainly did not feature in my questionnaire and I do not want to have anything to do with it and, as far as I know, this is not what anybody wants, but the results so far show a strong desire towards more internal local control of our own Government affairs.

Another Councillor has referred to what I was saying when I was talking about land reform and the use of hill grazing land. The big difference of course between the Falklands and Britain is that we are not talking about large numbers of farmers using one particular common grazing area and the difficulties of controlling it, the diseases and so on; fortunately we have not got those disease problems anyway. And secondly, it is only going to be a very small number, two, three, four or whatever, the farms that would be situated around that particular hill grazing area, so I still remain convinced that such a system should be perfectly simple to operate and keep under control.

Your Excellency, the subject of youth is one thing that we never seem to get around to talking about. I am referring to youth entertainment and activity facilities. They seem to have very little place in our thinking. I feel this is very wrong. The young people of today are the work-force and the leaders of tomorrow and this must be virtually the only place in the world where their needs are totally ignored by Government and by 'Government' I mean ourselves as part of Government.

I echo the thought that perhaps we need to look again and reconsider the formation of a local Town Council. I think that it is shameful that we do not provide any funds however small, or any practical assistance towards Stanley's young people. The 13 to 20 year old bracket is what I am particularly thinking about. Any local Council in Britain does what it can within its means to aid youth activities. The teenager of today, I think, can only look at Stanley as a rather

tatty, boring place with little to do. The will is not lacking on their part; I am convinced of that. Wherever they seem to turn and wherever those who are interested in youth leadership turn, whatever they try to do they seem to come up against the dead hand of bureaucracy and /or a small group of citizens who will not try anything and try to block any forms of progress. After awhile it just kills their enthusiasm. A branch of the Scout movement has been established here and they have had a lot of help and practical assistance from the military and from a number of U.K. contractor firms. They have had virtually no assistance at all from local Government. The Youth Club is trying to improve its operations; they badly need more premises and likewise the Scouts. These organizations have some available buildings at Clamshell Point and they want to re-erect them in Stanley and Government cannot or will not find a piece of land for them in Stanley. Yesterday, in reply to a question, I was told that Government has no shortage of land available; so where is it and what is the problem? If perhaps there is nothing readily suitable then why can we not purchase on the open market. Firstly, obviously, demolish and re-develop derelict sites like a local Government does as and when required in Britain for re-development, re-housing, a shopping centre, a road or whatever. A prime example of this must obviously be the properties known as Estate Louis Williams. They are absolutely falling to bits, they are eye-sores and they have been little used for years, and of course they are foreign based in ownership as well. It is a prime central site.

The swimming pool saga. I think the foundation stone must have been laid about fifty years ago, and since then it has been bogged down in innumerable committees who have gotten nowhere. I feel that it is high time that we actually start to do something instead of just talking about projects. If we start to get on and take decisions, sometimes we are going to make mistakes, but I am sure that those mistakes will be more than countered by the things we actually achieve. Up until now very little has actually been achieved in the line of youth activity. Take the Social Club, the building seems to have died and the control, or the present operator of it seems to have done likewise. Everyone who has tried to get that building or to re-open it, seems to have come to a dead end. I urge the Administration and this Council to take an active role in youth activities and their aims and their needs for the betterment of all of us.

Sir, I beg to support the Motion.

The Honourable Mrs. Norma Edwards

Your Excellency, Honourable Members, in rising to support the Motion and bring up the rear to all these worthy gentlemen who have had a lot to say and left me very little to comment on, I would just like to comment on housing again.

It is desperately needed for the locals and for the immigrants that we hope to get, but I would like to point out that if we are going to expect immigrants to come to our land we do have to offer them some incentives. At the moment I do not think we are doing that at

all and we are losing able people who would like to settle here because they can not afford to stay, basically. They take a local wage and it is not enough for them. Consequently, we then have to employ more OSAS people to fill the jobs that these people vacate. As an Honourable Member previously said, we need to get our figures right with regard to payment of OSAS people and local individuals. There is one easy way out - it glows in the sky at night in Berkeley Sound. I would urge the Government to get a settlement on the Fishing Zone with the British Government. We would have ample money then to cope with all our problems. Unfortunately at the moment we do not and we have to put up with all the rubbish around Stanley because we do not have enough men in the Public Works Department to clear it up. If I had a ten ton truck, and I knew how to drive it, and a crane I would willingly do it myself and, as Mr. Hills frequently tells me, the name of the game around here is self-help. It would be nice if we could all get together because we do not have the man-power in the P.W.D. and, with a concerted effort, clear away all the rubbish. We could start at Callaghan Road and work our way through the whole town. I would dearly like to see that happen.

On the subject of public relations; I think we are sadly lacking in that field and we really must do something to improve our public relations. The press is not always in our favour and I believe people in Britain do not even understand the history of the place. They assume, because Argentina has told this lie for so many years, that they were originally thrown out by the British, etc. and the general public believe that because they hear it more frequently. They do not hear our side of the story and I think a potted history of the Islands being available to the British public would perhaps not be a bad idea.

The Civil Service I sympathize with greatly because I think it does badly need sorting out. Having said that I must say that we are rather bogged down with it and when we try to keep the essential services going and suggest overtime for those essential services, the rest of the civil servants expect the same deal. I do not believe that should be the case. I think there are certain cases where people should have overtime and there are other departments that do not need it.

I would welcome the training of local nurses, but I would point out again that if you are going to train local people you must offer them decent remuneration when they come back. This does not happen at the moment and we are in that situation where we have to employ overseas people in professional jobs which a lot of our Islanders are capable of doing.

I welcome, too, that we are going to have a review of pensions. I would suggest when they are reviewed that they do get some concessions. At least perhaps a free trip on the Islander once a year to see their relatives. I do not think it would drain our economy too much.

A Town Council; I support that idea. We get bogged down and the camp Members must be thoroughly fed up sometimes coming all

the way to Stanley to a Standing Finance Committee meeting when most of it is about Stanley matters with very little pertaining to their own constituents.

I would finally like to just touch on the subject of youth which the Honourable Member for Camp, Mr. Tim Miller, brought up and point out that it is not only a lack of Government interest. I am on the Committee of the Youth Club in fact, and of the people who serve on that committee there is only one parent whose child actually attends Youth Club. I am sad to say the adults are not interested in what their children are doing in the evening. It is a great pity we get no help from the parents of the children who actually attend the Youth Club and I would love to see more involvement from them. Until that happens I am afraid the youth will continue to go their own sweet way; and I am afraid it is not always a sweet way. They have bashed the Youth Club up quite a bit of late and it is a great pity. Hopefully they will, however, appreciate that permission has now been granted for the installation of toilets in the Youth Club, which is a great help.

Sir, I wish to support the Motion.

The Honourable The Financial Secretary

Your Excellency, there are a couple of points which have been raised by Members, and the first one that I have noted is the mention by the Honourable Member for Camp, Mr. Tony Blake; that is the point on the decisions of Standing Finance Committee not being acted upon quickly. I would like him to give me more information on this so that we can put it right. As far as I know our secretary, Mr. Howatt, produces his minutes quite quickly and action is taken, or at least transferred to the Heads of Departments, quickly. However, I will certainly look into that.

The question raised by the Honourable Member for Camp, Mr. L.G. Blake, on the reply given on the taxing of plots of land in Stanley, I would ask him to look at the third paragraph of the written reply where it states quite clearly that the matter is still on the desk, not on the shelf. It has been referred to Mr. Ritchie for his advice and I am pleased to say that I have already got his advice and it will be referred to the Attorney General for further consideration.

On the Old Age Pensions and concessionary air fares; I can reiterate what I said earlier; that these matters are upmost in our minds and they will be dealt with during the course of the Budget Session of Council.

I am also pleased that the Honourable Member for Camp, Mr. Miller, has now clarified the position. I was also under the impression that he meant independence, and I was going to mention that it is a sheer load of rubbish, because there is one thing; we are 100% British and that is the way we will remain.

I support the Motion.

The Honourable The Chief Executive

Your Excellency, it is right that I should begin, I think, by thanking everyone who has helped make this session of this House the success that I believe it has been.

Firstly, Your Excellency, for the wise and helpful and informal way in which you have presided over us on your first occasion as President. Secondly, Honourable Members, and for this purpose I include the gallant Commander and the learned Attorney General for all their contributions large and small, for lively debate, for tolerance and humour mixed with a determination, I believe, to get at facts and see right done. Finally, I would like again to thank the Clerk, Mr. King, who has once again organized everything so well, and all those people in the Secretariat and the Civil Service generally who have assisted with the preparations for this meeting.

Now, like the Honourable Member for Stanley, Mr. Clifton, I also want to make a small apology. My personal assistant, with the candour permitted to trusted personal assistants, tells me that I rather gabbled through some of my answers yesterday. I can only say, by way of explanation, that I was rather conscious of the length of some of my answers and was anxious not to take too much of the Houses' time. Obviously no disrespect to the House was intended.

Now it falls to me to reply to this debate and from the number of points that have been raised it is a rather daunting task and I hope that I can deal with most of the specific criticisms which have been made or implied, but if I forget to mention any, I am sure that Honourable Members will forgive me. I will basically deal with those which particularly aroused my ire, or those which I felt were particularly unjust or unkind.

Before I deal with those specific points I would just like to make some general points. I think one of the results that we have seen, Your Excellency, of having newly elected Honourable Members is the way they jog Government's memory about ideas which are in the pending tray because they are complicated, or problems which have been shelved at the point at which they have become chronic. I am thinking, for example, of the possibility of increasing existing revenues from fish, or the need to find a site for the new fire station. Then again they raise new concerns that require Governments' attention, or at least planning for the future. I for one had never heard mentioned before, to my shame no doubt, the need to think about fencing Stanley Common. Finally, I think, having a new Council reminds Government of long-standing perceived grievances, such as the inter-Island shipping arrangements or the failure of FIGAS to fly scheduled services at the weekends. Government, and by Government I mean essentially Executive Council advising Your Excellency and officials, cannot immediately tackle all these problems and it will take time for us to establish our priorities with the best will in the world and I ask for Honourable Members' forbearance and understanding over this. And when Honourable Members feel overwhelmed by hundred-weights of paper, as the Honourable Member for Camp, Mr. Tony Blake, so graphically described it yesterday, I hope they will remember that paper is not an end in itself; it is designed to be as much

help as possible to Honourable Members in setting out the facts of an often complex situation and ensuring that wise, well-informed decisions are made. In practice I was very greatly heartened by the sense of partnership, to use Your Excellency's phrase, which I feel we are beginning to create amongst ourselves in this new Council. In essence, particularly with the new Constitution, the Honourable The Financial Secretary and the learned Attorney General and the Government Secretary and the rest of the Civil Servants are, indeed, the servants of elected Councillors but, like all servants, we are only as good as you, our masters, will allow us or encourage us to be.

I entirely endorse the comments of the Honourable Member for Camp, Mr. Tim Blake, about this gap which has existed between something called the Administration which apparently takes ages and ages to do all sorts of strange things with pink files and orange files and blue files in the Secretariat, and very occasionally makes decisions which are irrelevant to the needs of the Islands and too late to be of much use, and Councillors who are full of brave, sensible, practical ideas which the administration fails to carry out. I do not think this has been true for a long time, if it ever has been true, but there are many people who still talk as though it were true, and I am particularly grateful for his remarks in that respect.

Now, I would just like to mention Motions. I cannot remember a time when there have been quite so many Motions at a session of this House. I would like to assure the House that Her Majesty's Government will be advised promptly of the Motions on sovereignty and on fishing and, just to demonstrate how responsive FIDC can be to the accelerator, as I suppose the Honourable Member for Camp, Mr. Lee, would put it, Mr. Armstrong has already been in touch with Mr. Prynne about the possibility of extending his study to include external shipping services as well as internal transport problems.

On fishing there has, for as long as I can remember, been a Falkland Islands view which has been expressed very eloquently and forcefully by the Honourable Member for Camp, Mr. Tim Blake, yesterday, and Her Majesty's Governments' firmly held and often stated view which is that the multi-lateral approach has the better chance of success, given all the complexities involved and that we in the Islands consistently underestimate the costs and the difficulties of enforcing a unilateral regime. I do not believe, Your Excellency, that Her Majesty's Government having gone so far down the multi-lateral road could likely abandon it, but I do believe that the message which went out from this House yesterday will certainly leave them in no doubt as to the need to resolve matters speedily.

If I may come now to the various specific points, and I will take them in no particular order, and I will hope that I can read the notes that I have made about them.

I was very interested in the poll conducted by the Honourable Member for Camp, Mr. Tim Miller. It is quite clear that the results were going to arouse a lot of interest; I think it was

an extremely good idea. The only cautionary note which I would strike is that it is not misunderstood. I think we would like to, all of us, look again at the questions and the answers in some fairly systematic way. It is quite clear that there has already been a degree of misunderstanding as we have seen in this debate this morning over this question of independence.

On military affairs, the Falkland Islands Defence Force, I am sure that we should look at the possibility of trying to accommodate those people who would like to participate in the defence of the Islands in camp, but find it difficult to get away for any lengthy period, or to come into Stanley to do so; and I would undertake that Government will discuss this with the Commander British Forces.

On the length of time which it takes for Government decisions to be communicated, I shook my head vigorously when the Honourable Member for Camp, Mr. Tony Blake, mentioned a particular matter. I shook it because I went out of my way personally in that matter to make sure, as far as I could, that the particular individual was as informed as he could be at every stage when his case was being discussed. It did take rather a long time, because it was rather complicated as I remember, to eventually decide precisely what the arrangements for him would be. I think often the difficulty about communicating a decision is that the decision really does not just end with the view taken by Standing Finance Committee or Executive Council. This often has to be put into some appropriate and administrative, legal form and sometimes it takes quite a long time; but I would certainly pledge my support to the view that decisions of Government should be transmitted as quickly as possible and as honestly as possible to those people which they affect.

Now we have had talk about the civil service from several Honourable Members, in particular from the Honourable Member for Stanley, Mr. Clifton. I think that all that I can say here is that a letter has gone to the Civil Servants' Association, following the last Executive Council meeting bar one, putting forward a certain proposal and we are at present awaiting a formal response to it. I would however like to add that Mr. Dale will be returning to the Islands early in 1986 to do a job evaluation exercise. This will not solve all the problems of the civil service but it will, I believe, help to iron out some of the anomalies that exist in the gradings of different jobs in the service. I also agree with the Honourable Member for Stanley, Mrs. Edwards, that the problem of overtime must be tackled. It comes up all the time in a number of different areas and certainly in one area, that of FIGAS, the failure to agree any appropriate arrangements for overtime or bonus payments or whatever is impeding progress.

I turn now to the remark made about the hospital and particularly about the nurses, both by the Honourable Member for Stanley, Mr. Keenleyside, and the Honourable Member for Stanley, Mrs. Edwards. As I understand it, there is in fact now going to be a training programme for the auxiliaries. This will not, of course, turn them into S.E.N.'s or S.R.N.'s, but it will give them some proper professional training and give them a greater sense of

satisfaction in their jobs. The Medical Department are also very conscious of the need to look at the girls in the Stanley Senior School who are likely to want to become nurses; those, of course, that have the educational qualifications which will certainly enable them to do that. They are certainly going to make great efforts to maintain contact with the Stanley Senior School and give that encouragement. I think that we have to say, and this may not be popular, that if an Islander goes away and trains as a nurse, as I believe the Honourable Member for Stanley, Mrs. Edwards, herself has done and they return to the Islands, that they will be paid a local salary and that they may well find themselves working alongside a nurse from the Westminster hospital, or whatever, who is paid a supplement in addition to their local salary. That supplement is paid to that person who comes from outside of the Islands as an inducement to come here. I am afraid that we would not attract either nurses from outside the Islands or other professional and technical staff that we so badly need from outside the Islands unless we paid them that additional supplement. I do not believe there is any way of getting away from that but I accept that it does sometimes cause resentment.

Can I now deal with the question of Fox Bay Village? I think I have been dealing with this question in the debate on the Adjournment for just about as long as I can remember, which is worrying because it seems as though Government is not doing the right thing by Fox Bay, is not solving the problems. Certainly I have it in mind that we need, Your Excellency, to set up a framework of Government in Fox Bay Village which is both responsive to local needs and also ensures that any central Government funds which are put into Fox Bay are properly controlled. It is not entirely an uncomplicated matter. I am at the moment studying some legislation from other parts of the Commonwealth (not, I may say, from Hong Kong nor indeed from Gibraltar) which I hope will enable us to find a way forward. I believe that that is an important task for 1986 and I hope that the next time that I speak in the debate on the Adjournment that I shall not be once again giving some sort of explanation as to why this has not happened. That may be giving a hostage to fortune or a triumph of hope over experience, but I will do my best.

The Honourable Member for Stanley, Mr. Cheek, made a point about the procedure on motions. I would not wish to comment on that particular point, but what I should say is that I think we have to look at our Standing Orders. I think that this arises because it is something that we should do from time to time. They look a bit old fashioned and a bit worn looking by now. I think it is also something we have to look at in the light of having a larger Council, and this is something again which should happen in 1986 and will be very much, of course, a matter for Honourable Members themselves.

As far as immigration is concerned, which was raised by the Honourable Member for Stanley, Mrs. Edwards, I would like to assure her that the Falkland Islands Development Corporation has some proposals for assistance for immigrants which I expect to put to Executive Council early in the new year. I agree that we have to think in terms of giving some initial assistance to immigrants.

Two further specific points; communications. I really do not want to get into a debate about something that I do not understand very well. Rather like the Honourable Member for Stanley, Mr. Cheek, who says he does not understand agriculture very well, I do not understand communications very well either I am afraid! What I can tell the House this morning is that the Superintendent of Posts and Telecommunications came to see me just before this meeting and told me he now has the proposals from, I think we can reveal, Cable and Wireless for their version of our telecommunications system. What I am hoping is that two people from Cable and Wireless in the United Kingdom will come down in January and, ideally, that they will perhaps be given the opportunity of addressing all Honourable Members before the commencement of Standing Finance Committee on the 16th January.

I think the only other specific point I had related to agriculture. Having confessed my ignorance of it, I take note of what the Honourable Member for Camp, Mr. Miller, said about the need for variety and flexibility in the area of approach for subdivision. I think we have already seen this to some extent. We very nearly had the Hill Cove cooperative and I am sad that they so narrowly voted against it. We have seen a pattern emerging now of subdivisions being made available to the Falkland Islands Development Corporation on a one-off basis, which I think again is an interesting development. I would adopt a cautious approach to the thought of the hill farming arrangements which he proposes because I suspect that they do in fact receive a fairly high element of subsidy in the United Kingdom and I am not sure that that is something FIDC would very easily be able to pay for very long.

Can I make a final point which really arises from the plea which came from the Honourable Member for Camp, Mr. Miller, relating to youth? Also, I think relating to the various criticisms which have been made about the state of the town. I think we have to decide, in a number of these matters, how much Government can do and how much has to be done on a voluntary or community basis by individuals. I was surprised in fact, that the Honourable Member for Camp, Mr. Miller, mentioned the swimming pool committee as though somehow it was a Government committee, because my understanding is that, although it has customarily had a considerable interest taken in it by the Governor personally, it is essentially a community effort and not a Government effort. I was interested in Mrs. Edwards' offer that if Mr. Hills would make available to her a ten-ton truck to clear up the town, and perhaps give her a few driving lessons, that she would set out one Saturday morning and do something about it. I personally would volunteer to join her. I think we have to think very carefully about those areas where Government really can contribute, given the scarcity of human and financial resources available to us. It was I think John Kennedy who said: "Ask not what your country can do for you, but what you can do for your country", and that is the theme with which I would like to close my speech.

President

This House stands adjourned accordingly.

APPENDIX A

QUESTIONS FOR WRITTEN REPLY

QUESTION NO. 15/85 BY THE HONOURABLE J.E. CHEEK

Have the Administration or MOD any plans for the filling in of the large mud holes at either end of the Murrell Bridge which have, in the main, been caused by BVs?

Reply By The Honourable The Chief Executive

The Government has been concerned about this problem for some time and a visit to the Murrell Bridge was made by Mr. M. Rendell and the Roads Superintendent on 15th August 1985. Following the visit a request was put to the Command Secretary for assistance in repairing the approaches to the Murrell Bridge and this they agreed to do. However, work has not yet started.

In November 1985 a sub-committee of the Joint Liaison Committee was established, with both civilian and military representation, to look at the current problems of Camp Tracks and with particular regard to the damage done by military vehicles at 'choke points' such as the Murrell Bridge.

A visit by this sub-committee to look at the problem areas, including the Murrell Bridge, has been scheduled to take place in the near future, following which remedial action will be taken.

QUESTION NO. 16/85 BY THE HONOURABLE L.G. BLAKE OBE JP

Will the Chief Executive inform Council whether the Administration has had any indication as to what facilities the British Forces Falkland Islands expect to vacate over the next two years, and when.

Reply By The Honourable The Chief Executive

Plans have been drawn up for the closure of most military camps in the Falkland Islands on the establishment of the Mount Pleasant Complex (MPC). The plans have not had final approval from the MOD and are dependent on the completion and fitting out of individual facilities at MPC. The outline timetable is:-

FOX BAY: The future of the camp at Fox Bay has not yet been decided but the infantry company will move when accommodation becomes available at Mount Pleasant in late 1986/early 1987.

KELLY'S GARDEN: It is intended to close the camp at Kelly's Garden when the troops move in mid-1986.

PORT SAN CARLOS: It is intended that the leave and recreation centre at Port San Carlos should remain open at least until the Garrison has concentrated at Mount Pleasant in mid-1987.

STANLEY: RAF Stanley is due to move to Mount Pleasant in mid-1986. The remainder of the troops, less some eighty who will remain in Stanley, will move as accommodation becomes available in early 1987.

HQ 8FFI: It is estimated to move from its present location to Mount Pleasant early in 1987.

QUESTION NO. 17/85 BY THE HONOURABLE L.G. BLAKE DBE JP

Will the Financial Secretary tell Council when he expects to introduce measures to rate unused building land in the town, as this measure has been recommended by the past two Select Committees on the Estimates.

Reply By The Honourable The Financial Secretary

I fully recognise Honourable Members' concern in this matter but to draft effective and fair legislation for rating unused building land is more complicated than appears at first sight.

The Attorney General has received model legislation from Australia and Kenya. This has now been studied and is regarded as too complicated and too difficult to administer.

The matter has been referred to the Financial Adviser, Mr. H.P. Ritchie, for his advice. Government expects to receive proposals from him quite shortly.

Government will in the meantime itself use its best endeavours to make its own land available for building purposes, where this is appropriate in relation to other requirements.

QUESTION NO. 18/85 BY THE HONOURABLE C.D. KEENLEYSIDE

Can Government confirm that Malvina Paddock will be restored to its former condition on completion of the hospital contract?

Reply By The Honourable The Chief Executive

The exact arrangements made between St. Mary's Church and Mr. Rendell and the Fairclough Miller Joint Venture for the use of the Malvina Paddock are a matter of confidence but I can assure the Honourable Member, having spoken to the two landlords, that there is in their agreements an undertaking by Fairclough Miller to take down and remove the buildings and reinstate the Paddock to its original state.

QUESTION NO. 19/85 BY THE HONOURABLE C.D. KEENLEYSIDE

Can Government confirm that the weekend charter flights undertaken by FIGAS make a profit?

Reply By The Honourable The Chief Executive

In essence the weekend charter flights increase FIGAS' income and reduce slightly the extent of the subsidy. The normal rate for the charter is £700 based on two hours' flying at £350 an hour. £50 of this is divided between the pilot and engineer who operate the flight.

QUESTION NO. 20/85 BY THE HONOURABLE C D KEENLEYSIDE

Did the last increase in electricity charges result in a decrease in consumption of electrical power by old age pensioners?

REPLY BY THE HONOURABLE THE CHIEF EXECUTIVE

There are something like 120 Old Age Pensioners living in Stanley. It would be possible to research the amount of electricity consumed by each in, say, the quarter commencing 1 July in the years 1984 and 1985 by studying their electricity bills. However, the Honourable Member will see that this would be a very substantial task; without additional information, for example, about weather conditions, any changes in the number of people in the household concerned and changes in appliances used, the information would be incomplete and conclusions drawn from it could be misleading.

I have asked the Director of Public Works to make a comparison of the bills of the first twenty people on the Old Age Pensioners list and report back to me. I will then discuss that information with the Honourable Member to see whether it reveals any trends which should be investigated further.

QUESTION NO. 21/85 BY THE HONOURABLE R.M. LEE

Will Government briefly outline its future plans for the development of Fox Bay Village and clarify the role of the Fox Bay Village Council in these plans.

Reply By The Honourable The Chief Executive

In essence the Government's plans for Fox Bay Village are to provide the infrastructure which will enable the commercial and farming activities there to develop to the maximum extent of which they are capable. The following development expenditure is planned in the 1985/86 Estimates:-

Jetty	£50,000
Four New Houses	62,520
Transfer of Mobile Homes	6,000
Improvements, Water Supply	30,000
Renovation Diesel Tank	1,000
Replacement Generators	35,000 (from ODA funds)
	<u>£184,520</u>

The role of the Fox Bay Village Council, effectively a Council of the whole Village, is currently an informal one. Government aims to consult it over all significant decisions affecting Fox Bay East though Government is not bound to follow its advice. There is also regular correspondence between Government and the Village Council Spokesperson. There is a part-time Government Agent at Fox Bay Village particularly to ensure liaison between the Village and Stanley and the General Manager, FIDC, is also tasked by Government with the role of ensuring that the Village's needs and requests are dealt with.

QUESTION NO. 22/85 BY THE HONOURABLE T.J.D. MILLER

Is the Medical Department satisfied that it is getting the best value for money in regard to their drug suppliers?

Reply By The Honourable The Chief Executive

The Medical Department is satisfied that it is doing the best possible to get good value in all the circumstances. Since the 1982 conflict, supplies of drugs and equipment for the Medical Department have been ordered via the Army Directorate of Medical Supplies. Funding for these items has been from a credit balance agreed between FIG and MOD which represents the value of existing stock in the civilian Hospital taken over in entirety by MOD immediately following the conflict.

The Directorate of Medical Supplies in turn buys from a number of sources in the United Kingdom in order to obtain the best value. By the expedient of ordering drugs by generic name (i.e. non-branded drugs) costs are kept to a minimum. As the Medical Department has till now been ordering on its credit balance no additional costs (transport, handling charges) have been payable. The Chief Medical Officer is satisfied that it would be impossible to order drugs and equipment independently of the MOD at comparable rates.

However, when the credit balance is exhausted - probably early in 1986 - the Medical Department will then be liable to a 37% levy over and above the basic costs of the drugs. This is MOD standard practice when supplying to another department and represents the additional costs of handling and shipping the supplies. When this levy comes into force the Medical Department will order most drugs independently of MOD. The first order for bulk drugs has been placed with a U.K. wholesaler again for generic equivalent drugs rather than brand name drugs in order to keep costs to a minimum. This policy will need reappraisal when the joint hospital opens.

QUESTION NO. 23/85 BY THE HONOURABLE T.J.D. MILLER

When do FIGAS estimate being in a position to fly at least six days a week, assuming demand, and allowing for staff work-hours rotating.

Reply By The Honourable The Chief Executive

I assume that the Honourable Member refers to scheduled flights as opposed to the charter flights which in the summer at best mean that FIGAS flies regularly on six days a week and from time to time on seven days a week.

As far as scheduled flights are concerned, for FIGAS to fly on Saturdays or Sundays will require an appropriate arrangement with the FIGAS pilots and engineers for them to provide their services at weekends. This has yet to be successfully negotiated. It would also probably involve an increase in FIGAS office staff. It is to be hoped that with the establishment in June 1985 of a Civil Aviation Advisory Committee to look into the future of Civil Aviation in the Islands and report, this matter will receive their urgent attention.

QUESTION NO. 24/85 BY THE HONOURABLE T.J.D. MILLER

Will FIGAS as far as is practically and economically possible ensure to drop mail to the smaller island farms say at least once a fortnight when flying in that area.

Reply By The Honourable The Chief Executive

It is FIGAS' aim to deliver mail to the majority of settlements at least fortnightly as far as is practically and economically possible. FIGAS maintain a close liaison with the Post Office who consider it their responsibility to draw FIGAS' attention to any significant accumulation of mail for a particular place; FIGAS will then make a delivery to that place as soon as they reasonably can. It is slightly more complicated to make mail drops from the Islander than the Beaver; with the Beaver the pilot could do it himself but with the Islander it has to be done by a willing passenger.

QUESTION NO. 25/85 BY THE HONOURABLE T.J.D. MILLER

What form of heating is planned for the new hospital and how will the overall hospital running costs apart from staff be allocated between FIG and the MOD?

Reply By The Honourable The Chief Executive

The central heating system for the hospital and sheltered housing will be oil fired. There will be a separate meter for the sheltered housing at the take off from the main hospital supply.

The staff housing located to the south of St. Mary's Walk will have individual oil fired central heating systems.

It is anticipated that the overall hospital running costs, apart from the direct costs of staffing the hospital, will be shared between FIG and MOD but the precise basis is still under discussion. At this stage the discussions are between ODA and MOD but, of course, in the last resort it will be for FIG to agree whatever allocation and system of cost sharing is proposed as a result of ODA's and MOD's discussions.

QUESTION NO. 26/85 BY THE HONOURABLE MRS. NORMA EDWARDS

In view of the fact that the mobile homes site at Jeremy Moore Avenue is now unlikely to be ready for use in January can we not utilise the existing empty mobile homes in Stanley House grounds for emergency housing, until such times as the site is ready for them to be moved?

Reply By The Honourable The Chief Executive

I agree that it is most frustrating that these homes cannot be occupied till the site at Jeremy Moore Avenue is ready.

However, the Education Committee were consulted about the possibility of allowing occupation of the homes in the Stanley House grounds and felt that they could not support it.

The Committee thought that the lifestyles of the potential occupants, who would be mostly young and single, were not likely to be compatible with the needs of a home for children. In addition, the night-watchman would have difficulty in policing the grounds, being unable to distinguish readily between ill-intentioned intruders and friends of the occupants of the mobile homes.

FIG have accepted this view.

QUESTION NO 27/85 BY THE HONOURABLE MRS. NORMA EDWARDS

It seems likely that future housing in the Falklands will be of the Clanwood self build type, and because there seems to be no private land available for purchase in Stanley, would Government consider releasing plots of land for purchase by private individuals as soon as possible, so that people may buy and erect their own homes?

Reply by the Honourable the Chief Executive

I have asked the Director of Public Works to identify plots of land owned by Government which might be made available for individual purchase in this way.

QUESTION NO 28/85 BY THE HONOURABLE MRS. NORMA EDWARDS

Could someone explain to me why the new hospital contractors are importing quantities of crushed stone, at what must be considerable cost, when in the past we have always used local crushed stone for building purposes? Unless there is a very good reason, it seems rather like carrying coals to Newcastle. If we have nothing else to offer in the Islands, we certainly have an abundance of stone.

Reply by the Honourable the Chief Executive

The hospital structure complies with British Standard Specifications which require high quality reinforced concrete in some parts of the building. This in turn requires aggregate of a particular quality.

Not all Falklands aggregate is necessarily of this quality and sufficient stone of an appropriate standard has had to be identified. In order not to delay construction whilst this identification process is taking place, a certain amount of stone has been imported. It is anticipated that imported stone will not amount to more than three per cent of the total stone used.

QUESTION NO 29/85 BY THE HONOURABLE MRS. NORMA EDWARDS

In view of the fact that people are complaining almost daily that it is most impracticable to have a non-resident Town Planner, would it not be sensible to make this post available to a resident of the Islands in future?

Reply by the Honourable the Chief Executive

The present contract of the visiting Town Planner expires at the year end. It will be for Executive Council to decide whether ODA should be asked to renew or extend his contract. If Executive Council take the view that a Town Planner continues to be needed but not to extend or renew the existing contract, it would be for Government to decide whether the post could be filled by a local appointment. The qualifications for a town planner vary but a town planner would normally hold a professional qualification or a degree.

QUESTION NO 30/85 BY THE HONOURABLE MRS. NORMA EDWARDS

Is it true that the M.P.A. contractors are planning to tarmac only parts of the road between Mount Pleasant Airport and Stanley, and not the whole road? If this is so, can the reason be explained?

Reply by the Honourable the Chief Executive

In general it is now planned that the road will have a gravel type running surface with only ten kilometres in all constructed with a spray and pre-coated chips finish. This is because it was considered beyond the capacity of FIG to maintain a spray and pre-coated chips finish along the whole length of the road, some fifty kilometres. The spray and chip finish will be applied where the gradient is such that it is considered desirable to prevent surface scouring by water.

QUESTION NO 31/85 BY THE HONOURABLE MRS. NORMA EDWARDS

Because we have so few trained electricians, would it not be sensible to offer overtime to these people, rather than time off in lieu of the extra hours worked? At present we have one electrician in particular who has accrued approximately eight weeks time off for extra hours worked. Therefore important jobs, such as the installation of the fire alarm system in the Town Hall have to be left in abeyance, when he would rather be at work, and completing the work he started.

Reply by the Honourable the Chief Executive

A decision has now been taken by Executive Council to make ex gratia payments to certain permanent employees in the Power and Water departments in view of the very substantial number of extra hours worked by each in the period beginning 1983 to end June 1985 maintaining these essential services. These payments have been made on the basis that time off in lieu of overtime will not now be taken in respect of the period in question.

MINUTES OF THE MEETING OF THE
LEGISLATIVE COUNCIL
HELD IN STANLEY

28TH AND 30TH MAY, AND 2ND JUNE 1986

MINUTES OF THE MEETING OF THE LEGISLATIVE COUNCIL
HELD IN STANLEY ON 28TH MAY, 30TH MAY AND 2ND JUNE 1986

PRESIDENT

His Excellency the Governor, Mr. G. W. Jewkes CMG.

PRESENT: MEMBERS:

Ex-Officio

The Honourable the Chief Executive
(Mr. D. G. P. Taylor)

The Honourable the Financial Secretary
(Mr. H. T. Rowlands OBE)

Elected

The Honourable A. T. Blake
(Elected Member for Camp Constituency)

The Honourable D. L. Clifton
(Elected Member for Stanley Constituency)

The Honourable C. D. Keenleyside
(Elected Member for Stanley Constituency)

The Honourable L. G. Blake OBE JP
(Elected Member for Camp Constituency)

The Honourable J. E. Cheek
(Elected Member for Stanley Constituency)

The Honourable R. M. Lee
(Elected Member for Camp Constituency)

The Honourable Mrs. Norma Edwards
(Elected Member for Stanley Constituency)

The Honourable E. M. Goss MBE
(Elected Member for Camp Constituency)

PERSONS ENTITLED TO ATTEND

The Commander British Forces
(Air Vice-Marshal R. J. Kemball CBE RAF)

Attorney General
(Mr. M. C. Ll Gaiger)

CLERK Mr. P. T. King

PRAYERS were said by the Reverend D. J. Palmer RA ChD.

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ADDRESS BY THE PRESIDENT (28.5.86)

Honourable Members:

Any meeting of the Legislative Council is an important event in the life of the community. I believe this to be especially true of budgetary sessions when, among other things, the Council is able to examine the record of the financial year which is drawing to a close, to consider proposals and determine priorities for public expenditure in the following year, and the ways and means by which governmental activities are to be financed.

This, of course, is the first opportunity that the Council elected last October has had the opportunity to put its own particular stamp on the budget. Given the importance of the task, I am glad that we have in the Chamber today a complete, experienced and dedicated team of Councillors. It is only a short time ago that I feared that the burden of this week's work might have to be carried by seven eighths of a team. Happily, however, after a period of uncertainty, four public spirited men put themselves forward as candidates for the by-election in the Camp constituency. We welcome today to our deliberations, and congratulate, the victor of that stirring contest, the Honourable Eric Goss from North Arm. Mr Goss succeeds in effect to the seat which his father occupied with distinction for several years.

I am also glad to see in his place the Commander of the British Forces, Air Vice-Marshal Kemball. The Commander attends and may participate in this Council, and also in Executive Council meetings, by Constitutional right. I am glad that the framers of the Constitution made such provision at a time when the presence of the British military establishment continues to be so important to the well-being and security of the Falkland Islands. As I shall have no further opportunity of doing so in Legislative Council before he moves on later this year, I would pay the warmest tribute today to the conscientious attendance and participation of the Air Vice Marshal in both Exco and Legco. We wish you, Air Vice Marshal, and Mrs Kemball well for the remainder of your tour of duty and for your future appointments.

Apart from the work of our respected Clerk of Councils, the burden of official preparation for this Council has fallen mainly upon the shoulders of three senior officials here present - the Honourable Chief Executive, the Honourable Financial Secretary and the Learned Attorney General. The first two named remain of course, ex officio but non-voting members of the Council under the Constitution adopted last year. I never cease to appreciate the sheer amount of excellent work so consistently undertaken by this trio or the very high level of their professional skills. That this Colony, at a time of unprecedented development, is so well served by such a team (and I stress that it is a team), should be a source of satisfaction and pride and assurance to Honourable Councillors and their constituents. It certainly is to me.

I shall refer towards the end of my speech to the matter of the budget. We must not forget, however that there is other business to be transacted - Honourable Councillors' questions to be answered, motions to be debated, bills to be passed. The importance of the questions and motions on the order paper cannot be over-estimated. The right of elected legislators to challenge and examine the executive - and, indeed, to remind Her Majesty's Government and Loyal Opposition of Falkland Islanders' rights, interests and desires - lies at the very heart of the democratic process which is so cherished in this place. Moreover, the opportunity to inform members of the public whom I'm so glad to see in attendance today and in the wider radio audience beyond these walls about public issues should not be dismissed lightly.

I would, if I may, pursue that theme for a moment. Despite all the efforts of Honourable Councillors themselves, of the broadcasting officer and of those who publish local newspapers from time to time, there seems at times to be a disturbing lack of understanding of the problems and issues faced by the Colony's Administration and of the ways in which those matters are being tackled. In part, misunderstandings may stem from difficulties of access between different parts of the Islands and the nature of internal audio communications, which it is intended should be improved ere long. The absence of serious daily newspapers reflecting different points of view does not help. But the Falkland Islands do enjoy other advantages denied to other countries - the majority in fact, whose populations are measured in millions. One of those advantages is the electorate's accessibility to Councillors and of virtually everyone's chances of formal or informal access to officials.

By contrast, in Britain, the ratio of electors in each constituency to Members of Parliament is several tens of thousands to one. Indeed I believe that the average number of electors in each constituency in England is now on average of the order of 65,000 electors to each Member of Parliament.

I urge all who hear these remarks, especially private individuals and organisations who wish to participate in public debate or who stand to be affected by Governmental decisions, to make a determined effort to inform themselves properly about the issues of the day and not to be swayed by or worse, to be the instigators of misleading and at times injurious rumours. Senior officials know that I want the process of Government in the Islands to be both open and honest. When something can be said publicly, it will be, but if nothing can be said, there will be good reason for it. Please forgive me if I appear to labour this point but, as Governor, I am concerned about the quality of political debate throughout the Islands.

Returning to the subject matter of Honourable Councillors' motions and questions, it is always of great interest, not to say instructive, to see what issues have made or are making their way (in disc jockey's parlance) into the top ten or twenty.

Sovereignty and fishing - both issues with international ramifications - continue to claim pride of place. But several interesting domestic issues are near to the top of or rising, in the charts. Housing, litter, oil and postage prices, overtime payments to craftsmen are, possibly, the stuff of which questions have been made for years past; like the proverbial poor, they seem always to be with us. However, two or three new questions are clearly beginning to intrude upon Councillors' and the administration's consciousness. I refer particularly to the annual running costs of the new hospital, to internal communications, and to the future level of aid provision.

It would be presumptuous of me to anticipate either the contributions of Honourable Councillors to further debate or the no doubt elegant and convincing replies to their questions which will be given later today by the Honourable Chief Executive and the Honourable Financial Secretary. However, I would touch briefly upon one issue on which no specific questions or motions have been tabled but to which I myself attach considerable importance, namely, proposals to reform and simplify the grading and salary structure of the Civil Service.

When I arrived here last October, I became aware of widespread dissatisfaction both within and outside the Civil Service. The causes of dissatisfaction seemed to be various - responsibility was not being rewarded, the grading structure was too complicated, salaries - especially at the lower levels - had become seriously depressed and uncompetitive. If the Service was to be shaped in a manner which would make it responsive to the needs of the day, something had to be done about it.

Earlier this year, the Colony was fortunate indeed to secure the services as consultant of an experienced retired Colonial Administrator, Mr Philip Dale. I believe that the comprehensive report and recommendations which Mr Dale left behind provide an excellent blueprint for the restructuring of the Civil Service. I commend Mr Dale's Report as a whole to Councillors and to those directly affected by its terms - the Civil Servants themselves. It is important if the Colony is to thrive that its Civil Service should attract a reasonable share of the best people at all levels, that they should be fairly but not over generously rewarded in relation to other sectors of the community, and that each and every member of the Service should carry his or her appropriate weight of responsibility. Given the new Constitution, the time has gone when Departments should try to dispose of their problems by referring them upwards or, as is often the case, that many members of the public should assume that the only way to get action was to go right to the top.

Civil Service reform is a matter which affects all Departments to a greater or lesser extent. Let me now turn the spotlight briefly on some aspects of individual Departments' activities.

I doubt whether any Department has been more affected by change

during the past year than the Customs and Harbour Department. The opening of Mount Pleasant Airport with its wide-bodied jet arrivals, and the introduction of fees relating to the transshipment of fish in Falklands harbours, have added significantly to the Department's workload. I congratulate Mr Halliday and his staff on rising so well to the challenge. The Department has now become one of the Government's largest revenue earners. If the revenue-earning potential of the Department is to be maintained and, indeed, strengthened, some money may have to be spent on new equipment in the coming financial year. I commend the thought to Honourable Councillors. Whatever fisheries regime may be in force from next season, the policing of Berkeley Sound, Port William and other coastal waters cannot continue to be dependent upon military facilities such as the 'Euroman' tug.

Turning to the Posts and Telecommunications Department, the urgent need to foster revenue from other sources is strengthened when one appreciates that the philatelic market has recently been in recession and suffering from over-exploitation. I look forward, if he cares to take Council into his confidence, to hearing the views of the Honourable Lewis Clifton on the outlook for world philatelic sales in particular and possibly Falkland Island philatelic sales as well. Councillor Clifton has recently returned from a major international philatelic exhibition - "Ameripex '86" - in Chicago. I especially sympathise with him this morning recognising what he has just gone through in travelling to Chicago and back via England within two weeks - a journey which I myself undertook in the opposite sequence last year within the same time period.

On the communications side of the Department, recently-received proposals from Cable and Wireless for the development of an island-wide digital telecommunications system could, if adopted, transform internal communications. A word of caution, however. It will take time to implement whatever system is chosen and I must counsel patience especially in those outlying areas which stand most in need of improvement.

I confess that until recently, I had not thought particularly of any public Medical Department being a revenue earner. It is noteworthy, however, that our own Medical Department, under the leadership of Dr Tom Pearce whom we shall be so sorry to lose shortly, has experienced a moderately profitable increase in workload of some 20 to 30 percent. This is due largely to the increase in foreign fishermen and contractors requiring medical attention. Far be it from us to make money out of others' misfortune but the facts are there.

A less satisfactory aspect of the Department's operations, and one which I know is of concern to our present professional staff, is that ways and means have yet to be found of training local nursing staff to internationally acceptable professional standards within the Islands. If we are to pay something more than lip service to the need to become less dependent upon

overseas contract officers, this is one area deserving of attention and local commitment at a variety of levels.

The major event in the Medical Department's past year has been the start of work on the new hospital, on which work proceeds apace. There is much to be done, but I believe that consolidation of close working relationships between civilian and military medical staff bodes well for the future of the joint hospital. It is a sad fact that the recent helicopter crash may have done more than anything else could to highlight the need for, and stimulate, close military and civilian cooperation in the medical field.

The **Aviation Department** becomes shortly a fully locally-staffed operation upon the completion within a few days of Captain Alsop's OSAS contract. Our best wishes and thanks are due to him as he leaves after three years of distinguished service.

Our internal air operations are now under the scrutiny of a Civil Aviation Advisory Committee chaired by the Honourable Member for Camp, Tony Blake, and I shall resist the temptation of commenting further upon the operations of the service or upon the acute problem of bringing the Department's revenues and expenditure closer into line.

The **Public Works Department**, because of its relatively large size and the extent to which it impinges upon the daily lives of so many, is perhaps the target more often of criticism than of praise. However, there is much to commend. More has been achieved than readily meets the eye, despite at times acute staffing difficulties. There is a question down for oral answer (No 14/86) regarding one major and long running issue. Again, I shall not anticipate the reply to this, except to say that the problem of the lack of men employed as craftsmen in the Department is, in my view, a critical one. It is perhaps worth noting that the PWD has made and will continue to make a notable contribution to the modernisation and operation of the major infrastructural works on which much capital aid money has been spent and remains to be spent.

I next look very briefly at the **agricultural sector** which is, and which seems likely to remain, the backbone of the Islands' economy. It has been one of the truly great pleasures of my present job to get out and about, with my wife, into the Camp and to see so many farms large and small (to the extent that that term can properly be used of any farm in the Falkland Islands). There are many more that I hope to see in the coming months. I follow keenly the debate about future land transfer policy and the application of current policy, problems of wool shipment and marketing and the role in relation to farming matters of both the Falkland Islands Development Corporation and the Agricultural Research Centre. I am at one with those who believe that the present rate of transfer from expatriate to local ownership is about right overall, although I accept that the pace of transfer may vary from one year to another. I hope and trust that it will

not be necessary to move to the compulsory purchase of existing overseas-owned farms in order to meet whatever level of demand exists within the Islands during the next few years.

My reference to the Agricultural Research Centre reminds me that we are shortly to lose the services of the Centre's Team Leader, Mr Tom Davies who, with his wife Gwen, will soon enter retirement. I would pay tribute to their most valuable contributions to various aspects of the life and work of the Falkland Islands over so many years.

The well-being of the Education Department and of the children they serve should be the concern of each one of us here today. The question of inadequate school accommodation is touched on in a written question. I would seize this opportunity, however, of commending the staff who have so ably overcome both teacher and accommodation shortages whilst maintaining high standards. Discipline within both the schools and the residential hostel compares very favourably, in my view, with that to be found in comparable schools elsewhere.

The Headmaster of the Senior School will shortly leave the Education Department after some eight years' service. The recent public examination results, when 71 GCE or GCE equivalent passes were achieved, provide evidence of the important contribution that the Headmaster has made here to secondary education.

Money invested in education is often slow to pay dividends. Yet the priority accorded to education, especially at secondary and advanced levels, no less than the encouragement of parents, teachers and employers, must not be skimmed in any way. This is especially important if the Colony is to stand a reasonable chance of becoming more nearly self sufficient in terms of meeting internally its own needs for technically and professionally qualified people in both the public and private sector.

The Justice Department has received welcome strengthening on the arrival in the Colony of a permanent Senior Magistrate and the Crown Solicitor. I believe that the role of public defender undertaken by the Crown Solicitor has generally been appreciated. It is perhaps worth noting that the Justice Department - which, if the Learned Attorney General will forgive me, tends like any legal department perhaps to be more closely associated than others in the public mind with the quill pen - was actually the first local Department to obtain and use a computer.

Our Learned Attorney General is doing valiant work in reducing the backlog that he inherited of legal drafting. Much remains to be done and I am pleased to say that arrangements have been made for him to receive outside drafting assistance at modest cost.

We should be very proud, I think, of our Falkland Islands Police Force. A force's efficiency might be measured in several ways.

I am especially pleased to say that our Force's crime detection rate - 63 percent - compares favourably with standards in the UK and probably with most standards in the United States of America.

Honourable Members will know that moves are afoot to transfer responsibility for fire services to an enlarged unit whose title - the **Police, Fire and Rescue Services** - will readily identify its range of responsibilities. Many of these are, or should be, closely related. This seems to me to be an entirely logical step.

It is inevitable, I fear, that the constraints of time and resources preclude specific open debate throughout the year on the activities of all Departments or upon all subjects of interest to the electorate. However, Honourable Councillors, with their own specific departmental interests, will, I am sure, grasp the opportunity afforded today and on the Motion for Adjournment to address matters of public concern to which I may or may not have referred.

Before I make a few remarks about the budget itself, let me comment briefly on two fairly recent visits by Ministers of Her Majesty's Government which, I think, have an important bearing upon Council's deliberations this week.

Both the Rt Hon The Baroness Young and the Rt Hon Timothy Raison were encouraged by and encouraging about developments in the Falkland Islands as they saw them some two or three years after previous visits.

Lady Young reiterated the unswerving commitment of Her Majesty's Government to the Islands and their future. At the same time, the Minister hoped that we would all recognise the importance of Her Majesty's Government's efforts to normalise relationships between Britain and Argentina, a process which the Prime Minister herself had pointed out would be in the interests of the Islanders, not least in the sense that it would permit a lessening of tension in the South Atlantic.

Mr Raison for his part, built upon the political assurances offered by Lady Young, encouraging all of us to think ahead about the future direction of the development programme once the present allocation of £31 million had been fully committed and spent. I hope the prospect of further aid came as a relief to any who feared that the tap might be turned off abruptly.

Decisions on future levels of aid will not be taken for some time. We are now at the beginning of a process, and Honourable Councillors are at the very centre of that process. I would take it upon my own shoulders to advise that we should be cautious in our expectations. There is no lack of good will on the part of Her Majesty's Government. It is a fact, however, that the Falkland Islands must in effect compete for scarce resources with other Dependant Territories, some distinctly more impecunious than the Falkland Islands, quite apart from the developing world

at large. Having sounded a note of caution, it would be utterly irresponsible of me to speculate about the size of any extension of the current aid programme. We need to determine together what we want and then, to use an ugly but useful Americanism, to "prioritize" our needs and wants over the next few years.

Since I am permitted only one opportunity to make a speech in Legislative Council, I request your indulgence, therefore, as I seize a little more time to set on the record a few points relative to the sensitive question of fishing by foreign fleets in waters surrounding the Falkland Islands.

There should be no doubt in anyone's mind that, for both conservation and economic reasons, I personally would like to see fishing controlled in such a way that fish stocks are maintained at levels which assure their replacement year by year whilst, at the same time, producing a decent and reliable income for the Falkland Islands.

Having said that, I have the strongest possible doubts that such a regime can possibly be achieved or maintained by unilateral action. My doubts are political, practical and financial. However, I hope that what we may not achieve unilaterally may be achievable in the near future by the FAO multilaterally, although I do not under-estimate the difficulties of achieving such a solution to current problems.

Whilst we should continue to hope for a satisfactory outcome to the FAO's studies, we must build locally upon the practical experiences of recent fishing seasons, overhauling our own fishing legislation, reviewing our transshipment fees regime and, as I hinted earlier, examining the possibility of policing our own waters. Quite a lot of progress was made this season. Much remains to be done.

And finally, to the budget itself.

I mentioned earlier in my remarks that we were passing through a period of unprecedented growth. If concrete illustration of this claim is necessary, I would draw your attention to a few - very few - comparative figures.

Ten years ago - that is for the Financial Year 1976/77 - the approved estimates provided for ordinary revenues amounting to just over £1 million and to expenditure of £1.1 million.

Five years ago - 1981/82 - the corresponding figures were about £2.5 million for ordinary revenue and £2.4 million for expenditure.

For 1986/87, the Honourable Financial Secretary will present a draft budget containing a forecast of ordinary revenues of some £7.2 million and a total for planned ordinary expenditure amounting to £7.4 million.

Even allowing for inflation, I suspect that such figures represent significant real increases on both sides of the account. But it is not so much the figures in each column that matter as the balance between the two - whether to budget this year or any year for a surplus or a deficit. As the Honourable Financial Secretary will no doubt remind us (and again I have much sympathy with him having been for four years Finance Officer of the British Diplomatic Service), the problem is that revenues are by their very nature unreliable, difficult to predict and to a great extent out of Government's control. Proposals to spend, however, seem to rise inexorably year by year at a relentless pace and the growth in demand is all too predictable. Sir Winston Churchill, a former Chancellor of the Exchequer himself of course, understood the dilemmas facing Chancellors of the Exchequer and Financial Secretaries when he said that "Expenditure is always popular; the only unpopular part about it is raising the money to raise the expenditure". Unlike many larger countries, including the mighty United States of America, we cannot and should not try to borrow our way out of trouble if things go wrong. The books must balance - certainly taking one year with another.

Lady and Gentlemen of the Council, politics is about priorities. A major and arduous task of selection, confirmation and rejection rests upon your shoulders once the Honourable the Financial Secretary has unfolded the details of his own carefully considered and prudent budget proposals. I wish you all well as you approach that task.

MOTION OF THANKS TO HIS EXCELLENCY ON HIS ADDRESS TO COUNCIL
(28.5.86)

The Honourable A T Blake

Your Excellency in rising to support the Motion of Thanks, I should, first of all, welcome the Honourable Eric Goss to Council. Over the years Eric and I have worked together on a number of things and I suppose this is the ultimate responsibility that we are able to share in the Colony. I am sure the Colony is going to be well served by the inclusion of Eric on Council.

Sir, looking at your speech this morning and with reference to your top ten or twenty I feel I must make some comment on the first two, as you put them, sovereignty and fishing. The Labour Party, through a well known mouthpiece, are looking for a response to their proposed policy on the Falkland Islands and I hope all Councillors are going to respond at some stage or another throughout these meetings. I consider they ought to respond violently, and with water jugs if they feel necessary, on behalf of the people of these Islands. There are many things we can tolerate in these Islands. We tolerate the weather, the isolation and we perhaps might even be able to tolerate higher taxation, but the one thing we will not tolerate is the suggestion that we should surrender our British citizenship and our British Territory to the Argentines. I hope that all Councillors will confirm this intolerance. I should point out that the statements made by the mouthpiece are made on behalf of the Labour Party as a whole, and we should direct our response at that Party. I hope that the Motion which will shortly come before us and a resume of our comments can be circulated to all members of the Labour Party so there can be no doubt within the Labour Party as to how the Falkland Islanders view their policy. I think I should also warn, not only Councillors but everybody, that it is unwise to follow blindly what the political parties in power or in opposition in the United Kingdom would like us to accept from them. The party in power can change and party policies can change and we have a responsibility to protect the future interests of these Islands and the people who live in them. We must therefore think, act and plan now for our future.

To other parts of your speech, Sir, I listened with interest to your comments about people informing themselves and the liaison between us and our constituents. Perhaps, sometimes, we do not inform the people well enough. We are not forthcoming quite enough sometimes, but there are an awful lot of people who do not bother to ask even the simplest of questions of their Councillors who you quite rightly point out are available, in some form or another, most days to most people and, I am afraid, I fall back on my saying that quite often when sober assessments are required it is not the sober who are always heard.

Your remarks, Sir, regarding the Civil service have been a matter of much concern to previous Councils and, in particular, to this

Council and I am confident that this Council will act in a way which will improve the efficiency and the service that is afforded by the Civil Service. We must remember, however, that in this world you do not get anything for nothing and we may well have to spend today to give ourselves a better well-being in the future.

I noticed also, Sir, that you remarked about priorities. I have been asking for priorities for quite some time so that we knew where we were heading and we have always agreed that we should have priorities, it has always seemed to be in our interest, but these lists, for some reason or another, have never been forthcoming, or, if they have been forthcoming they are usually fairly regularly changed. I really do think we should, as a body, sit down and try and decide exactly which way we are heading, put some priorities on paper and try to stick to them.

The number one or number two on your list out of fishing and sovereignty, I must refer to the fishing; it varies whether this is top or bottom depending on what is happening. This morning when I was thinking of this speech I put it as number two, but I think events of the morning have proved that I should really have put it at number one. I am beginning to run out of patience with the lack of progress in the policies that are being followed by the British Government. We seem to be pussyfooting about while the Argentines are rushing around with a machine gun. They seem to be much more effective than we are and I do not think they have the slightest intention of joining the multilateral approach.

I will not carry on, Sir. We have a lot of business to proceed through over the next few days, but I would make a remark as to that unfortunate mistake you made in your speech, right at the end when you said "Ladies". I think it was an unfortunate mistake and I think it should be "Ladies" and not "Lady".

Sir I beg to support the Motion.

The Honourable D L Clifton

Your Excellency, Honourable Members. In rising in support of your Address, Sir, I would also like to welcome Mr Goss and I look forward to debating with him at future meetings.

I had not quite realised that Air Vice Marshal and Mrs Kemball were shortly to depart and I would like to express at this time my best wishes for their next and future postings.

Sir, you covered many aspects of our national events and international politics. It would take far too long to refer to them all directly in one way or another but I will, if I may, briefly mention one or two.

You mentioned the lack of daily newspapers or the opportunity for the public at large to debate some of our more important problems and projects. With all due respect, Sir, I refer to our broadcasting department, and I would like to make a public comment that the programme substance coming from the Falkland Islands Broadcasting Service today is not what the general public are really looking for. I think I am quite right in saying that there is far too much music coming from that Station today, rather than serious programmes devoted to our national interest. I hope that with the recommendations contained in the Dale Report this area will be looked into.

I did not, for one reason or another, make any direct address to the conditions of the Civil Service either in a Motion or a question in the House because I am quite happy that the report Mr Dale has produced will fit nicely into the Civil Service here and will mould it for many years to come. I would only ask that this Council act upon it in the way that Executive Council have and that future Councils will also act upon it in the same way.

You mentioned that Departments should become directly responsible for their own actions and I fully endorse that. I only hope that the Dale report will be seen as cementing the initial way forward for Departments to become more responsible to the public at large.

You mentioned, Sir, the development which has taken place in the Customs and Harbour Department through the fisheries that we now have, and the licence that we have introduced. It all seems to happen far too fast for us to set up the infrastructure that is necessary to cater for development. I can use my own experiences in the Philatelic Bureau where Council some years ago suggested that the Philatelic Bureau be established on the recommendations of the Shackleton Report and then really did not pursue it to its full extent, not really catering for proper office facilities and not really thinking it right through. In this light, in relation to the Customs and Harbour Department, I would ask that sight is not lost of the requirement for the necessary navigational aids that should be found, and indeed are located on the maritime charts of these Islands. A recent accident to the FIC launch, I think, illustrates the point in question. Also I would make comment that the revenues from the Customs and Harbour Department are anticipated, they are not necessarily guaranteed, and I think this is something we have to take into quite serious consideration within the Budget proposals.

The Medical Department. The new hospital is certainly striding ahead but I think that we must cater for the recurrent expenses much more carefully when we consider development projects. We cannot simply be led along and have development projects thrown upon us for which we cannot meet the recurrent costs and I would also illustrate, perhaps to this, the infrastructure at Fox Bay. I believe it is by no means complete at Fox Bay at the moment. It is still going to cost us a quite considerable capital outlay for sewerage, for a deep water jetty and then there are still the

long term recurrent costs to be considered. I hope, Sir, during this Budget session that we can also implement some form of charge for the use of resources at Fox Bay by the inhabitants.

You mentioned, Sir, education and indeed it is pleasing to note that so many children today can leave school with so many certificates, GCE or whatever. Education, I believe, has advanced ten times since I left school some 15 years ago. However, I think it is a pity that school children, certainly the upper age groups, are not in evidence at this meeting today. Education should not necessarily be directly concerned with the theoretical aspect of life, more the practical side of it, and I hope that the education authorities might perhaps look into this in future.

You mentioned PWD very briefly, Sir. I know it comes in for a lot of flack and some may be justified but some may not be so justified. There is one point that I would like to make in that we are now considering the possibility of having a long term road maintenance scheme and I would hope that this Council will pursue that aim so that we may at least enjoy tarmac roads throughout the Islands; certainly within Stanley.

The Honourable Tony Blake made reference to the Labour Party. I regret that having been away for two weeks I am not quite up to date with the political scene either here or overseas. I will take note and comment upon it when it comes forward as a Motion. Thank you Sir.

The Honourable C D Keenleyside

In rising to support this Motion, Sir, I too should like to welcome Councillor Eric Goss to this Council. I feel he will make a very valid contribution when we come to our debates and I welcome him wholeheartedly.

I, too, note that we will soon be losing the present Commander British Forces. His valid advice and sense of humour has often brought us closer to accepting facts that sometimes we might not like but often we have to accept.

I note your comments on aid. I think we need to make sure that the aid we envisage is constructive within the Islands. We need to make good use of the employment possibilities brought about by such aid so that, in the event of the aid, we in fact train our people within the structure of that aid. We do not want to have a project come along and at the end of it be left with the project without any formal training having been undertaken within the structure of that aid.

I looked at the Dale Report with great interest. It appeared to be a concise and very complete document but we must bear in mind that we do have cost limits and we cannot just dole out money; we do not have it, as our Budget will show.

The Government Departments. I agree there should certainly be more control within those Departments. However, we must ensure that we give concise and clear direction to those Departments in which level that control is going to be.

The communications system we envisage in future, which includes in fact, as far as I can see, Camp tracks as well as audio communications. I think it is perhaps better to wait a little while and get a decent system than try and push one through quickly which is not exactly what we want.

I wish to commend Dr Pearce on the particularly good job they are doing under the conditions in the hospital. I wish him all the best in the future when he leaves us. I think we must ensure with the new hospital that we are careful that it is correctly set up. It is very important we get the administration right at the start so that once we get on the right foot we can keep things going correctly. I am rather worried about the possible future costs of the new hospital, and particularly their apportioning.

I must offer my condolences to the families of the victims of the recent crashed helicopter and I take this opportunity to offer those condolences.

I feel at present, in some of the decisions we make, we are reaping the results of lack of financial input into the the Colony's services over the years. We seem to have come to a head with many projects where we have now to do a total renewal job where perhaps if a bit more input and care had been taken over the years we might not have been put in this unfortunate situation.

You mentioned a quote on levels of expenditure and their popularity. Levels of expenditure are popular, but they are not popular when the public consider that they are wasted. We must be very careful that we do not waste any of the money that is entrusted to our care. Also, I feel that when you comment on the seriousness of newspapers I consider our small newspaper, small though it is, to be a very serious affair and I think that the comments expressed in it should be well noted by all here and I have no doubt that many of them are.

My doubts, for the same reasons as your own, on the multilateral fishing - you give political, practical and financial doubts about the unilateral zone - I have exactly the same doubts about a multilateral one. I do not believe that it is politically practical or financially beneficial to the Islands.

Sir, I wish to support the Motion.

The Honourable L G Blake OBE JP

Your Excellency, Honourable Members, may I join you, Sir, and other members in saying au revoir to Air Vice Marshal and Mrs Kemball. During his time here he has done much to foster and develop the link between the people of these Islands and the Forces. I think this was probably exemplified in the shock and horror of the loss recently of two members of the Chinook crew. Everybody was deeply grieved and I hope that he will pass our messages of sympathy to the bereaved and injured and also to their comrades. It was an Island-wide reaction and I think this sort of reaction stems from the Commander right down through the Forces because of the close contact between our two communities.

I would also like to welcome the new Honourable Member to Council, the Honourable Eric Goss, and I am sure his addition to Council will make up for the loss of his father from this Table.

I must comment, Sir, on fishing and your remarks which I think you know do not wholly tally with my opinions. I said at an earlier session of this Council that I believed the multilateral approach would produce little other than verbage and I am sorry to say that we seem to be finding this is so. A feasibility study of setting up a multilateral approach I think is the phase we are in at the moment and once we get past that one, perhaps in the next six to nine months, we go into phase two which I should think is the deep freeze operation. However, we have a problem and we cannot get over it on our own, but I do not think we can ever point out enough that the current slowness of progress is hindering the control of the level of fishing; is continuing to denude our fish stocks and, although it is said that the wildlife do not feed on the squid that is being caught, they feed on young squid and I do not think that it can be a coincidence that there are vast numbers of dead penguins about our shores at this time. This, I think, is probably stage one and it will not be just penguins. More of our wildlife will go shortly if we do not find a way of controlling the level of fishing and this co-operation which has been shown by the Japanese with regard to maintaining their fleet - the other ten boats they were going to send they have leased to Marr so that is ten extra boats from that organisation and many of the fishing nations are not cooperating at all. I do stress, Sir, that our concern is extreme and our faith in the outcome of a multilateral approach is very, very low.

I was interested in your comment, Sir, with regard to the salaries review. This, I think, is the fourth or fifth salaries review since I joined Council. Each time we hope that it has solved the problem and I hope this one has. But I do feel that it has still failed to meet one demand or desire and that is the ability particularly for skilled craftsmen to opt for either a permanent and pensionable or an hourly paid post, the hourly paid post which would take into account the advantages that they would give up with regard to a permanent and pensionable post but one cannot have everything and hopefully, generally speaking, this

salaries review will bring advantages in its train in addition to the rising costs.

I would also, Sir, like to join you in wishing Tom and Gwen Davies farewell, and thanking them, particularly thanking Tom in that it was he who originally drew the guidelines for research in these Islands; it was his foresight which started ARC. There are a lot of critics of ARC but I do not believe that an agriculturally based economy can function without research. Research is always expensive and in the early stages not always visible in its immediate benefits, but the thought and care that he has put into these Islands over the last 17 years I am sure the agricultural industry will benefit from, has benefitted from, and will benefit from in the future.

I do not normally, Sir, talk on education. I feel that it is a bit out of my field, but I have been stung into talking about education by the report of the British Council of Churches which describes our system of education, which takes students to 'O' level, as being rather poor, or words to that effect. I would challenge any of that august body - I want to be a little bit careful with my adjectives for them to be quite honest because I do not want to ascribe to them virtues I believe they do not possess - or any of those people who visited these Islands and drew up this report to do an analysis of a community in Britain and find the level of education there that we have here among our children and our young people. I would also like to challenge a second piece, I hope you do not mind me extending education beyond that into information, where they say that people here are badly informed about world events. I believe that the residents of these Islands are better informed about what is going on in the world than any of their British counterparts. One of the real problems in Britain, I find, is finding out what is happening in the world. You can find out what Arthur Scargill is doing or what the current dispute which is occupying the television screen is doing; you can see the results of the latest slaughter in Beirut; you have been able to see the flames from the Chernobyl disaster; but with regard to international politics people in Britain have no idea who leads who, or who lives where, and I believe the people of these Islands are far better informed than the average British resident. My one sorrow here, of course, is that we are preaching to the converted - I hope we are preaching to the converted - and the rotten brutes will not even hear me anyway. However, be that as it may.

Finally, Sir, you were talking about the need to keep funds within the Islands. I raise this one at regular intervals but, other than individual business, there is no way for residents here to invest in the development of these Islands. I ask again, is it not time we produced our own development bonds to allow people to invest their savings in the development of these Islands instead of investing them in the development of everywhere else in the world? Not only are we doing that but our Old Age Pension Fund is invested for everybody else's development. We then have to pay commercial rates to borrow money

to develop these Islands, or we will have to in the long term, and I think that we must address this situation, and address it quickly.

Sir, I beg to support the Motion.

The Honourable J E Cheek

Your Excellency, Honourable Members, in rising to support this Motion, I, too, would like to welcome Mr Eric Goss. I have missed the sound of a Goss voice here although I think Eric has a little bit to go before he catches up with his father but I still welcome him and look forward to hearing him.

Likewise, although the Air Vice Marshal has still some time with us, this meeting will be our last opportunity to say goodbye and to thank him for all he has done within the Islands. I, too, would like to join with the Council Member for Stanley, Mr Keenleyside, and pass on my sympathy to those who lost their lives in the recent Chinook helicopter crash and also to those who were injured.

You mentioned several senior Civil Service members who will be leaving in the near future: Captain Alsop, Tom Davies, Dr Pearce and also Jem Baylis. I, too, would like to pass on my thanks for all they have done. In particular, as Chairman of the Education Committee, I would like to pass on my heartfelt thanks to Jem Baylis. He has had, particularly since 1982, a very hard task. For the year or two after the war, I think they were, at times, down to almost 50% of their staff and he managed to get through that period without any real disasters and with the results that you yourself, Sir, mentioned this morning. I think he has done a tremendous job and I look forward to the headmastership of his replacement and only hope that he does as well.

Moving on from that, Sir, to your top ten. I will not comment on the sovereignty as that will be mentioned later on in a Motion, but you did mention that Baroness Young talked about normalisation. I do not think you qualified it and I assumed you meant between Britain and Argentina to which I have no objection. If one talks about normalisation between Argentina and the Falklands I think that is a different matter and I have a nasty feeling that some people who do talk about normalisation between my country and Argentina are talking about returning to pre-1982. Certainly there is no way I would return to pre-1982 and I do not think any of my constituents would either; possibly to pre-1972 but those who talk about it do not mean that.

My views on fishing are well known but once in the past, when one of your predecessors made his speech to this Council, I did not comment and neither did anyone else and, afterwards, the Foreign Office said that this Council had accepted whatever it was that was mentioned purely because we had not indicated otherwise. So in this case I feel I must indicate, as everyone knows, that I am against a multilateral fishing regime. As Mr Keenleyside said, I

think we can turn your arguments against that as much as you use the same arguments against the unilateral fishing system.

There is a lot to cover this afternoon and we will have opportunities to mention various things later on so, before closing, there is just one other thing. Mr Clifton mentioned the lack of public debate, amongst other things, I am not sure if he used the word "debate" but he certainly mentioned the lack of more interesting programmes on FIBS that would be useful to the Islands and I think that one of those could well be a reintroduction of debates on various subjects by the Broadcasting Station. I hope that will come about in the near future.

Otherwise, Sir, I wish to support the Motion.

The Honourable R M Lee

Your Excellency, Honourable Members. In rising to support the Motion, I would like to echo the thoughts and feelings of all the other members who have spoken before me, first of all welcoming Eric and, secondly, saying goodbye to Commander Kemball. Also, regarding the Chinook disaster, I know from experience that everyone in our area was certainly very shocked, and I think everyone's feelings were with those people on that day and still are.

Now, referring to your speech, Sir, I was very pleased to hear that you were concerned about the lack of information being fed to the public. I, too, feel that this is a major problem we have and I have commented on it before. I think that we should make a huge effort to try and inform the public about what we are doing.

On the subject of reports, I have had a number of complaints from people that the various reports that we have had written and have been finally circulated to Councillors take an age to get to the general public. I know the argument is that they cost a lot of money but, quite frankly, I think that we spend a huge sum of money getting them written, bringing the experts down here and so on, and I think we should spend a little extra and have them circulated more widely. Someone said the other day "oh there is a copy of the Prynn Report in the Library". Well that is not a lot of good to the people on West Point in my opinion so I feel that we should look into this problem and do something about it. The other thing - still on reports - if we circulate them and people read them they will comment and in my opinion some of the most expert advice available to Government is within the Islands and if people read those reports and make comments Government will receive a lot of good advice.

I thought I was going to be original by referring to your top twenty but a number of people have stolen my thunder I am afraid. I was a little bit concerned to hear that the cross-channel ferry was not even in the charts and FIGAS did not feature very high but I guess it is like any other top twenty, it varies from

region to region, but I can assure you that on West Falklands, number one is the ferry and number two is FIGAS.

You mentioned agriculture briefly. I agree with your comments on the speed of land transfer and I think it is about right although, as you say, it will vary from year to year as farms become available. I worry a little bit about the next generation of farmers. I do not think any of us have thought very seriously about what will happen in 20 or 30 years time when the present crop of farmers retire. They may have, perhaps, two or three sons and some of them may want the farm and some of them may not. I think we should be aware that there will be problems, and there are problems in any other agricultural community where fathers produce sons and daughters and pass on. I think we should be aware that there will be problems and it may be up to Government to control this to a certain extent. We certainly do not want to see very old crippled farmers running their farms into the ground and we do not want to see very young farmers making a bad job of running farms either.

The major event in agriculture in the last few months, to my mind, has been the success of the Open Day that was held at Horseshoe Bay. I have believed for a long time that we should be doing this and we finally organised an Open Day, thanks to FIDC mainly, and it was a great success. The weather was terrible and the airstrip was very soft but FIGAS pulled out all the stops and we got there and back and the general opinion was that it was a very worthwhile day. I know it cost quite a lot of money but I believe it was money very well spent. I would like to see it happen every year.

Talking in a bit more detail about FIGAS, I do realise that a committee has been set up to study FIGAS and the possible use of the third Islander, and weekend flying and so on, but I feel I should put my spoke in here because I feel very strongly about it. I am very disappointed that we have had the third Islander now for what seems like a lifetime and really there has been no change in the service offered to the people in the Camp. Of course, the basic questions people are asking are, "What are you doing with the third Islander? Why isn't it flying?" So I would just like to urge the committee that is involved in sorting this problem out and making recommendations to try and get on with the job and come up with the goods.

The other small nagging problem that I feel strongly about is transport from the FIGAS hangar to Stanley. I think this is a nuisance to most travellers in that you arrive in Stanley and there quite often is not a telephone you can phone anyone on and unless you have got a friend or a taxi waiting, you virtually have to thumb a lift. Now I think this is wrong. I see no reason why consideration should not be given to the purchase of a small minibus. FIGAS staff and pilots are running up and down that road all day, or most of the day, with mail and changing pilots and so on, and I am convinced that a small minibus could be employed to carry passengers, mail, pilots, the lot, and I would

like the committee to give consideration to that.

On the subject of international politics, I agree entirely with Tony's thundering speech about a certain mouthpiece. My feelings about the whole business are that in the UK the Falklands is not really a high talking point within the general public so there are a few fanatics who cannot let it rest and feel that their way to success is to bring down the Government by attacking Mrs Thatcher on the Falklands issue. I personally believe that this is what it is all about. Those people are obsessed with bringing down Mrs Thatcher in particular and they believe that by writing reports and making remarks continually that they will succeed. I do not really believe that we should be too worried about our future though. I think the silent majority in the UK still support our cause and they will do if there is a major decision to be made.

To conclude I will touch briefly on the fishing problem. I agree with the Honourable Tim Blake and all the other people who have talked about fishing. I think it will be a great shame if we lose revenue from fishing but a disaster if we lose our wildlife and there are indications that we may. There is no real proof that the penguins are dying because of over-fishing but there is not real proof that they are not dying because of it, and I feel more concerned about our wildlife than I do about any profit that we may be losing.

I wish to support the Motion.

The Honourable Mrs N Edwards

Your Excellency, Honourable Members. In rising to support the Motion of Thanks may I also welcome Eric Goss to the fold and offer best wishes to the Air Vice Marshal and Mrs Kemball when they leave these Islands. Also my heartfelt sympathy to the relatives and the injured in the recent Chinook disaster.

I would like to add my thanks also to the Clerk of Councils and the Attorney General and the Chief Executive for the unstinting work that they do. The Chief Executive, in particular, is the most harworking man I have ever come across and I think we should realise what a gem we have. I hope that when his term of office comes to an end he will consider staying on with us.

You mentioned that there may be a lack of information in the Islands. I think the bulk of the population understand very well the problems and issues that are faced but I think it is our fault that we do not keep in closer contact with the public. We have had one public meeting, two of us, and I think we would be well advised to look to having more because that was very successful and some useful information was exchanged. I think it is up to us to make more of an effort to keep in contact with our constituents in town. It is difficult in the Camp, I know, but there is always the two metre set, which is widely used in the

evenings I believe.

Mr Dale's Report - I am pleased to see the pay structure will be re-graded and I hope that the pay scale fits the responsibility taken by the various officers in the Civil Service which I feel does not happen at the moment and when we are looking at the restructuring of the Civil Service pay structure I hope that will be taken into consideration.

You touched on the new hospital and you hoped that in the future perhaps there would be local professional staff available. I have to reiterate what I have said before that I feel the only way we are going to get local professional staff employed in the Islands is if they are paid according to their qualifications and not according to their place of birth, which is what happens now. In the case of nurses you can go anywhere in the world and have the Whitley pay scale as your salary, except in the Falklands if it happens to be your place of birth, and I feel this is wrong. Not only in respect of the hospital but in respect of any other professional job in the Islands which could be undertaken by Islanders but will not be until we recognise the fact that these people who have lived on a students wage for up to six years are not going to be prepared to take a big dip in pay at the end of it all.

The Public Works Department. PWD will only flourish again, I think, if tradesmen are paid more than labourers, which they are not, and I know that this will come up later in this discussion so I will not dwell on it.

I must also respectfully disagree with your comments about compulsory purchase. I feel there is a case for compulsory purchase with regard to the Anglo-Argentine land in these Islands, and the sooner it happens the better. It is a problem which will not be solved by shelving it.

I, too, would like to reiterate the remarks made by the Honourable Tony Blake regarding the Labour Party's proposed paper, if they accept it, which I expect they will. I do feel that it concerns us very much if they get into power, and it is all 'ifs' and 'buts' at the moment but we have to prepare to fight it all the way now, before they do get into power, if they ever do.

To conclude I, too, would like to congratulate the Police Force on their 63% rate of crime detection but I sometimes wonder whether the punishment fits the crime. I am tempted to do some heinous crimes sometimes when I am really tired so that I can go into prison for rest and recreation because I feel that is the end result to some sentences. I think we should look at that in more detail at some other time because I do not feel that some of the prisoners who have been locked up have had a very bad time at all.

Sir, I beg to support the Motion.

The Honourable E M Goss MBE

Your Excellency, Honourable Members. In reply to your opening address to Council this morning, Sir, I thank you for the welcome extended to me in being elected to join this Council and to all its Members here for their encouraging remarks.

As a newcomer to the Table I am not versed or groomed in matters of procedure but I hope this Council will tolerate any blunders I might make in my early hours or days of these present meetings. I know I have a lot of catching up to do and I will need prompting to move when I should be getting up to speak or to do something or to nod when I should. I have listened with interest to the many subjects touched upon this morning but because time is important to me, and all of us, a lot has already been said by my fellow colleagues and I will not delay business by dwelling on any particular subject, but I do join you in appreciation of the service given by Andy Alsop to FIGAS, Tom Davies to ARC and the Air Vice Marshal to the Falklands. I am, of course, curious to learn more about many things, so I thank you and I will take my seat so that we may proceed.

The Honourable The Financial Secretary

Your Excellency, in rising to support this Motion, I also express my heartfelt sympathy to the relatives and the colleagues of the men who lost their lives in the recent Chinook accident.

I think at this time with the move that is being made to Mount Pleasant, the military/civilian relationship should be emphasised. We have had a splendid relationship including the period of Air Vice Marshal Kemball's command. I shall miss him at both Councils and also the times that we have sat in Joint Liaison Committee together. He has always been very considerate of our problems and I do not know whether it is his farming background or not but he seemed to be quite at home on the farm. I wish him and Mrs Kemball all the very best for the future. I would also like to say that the Joint Liaison Committee will become much more important in the future now that the move has taken place to Mount Pleasant. I think it is important that the civil/military relationship continues as it has done over the past four years. I must say that I personally miss many of the friends that I have made and the people who I have met who arrived to liberate us and, also, I sadly miss the noise - I miss the Phantoms.

I, too, extend a very warm welcome to Councillor Eric Goss. I am very pleased to see that he is with us and it was good to see him present at the Standing Finance Committee meeting in the Secretariat the other day. It was the first time he has been in there I think for probably the last forty or fifty years, something like that! I seem to remember he was in the Secretariat just about when I joined the Service.

There are a few points which I should like to reply to, in relation to finance, which have been discussed today. First of all there is the waste of expenditure to which Councillor Keenleyside referred and I agree with him entirely that we must avoid waste of expenditure at all times, waste of taxpayers money. I have often noticed the cost of very expensive equipment being mistreated and, although action has been taken by the Administration in certain cases, there still seems to be a lack of appreciation of the value of expensive machinery.

With the introduction of the Dale Report I think we should look to the Civil Service for a better performance. I believe that we can all improve and give a much better service to this community than we have done in the past.

With regard to investment in the Falkland Islands, which was raised by Councillor Tim Blake, I agree that we should issue development bonds if we are required to do so. Much depends on the servicing of the debt afterwards and on what investment we can attract and at what rate, but he will be pleased to know that I do have in this Budget a proposal to raise £200,000 to meet some of our development commitments and this will probably be by the issue of stock. We will look into this deeper in the course of our deliberations in Select Committee.

With regards to Councillor Robin Lee's difficulty in getting from the airport to Stanley, I think that this will probably be overcome very shortly because he will no doubt be pleased to know that there is a proposal for an immigrant to come to the Falkland Islands to set up a regular taxi service.

I beg to support the Motion.

The Honourable The Chief Executive

Your Excellency, Honourable Members. I thank you for your Address and for the many wise and helpful things which you have said which we shall all bear in mind as we face the daunting tasks of the next few days. I am particularly grateful for all that you said about the Civil Service and I would like to add my own thanks and appreciation for the support which I have had from them during the past year, especially those who are leaving and who have contributed so much: Tom Davies, Jem Baylis, Andy Alsop, Tom Pearce, and could I add someone who has not been mentioned here today, Nutt Goodwin, the Master of the 'Forrest', who, of course, will be remaining in the Islands.

Can I go on to add my own condolences to yourself, Air Vice Marshal, and to the relatives of those men who died in that dreadful helicopter crash a fortnight ago. This is in fact the second time that I have had to express such condolences in this House. I can only say that such terrible events are a grim reminder that we must never take for granted all that you in the Armed Forces do to preserve the safety of the Islands. It was

particularly sad and poignant to learn that the crew involved in that crash had been those who only a week before had been so helpful in landing the containers of kits for the new lodge on Sea Lion Island and had thereby played such an important role in the Islands' development as well as in their defence.

May I now pass on again to the happier task of adding my own welcome to the new Honourable Member for Camp, Mr Goss. His father was, as Your Excellency reminded us, a much respected and well-liked member of this House and, while we shall not perhaps expect his son to have the same fund of nautical knowledge and advice, we are sure that he is a chip off the old block, or perhaps as the new Honourable Member himself would put it, comes from the right stable! I do not suppose, Your Excellency, that there has ever been such an obviously reluctant candidate in any election so far held in the history of the world, but I personally am delighted to see such modesty thus crowned with victory.

I shall be leaving my tribute to the Air Vice Marshal to the end, lest he bask in too much praise this afternoon, but I would like to say how pleased I was that the Army Chaplain, the Reverend Derek Palmer, was present to read the prayers because, since the departure of Harry Bagnall, both Derek and his RAF colleague, the Reverend Richard Lee, who recently returned to the UK, have contributed a great deal to the civilian community in addition to their regular military duties - yet another example of our excellent civil/military relationship which you, Sir, have done so much to foster.

Now when I begin to consider what I am going to say, Your Excellency, in answer to Your Excellency's address my first thought is to see whether I can get hold of a copy of it in advance of the meeting. My second thought is to look for inspiration in what I have said on similar occasions in the past. This is my opportunity, as I see it, for saying what I think rather than responding to what Honourable Members say, or answering their questions.

When I first addressed a Budget session of this House in June 1984, I said that the battle for the Falklands had shifted from the sovereignty issue to the development issue and I said that that battle had to be fought on two fronts, the real battle to achieve development against substantial inherent disadvantages, and another propaganda and information battle which had to be fought both here and in the United Kingdom against the misunderstanding of what we, all of us, were trying to achieve in developing the Islands.

And when I again addressed this House at the Budget session a year later in June 1985 I recorded my satisfaction that the journalists who attended the opening of Mount Pleasant Airport that May had found so little to write that was critical or sensational. I went on to record my particular pleasure at the success of FIDC but carefully warned myself against being too

complacent or too self-congratulatory.

Your Excellency, I need not have worried. I have only to read almost any number of the "Falkland Islands Times" for any sense of complacency, any tendency to self - congratulation of FIDC to be replaced by a profound sense of concern that so much hard work done by a small team of dedicated and professional people, Islanders and expatriates alike, should apparently be the cause of such apprehension and misunderstanding.

The work of FIDC has just been the subject of a joint Government/ODA review and I would not wish to anticipate the findings of the review team by entering into a detailed defence of FIDC, if defence be necessary, or a detailed explanation of their activities, or a discussion of whether or not they have too many luxury landrovers. What I would like to do here, Your Excellency, is to try to set the work of all those who are involved in developing the Islands, in the overall context in which it is taking place so that it is a little better understood.

There are, without a doubt, a number of real concerns, strongly felt by some people in the Islands, in relation to their development. They think it is all happening too quickly and sometimes on too large a scale; they often find what is happening complex to understand and they feel that insufficient attention is paid both to local opinions and to the local, traditional way of life, and too much reliance is placed on experts from outside the Islands.

It is the ultimate irony for me, Your Excellency, who was so wounded by the Foreign Affairs Committee's criticism of the funereal pace of development in the Islands, to be told that we are developing too fast or on too large a scale. I have often said that it is ultimately up to the people of the Islands to say what they want but, equally, I should remind them and this House that the British taxpayer and the British Government, having spent the sums which they have on the defence and development of these Islands, are unlikely to be impressed if we say to them now: "We have decided against developing the Falkland Islands, because some people don't want it". The Islands will not have political credibility with the silent majority to which the Honourable Member for Camp, Mr Lee, has referred if they do not have economic credibility.

Nor is there some way in which they can be developed in some deliberately slow, stately and leisurely fashion, pausing to admire the scenery. Heaven knows it takes long enough to do things without trying to make them happen slowly, and quick development sometimes means large rather than small, and expensive rather than cheap. It means, for example, a relatively expensive hydroponic market garden in which salads and vegetables can be grown almost immediately rather than gradual expansion from small beginnings.

People are fully justified in feeling the Falklands to be an excessively complex place. It is a ridiculously complex place in relation to its size and no-one wishes more than I that it were less so. As Honourable Members are aware, Government is currently considering how it will organise its future fuel supplies. So far the discussions on this subject, relatively simple in itself, have involved the FCO, the ODA, the MOD both in Stanley and in London, representatives of all three armed services and the Royal Fleet Auxiliary service, the PSA both in Stanley and in Croydon, FIDC, Peat Marwick Mitchell, Exton & Gold, FIC, the Crown Agents and something like half a dozen commercial concerns. It is difficult enough for me who am involved in it to understand. Is it surprising that the man in the street in Stanley or in the Camp finds it difficult? The time is past, if ever there was one, when a well informed person outside Government could expect to understand in detail most of the main issues of the day in the Islands and yet people still expect to do so and are upset when they do not know everything that is going on.

It is, Your Excellency, a serious charge that we in Government or FIDC pay insufficient attention to local opinions and to the preservation of what people see as the traditional way of life of the Islands. The machinery for consultation is there. The Falklands has never been more democratic with elected majorities in this House and in Executive Council, and everything I see of the work of Honourable Members suggests that never have Honourable Members been more aware of their constituents' concerns or active in pursuing them. Now the Corporation of FIDC is not directly elected by popular vote but its Constitution dictates that all substantial interests should be represented and no-one who knows Neil Watson, Terry Betts, Stuart Wallace and the Honourable Member for Camp, Mr Tony Blake, would suppose them to be easily persuaded to do something they did not want to do. We even had Terry Peck on the Corporation for a time.

But Honourable Members of this House and Corporation members of FIDC are ultimately only as effective as the public makes them. The difficulty so often seems to be to find out what people really do want rather than people waiting for us in Government or FIDC to do something and then saying that is not what they wanted. People must in the immortal words of the election address of the Honourable Member for Camp, Mr Tony Blake, "help us to run the country". In the absence of expressions of opinion from the public, officials in Government and FIDC and the Honourable Members and Corporation members who supervise and support them can only do what they themselves think best.

And, of course, we have to use experts. There has recently been enormous interest in the Prynn Report. It is acknowledged to be one of the best analyses of some of the problems of the Islands ever written, even if the number of people who have managed to read it is more limited than people would have liked. We hope that it will provide a way ahead in transport policy for years to come. No-one in the Islands, Islander or expatriate, has either

the expertise or the time to write such a report. Your Excellency has referred to the work of Philip Dale. Philip Dale has produced a report which will, if Honourable Members vote the funds to implement it, play a critical role in producing a better organised, more efficient and contented Civil Service. Again no-one in the Islands could have had the time or the expertise to do such work and, at a less exalted level, we have had the Olivers and their knitting classes and Penny Boulthwood and her crash hairdressing course, but both enormously important in the development of people's skills and giving them pride in achievement.

As far as preservation of the traditional way of life in the Islands is concerned, I do sometimes wonder whether that is not more often the cry of latecomers to the Islands who came here to enjoy an idyllic way of life which was always something of an illusion and which they now feel is an illusion shattered for ever. There is an obvious conflict between the commerciality which is part and parcel of development and the lack of commerciality which must have been such a pleasant characteristic of the Islands before 1982. It would be very nice, for example, if tourism could be based on traditional camp hospitality rather than on multi-centre holidays based on tourist lodges but it is simply not possible to organise a viable tourist industry, however small and limited, on that basis. But I would like to think that the Islands could get the best of both worlds, understanding, as anyone who spends any length of time here, how far, as the Honourable Member for Camp Mr Tim Blake has said, "the Islanders are a people unto themselves", I believe that it is a way of life which will survive any number of visiting experts and any number of whirling dervishes. It is not FIDC which threatens the way of life of the Islands, it is the people over the water.

Nothing that I have said, however, of the pace and complexity of development in the Islands nor of the difficulties absolves Government and FIDC of the duty to communicate. Indeed it makes communication even more important. FIDC, for all its success, in particular, clearly needs to do more to ensure that people understand what it is doing and certainly I will look at Government's and FIDC's distribution of the reports which they commission. But, whatever Government or FIDC does by way of press interviews or radio interviews or publishing reports or whatever will not be enough unless people themselves make an effort, as Your Excellency has said, to keep themselves informed. In a place of this size we are all readily accessible to the public: Your Excellency, Honourable Members, and FIDC Corporation members. There is every excuse for feeling that the Falklands have become a far more complex and fast moving place, far more difficult to understand; there is no excuse for repeating and acting on ill-informed rumours without taking the trouble to find out the truth. It is Government's duty in turn Your Excellency, to make the truth as accessible as possible to all who wish to know it, and I, as long as I am in the Islands, will do everything I can to that end.

I beg to support the Motion.

The Commander British Forces

Your Excellency, Honourable Members. This is a time of considerable change for the military community and in rising to support the Motion I would like to outline the significant military moves that are already under way and which will continue into 1987. But first I, in my turn, would like to welcome and congratulate the Honourable Eric Goss on his election to this Council. As an outsider far be it for me to say much except that with the widespread reputation he has for eminent good sense and practical experience it came as no surprise to the military that he was victorious in the election and we wish him the best of good fortune and application of his undoubted talents in this Council.

To return to my theme, it is with mixed feelings that the RAF together with a company of Gurkhas moved from Stanley, Navy Point and Kelly's Garden to Mount Pleasant in April. There is no doubt that they now enjoy considerably better working and living conditions, but those previously in the Stanley area miss the civilian leisure facilities and all miss the opportunities to mix regularly with the civilian community. Within ten months the bulk of the garrison should be in the Mount Pleasant complex and we are likely to have adopted revised force levels. However, final decisions on the strength of the force have not yet been made. Over the past four years relations between the civil and military communities in Stanley have generally remained excellent despite all the strains of living in close proximity to each other. I thank the civil community for their patience, kindness and hospitality. The move to Mount Pleasant will help cure some of the overcrowding and pressure on the infrastructure in Stanley and it certainly will make it a quieter place. However, we must ensure that geographical separation does not lead to less consultation, less understanding or less cooperation. There is undoubtedly a risk that it will, unless a determined effort is made by both communities and if we do not make specific arrangements for social and working contacts to continue. I have been somewhat reassured to hear the kind remarks made concerning military/civil relations. It is our aim that they should be mutually advantageous and agreeable. We have no desire to change in any way the pattern of Island life, nor to take over the organisation of events. However, with our ever-changing population we have only a short memory and we can only be aware of traditions, however long or short, if we are told. This lack of communication has been the cause of the problems reported in the past. But to represent the cause otherwise is mischievous and can be misunderstood and misconstrued outside the Falklands by those who would not appear to have the best interests of the Islands at heart.

In parallel with the concentration of the garrison at Mount Pleasant, we are mounting a major restoration operation in Port Stanley and at outlying sites. To help with this a Royal

Engineer regiment from West Germany will join the garrison in November and stay for four months. As we close camps and tidy up, items for which we have a continuing military need are being identified and removed, either to Mount Pleasant or returned to the United Kingdom. However, there are considerable amounts of stores and equipment for which we have no further military requirement. We recognise that these items may be of value and use to the civilian community and we aim to ensure that the Falkland Island Government and the civil population will have every opportunity to acquire them. In close consultation with FIG we will offer, as we did at Kelly's Garden, all surplus equipment for sale under a competitive tender arrangement. Concerning the sites themselves, we shall of course, be returning them to the landowner and in a condition that the landowner will find acceptable.

You may have heard the Secretary of State's announcement in the White Paper on the need to hold the level of defence expenditure. There is to be no real increase in the funds available for defence purposes over the next three years and also the cost of the Falklands garrison must in future be found from this money. The arrangements that have applied previously where the cost was met from the special contingency fund, will cease. However, with the completion of the Mount Pleasant Complex, defence costs in the Falkland Islands are expected to reduce significantly. Nevertheless defence expenditure has, and will continue to provide much direct and definite benefit to the community. In addition to the Mount Pleasant Complex which allows normal air services out of the Islands, defence funds have met £14 million out of the total cost of £15 million for the Mount Pleasant to Stanley road and Stanley bypass. On completion of the garrison's move to the Mount Pleasant Complex, we will hand the road over to the Falkland Island Government and MOD has contributed almost half of the cost of building the new Stanley hospital. A substantial amount of water pumping and filtration equipment has been gifted to FIG and also the Falkland Islands Defence Force have been gifted about £160,000 worth of equipment.

If I may I would like to digress to pay my compliments to the Defence Force with whom we have close and mutually beneficial dealings. They make a significant and valuable contribution to the defence of the Islands with their local knowledge and you can be justly proud of this small but effective force. I have been delighted by their renewed successes in the skill at arms competitions.

Equipment has also been gifted to the Falkland Islands Broadcasting Service and we are pleased that civilians, and particularly schoolchildren, can use the swimming pool and play squash on the courts on Coastel 3.

Commercially we are keen to make greater use of locally available resources, particularly foodstuffs and given the right quality at a competitive price, we will be good customers. Development in this area would be to our mutual benefit and I believe this is an

important way ahead in the expansion of the Island economy.

I close by recording the gratitude of myself, and all servicemen on the Islands for the help offered and given, and for the expressions of sympathy we received from yourself Your Excellency, Councillors, officials and the civil population following the Chinook accident on Mount Young on 13 May. And on a personal note I have enjoyed the privilege to be a part of your deliberations both here, and to borrow an expression from Westminster, in another place, and Val and I thank you all for your kind words, your friendship and your hospitality. Thus it is with best wishes from both of us for your future that I beg leave to encourage voting members to support this Motion.

The President

Thank you. I thank Honourable Members for their kind and constructive responses to my Address. I shall add nothing further at this stage except to congratulate especially the new Member for the Camp constituency, the Honourable Eric Goss, on his maiden speech. Now, I am looking at the Order Paper today and am conscious of the amount of work that we have to get through so I would propose that we take the next item, Papers To Be Laid On The Table, before adjourning for a short time for some refreshments which will fortify us for the Oral Questions and answers period and also the moving of Motions and the debate thereon. So after this next item we will adjourn very briefly. Thank you.

PAPERS LAID ON THE TABLE
BY THE HONOURABLE THE CHIEF EXECUTIVE
(28.5.86)

ORDERS	1/86	Schools (Amendment) Regulations Order 1986
	2/86	Legislative Council (Allowances) Order 1986
	3/86	Fisheries (Transshipment and Export) Regulations Order 1986
	4/86	Road Traffic (Amendment) Ordinance 1985 (Commencement) Order 1986
	5/86	Road Traffic (Provisional) Regulations Order 1986
	6/86	Road Traffic Declaration and Designation (Stanley-Darwin Road) Order 1986
	7/86	Co-Operative Society Rules Order 1986
	8/86	The Co-Operative Society (Exemptions) Order 1986
	9/86	Medical Fees (Amendment) Regulations Order 1986
	10/86	Medical Fees (Revocation) Order 1986
	11/86	Fisheries (Transshipment and Export) (Amendment) Regulations Order 1986
PROCLAMATIONS	5/85	Wild Animals and Birds Protection Ordinance - The Ruddy Headed Goose
	6/85	Prohibition of importation of uncooked meats, fertile eggs and animal semen
	1/86	By-Election (19th/20th March 1986)
	2/86	By-Election (16th/17th April 1986)
	3/86	Sitting of Legislative Council 28th May 1986

The Board of Health (Amendment) By Laws 1986

The Report of the Falkland Islands Development Corporation for the year ended 31st December 1985 (in accordance with Section 20 (3)(a) of the Falkland Islands Development Corporation Ordinance 1983)

QUESTIONS FOR ORAL ANSWER
(28.5.86)

QUESTION NO 1 of 1986 by The Honourable L G Blake OBE JP

When will the recommendations of the Select Committee on the Constitution, which were not part of the new Constitution, be brought into effect.

The Honourable The Chief Executive

Your Excellency as the question implies, the Select Committee on the Constitution covered a number of matters which were not covered in the Constitution itself.

In particular these were:

- many detailed aspects of the conduct of elections;
- recommendations relating to the recording of proceedings of this House;
- a recommendation that the Governor should continue to call joint meetings of this House and of Executive Council to advise him on matters of particular concern.

As far as the recommendations on elections are concerned, nearly all of them were included in the Constitutional Regulations 1985 thus enabling an election for this House under the new Constitution to take place. Three specific recommendations - those relating to the appointment of an Electoral Commissioner, the inclusion on the register of those who would be 18 before the next electoral roll was prepared and a provision for a change of constituency - were not implemented in the Constitutional Regulations, because they were longer term matters better addressed in due course in substantive legislation. It is Government's intention to introduce later in the year a Bill to provide for Elections which will replace both the Legislative Council (Elections) Ordinance and the Constitutional Regulations.

Now as far as the recommendations relating to the recording of proceedings of this House are concerned, it is not anticipated that they will be the subject of legislation. They are, to some extent, a counsel of perfection and I am not sure that they are practical with existing resources.

As far as the calling of Joint Council meetings is concerned, no official meeting of Joint Councils has been called since the new Constitution came into effect. I believe, Your Excellency, that I may have been remiss in not drawing Your Excellency's attention to this well established custom. However, I also believe that there has in practice been very full consultation with Councillors, both formal and informal, on matters of particular concern.

The Honourable L G Blake OBE JP

Your Excellency, in rising to thank the Chief Executive for his reply, may I just ask that having waited for six years for the recommendations of the Select Committee to be implemented, that we do not wait another six.

The Honourable The Chief Executive

Your Excellency, you have my assurance that the Government will give this matter extremely early attention.

QUESTION NO 2 of 1986 by The Honourable L G Blake OBE JP

In view of the fact that crude oil prices are now about a third of what they were six months ago, when may we expect a reduction by the Ministry of Defence in the fuel prices being charged in the Islands?

The Commander British Forces

Your Excellency, MOD does not buy crude oil on the spot market where the major reductions have taken place but by long-term contracts to guarantee deliveries. The reductions in crude take some time to become effective in such contracts since oil companies will already be holding product purchased at the higher crude oil price. Furthermore, the percentage reduction in crude will not be reflected directly in the price to customers since of course the cost of refining, storage and transportation will at best remain the same.

We have, however, been notified by MOD that as from 1 July 1986 the prices of fuels will be reduced as follows:

Civgas from 22 pence per litre to 19 pence per litre and Kero from 60 pence per litre to 57 pence per litre. We have yet to be advised of the price of Dieso which will obtain from the 1st July.

QUESTION NO 3 of 1986 by The Honourable L G Blake OBE JP

The last Select Committee on the Estimates recommended the rating of land in the Town of Stanley and the Financial Secretary agreed to examine this idea at the Budget Session before that. When may this House expect to see legislation before it giving effect to such rating?

The Honourable The Financial Secretary

Sir, this matter has now been considered by Government. It is considered not as straightforward as it first appeared and the Attorney General has produced a paper for the stimulation of
/general

general discussion on the subject. It will receive wide circulation and interested persons are asked to make their views known to Government. Before any proposal can be implemented to rate land in Stanley, a new plan from which land sizes can be measured accurately is required. I cannot see any legislation which may give effect to rating land in Stanley being considered before the 1987/88 Budget.

The Honourable L G Blake OBE JP

Your Excellency, in view of the fact that this has now taken us two years to get to the examination point again, it is rather like fishing I think, can I ask the Financial Secretary if such mapping is under way so that we may begin to think of rating land in the Town of Stanley?

The Honourable The Financial Secretary

I can assure the Honourable Councillor that mapping is on the way.

QUESTION NO 4 of 1986 by The Honourable J E Cheek

Would the Chief Executive indicate when the deep water fishing survey will be completed and when we can expect a report. Considering the concern regarding over-fishing, is there a possibility of an interim report?

The Honourable The Chief Executive

Your Excellency, the so-called Taiyo/Coalite Agreement, which is that to which I think the Honourable Member refers, came into effective operation in May 1985. Taiyo/Coalite's obligation to fish in accordance with the terms of the Agreement terminates at end September 1987. Under this Agreement, two Taiyo/Coalite vessels fish around the Falklands mainly, but not exclusively, within the FIPZ carrying two observers who report back to a third senior, shore-based observer, Dr Patterson, details of the catches and bring back samples for analysis. Much detailed scientific information has been collected by the observers. There is a great deal of data to be processed and there are a great many samples to be examined. This work is expected to be fully reported on by mid-1987.

Now it has, of course, been substantially supplemented by a great deal more information gathering which has taken place in connection with Dr Beddington's work for the FAO study and which is available to the Falkland Islands Government as a result of the conditions imposed for the issue of transshipment licences.

Dr Patterson has himself written a number of interim reports on the state of the fishery for each species. It would be quite wrong to draw any final conclusions about over-fishing from any /of these

of these. Each of these, however, can be made available on a strictly confidential basis to Honourable Members.

The Honourable J E Cheek

May I ask why the information will be strictly confidential?

The Honourable The Chief Executive

The information will be strictly confidential for a number of reasons. First of all because the basis of the information is, to some extent, military surveillance, and it is necessary for it to be confidential for that reason. Secondly, we do not believe that it would in fact be in the interests of the Falkland Islands Government to make these reports widely available to the public since they would, I think, be able to draw certain conclusions as to future policy from them. Thirdly, much of this information has been made available prior to the transshipment legislation on what amounts to a confidential basis by the fishing fleets.

QUESTION NO 5 of 1986 by The Honourable J E Cheek

Will the Chief Executive please confirm that the school hostel (now known as HQ BFFI) was never accepted from ODA by the FIG?

The Honourable The Chief Executive

Your Excellency, I can confirm, after what amounts to exhaustive research in the files, that there is no record of the Falkland Islands Government having accepted the HQ BFFI hostel, as it has come to be known, in any formal signed document. It is, however, on crown land and has been paid for by ODA. Government have charged rent for it to MOD. It is, for all practical purposes, a Falkland Islands Government asset.

The Honourable J E Cheek

Your Excellency, may I query the word "asset"? My understanding of the building is that it is certainly not waterproof and it leaks badly. As a supplementary perhaps I can word it another way. Does the Chief Executive see any use for that building without considerable expenditure to make it habitable?

The Honourable The Chief Executive

Your Excellency, at this stage Government has yet to address itself to the problem of the future use of that building. As we are all aware, it has a number of defects which it would be idle to attempt to conceal. We shall obviously have to look very carefully at whether we can use it for any practical purpose and in looking at that we shall have to take into account not only the costs of any conversion which may be necessary but also the very substantial recurrent costs which might arise from endeavouring to maintain it.

The Honourable J E Cheek

Your Excellency, I find it difficult to pose as a question, may I start it off with almost a statement? Insomuch as the answer leads me to believe that ODA has provided something that is substandard and it is not, I believe, habitable, do we have to accept such gifts from ODA when the outcome of that gift is the necessity to spend considerable amounts of money from our own exchequer?

The Honourable The Chief Executive

Your Excellency, I would hope, in fact, that we would never be placed in a similar position in future and I will certainly do my best to ensure that that does not occur.

The Honourable L G Blake OBE JP

Your Excellency, as a supplementary to that question, may I ask the Chief Executive, in view of the fact that we now have a white elephant, could he arrange a shooting party?

The Honourable The Chief Executive

I believe, Your Excellency, that the HQ BFFI building was in fact demolished this morning in an attack by a low lying Phantom!

QUESTION NO 6 of 1986 by The Honourable J E Cheek

Because of the shortage of PWD artisans to maintain Government property, has the administration plans to sell off some of the older houses?

The Honourable The Chief Executive

Yes, Your Excellency, it continues to be Falkland Islands Government policy to sell off older houses, where it can. 10 have been sold and efforts to sell more houses will continue.

QUESTION NO 7 of 1986 by The Honourable C D Keenleyside

Can Government give an indication of the likely annual cost of the new hospital, and what proportion is the Falkland Islands Government expected to pay?

The Honourable The Chief Executive

Your Excellency, unfortunately it is not yet possible to give a precise answer to either question.

The total annual cost is not yet known because of the cost of the MOD staff, and of the drugs and medical equipment which will be
/ordered

ordered through MOD are not yet known. The cost of Falkland Islands Government staff at the hospital will be the same as it would have been at the Brewster hospital allowing for annual increases and no increases in number of Falkland Islands Government staff is forecast.

It is agreed in principle that the costs of running the hospital will be shared between the Falkland Islands Government and MOD but the precise basis has yet to be established in discussions between ODA, FCO and MOD. These discussions are expected to take some time. ODA and FCO will be under advice from FIG who will in the end have to decide what cost burden they are prepared to accept before the hospital opens next year.

The Honourable C D Keenleyside

I am interested in what the Chief Executive says about the cost burden Government is prepared to accept. Given that Government was prepared to accept a certain cost burden may I ask what would happen to the rest of the cost?

The Honourable The Chief Executive

It is hoped, Your Excellency, that this matter will be able to be resolved on the basis that some of the costs are shared by the Ministry of Defence and some of the costs are shared on a recurrent basis by the Falkland Islands Government. That is what I anticipate will be the outcome of the discussions which are taking place.

QUESTION NO 8 of 1986 by The Honourable C D Keenleyside

What are the Government's top ten building priorities for the coming year in order of preference?

The Honourable The Chief Executive

Your Excellency, I think that it would be misleadingly simplistic to attempt to formulate such a list. As the Honourable Member knows, the Director of Public Works, who I am pleased to see here today, has put certain proposals under Development Expenditure for 1986/1987 but Executive Council has not attempted to place these in any order of preference as yet, perhaps preferring to wait until they see precisely what funds are likely to be available for each proposal when the Budget is agreed in Select Committee. Any view that I might express now would be a purely personal one.

The Honourable C D Keenleyside

May I ask if the proposed new Stanley Fire Station is considered high on the present list?

The Honourable The Chief Executive

Your Excellency, following the concern which the Honourable Member, Mr Keenleyside, expressed at the last session of this House, very great priority is given to the early establishment of a Fire Station.

QUESTION NO 9 of 1986 by the Honourable C D Keenleyside

Can Government give some indication of what is being done to house the persons presently on the housing list?

The Honourable Chief Executive

Your Excellency, perhaps I can, as this is a subject that I know many people are always concerned about, reply in a little more detail, a little more detail even than some of the answers that I have given to previous questions. The Housing Advisory Committee continues to meet monthly in order to house as many people as possible on the housing list. As some indication of the progress, there are now some 44 applicants on the list; six months ago there were 53 applicants.

In the short term the completion of the mobile home site at Jeremy Moore Avenue has provided 10 mobile homes for up to 2 people each. The hospital build will produce sheltered housing for 7 single elderly people and 4 married elderly couples and hopefully release other houses currently occupied by them, as well as 8 2-bedroomed houses, some of which may need to be made available for accompanied military hospital staff but the rest of which will be generally available. There will also be some slight alleviation of the housing situation from the reduction in the number of Diplomatic Service officers and military staff.

In the medium term, design work is proceeding for a mobile home site for 14 - 16 mobile homes at Eliza Cove Road. Work could begin on preparing the site in July. It would take several months.

No decisions have yet been taken as to how far it will be possible to use Britannia House, which will be available, I think in 1987 and the Brewster Hospital which will also, of course, eventually become available in 1987. I will not comment on possible future uses for HQ BFFI.

In the longer term the Falkland Islands Government's policy will be to provide opportunities for house building in the way of land and services, notably at the German Camp site, renamed the Jersey Estate, and to provide housing for special categories of need, in particular single people, but not to build houses for general needs. It will continue to provide mortgages for house building and purchase.

QUESTION NO 10 of 1986 by The Honourable E M Goss MBE

Referring to the recent increase of almost 43% in local postage and nearly 8% to overseas airmail, some of my constituents ask that it be explained how the increase was arrived at and was adequate forward notice given to its introduction?

The Honourable The Chief Executive

The Superintendent of Posts & Telecommunications considered the 43% increase on internal mail necessary to cover the 50% increase which FIGAS imposed for the carriage of mail for 1985/1986.

At the same time he also decided that there needed to be an 8% increase in overseas rates essentially to cover inflation.

The new rates came into effect on 21 April. Details of the new rates were circulated in a series of broadcast announcements from 9th April. This was considered to be adequate notice.

QUESTION NO 11 of 1986 by The Honourable E M Goss MBE

What is the present position regarding the report by Prynn on the internal transport study?

The Honourable The Chief Executive

Your Excellency, I am happy to tell the Honourable Member that Executive Council considered "The Falkland Islands Internal Transport Study - The Prynn Report" at their meeting on 13 May and have broadly accepted its recommendations.

QUESTION NO 12 of 1986 by The Honourable Mrs N Edwards

Have the British Government been informed that, contrary to the agreement reached earlier this year with the Japanese fishermen to curtail the number of their ships fishing in the FIPZ to 55 for this season, there have been reports recently of up to 84 Japanese ships fishing in our waters?

If the British Government have been informed, what are their comments?

The Honourable The Chief Executive

Your Excellency, the agreement to which you refer is known as the Voluntary Restraint Agreement and I think I should stress the word **voluntary**.

To complete the picture, in addition to the agreement for 55 Japanese vessels there are two further agreements in operation relating to the Japanese. The Taiyo/Coalite Agreement and the

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Marr/KSJ Agreement. These allow for an additional 12 Japanese fishing boats. Therefore the total number of Japanese vessels allowed under all the various agreements, to fish at any one time, is therefore 67.

Now, it is important to be clear that the agreements refer to fishing days, that is to say, days spent fishing with nets in the water. It is not at odds with the Voluntary Restraint Agreement for the Japanese to have more than their quota in the area. Boats crossing the zone or transshipping in Berkeley Sound do not, for example, count as part of the quota. It is not unusual therefore to have reports of more Japanese vessels inside the zone than specified in the various agreements.

Having said that, we believe that there have been breaches of the Voluntary Restraint Agreement but these are not always necessarily easy to substantiate. Where we believe that there have been breaches we have forwarded the reports to the British Government who in turn have raised the matter with the Japanese Government.

In addition the Japanese fishing fleet managers and their agents have been informed of the reports and they have been urged to keep within their agreed quotas.

The Honourable Mrs N Edwards

Can I just ask what have their replies been? Have they agreed to keep the Agreement?

The Honourable The Chief Executive

Your Excellency, we know, for example, that the Japanese Government have actually given instructions to one of their fleets to put their house in order as a direct result of reports which we have passed through the British Government to them.

QUESTION NO 13 of 1986 by The Honourable Mrs N Edwards

As the FIDC have been asked for advice on the Port Facilities tenders which have been submitted, will the final decision as to who will be the successful applicant rest with FIG?

The Honourable The Chief Executive

Yes. As Honourable Members are aware, FIDC has a statutory role to advise FIG "on matters relating to economic development" and it has performed this role in this case by commissioning Peat Marwick Mitchell to evaluate the proposals, that is the tenders to which the Honourable Member has referred. Their preliminary advice has reached my desk and I hope to have a paper prepared for Executive Council on the 24th of June or thereabouts.

QUESTION NO 14 of 1986 by The Honourable Mrs N Edwards

In view of the fact that with the extras paid to labourers, such as overtime and dirt money, they frequently end up being better paid than our craftsmen in PWD. Would it not be possible to pay overtime to our skilled workers and not time off in return for extra hours worked, and thereby encourage people to take up the vacancies which now exist in PWD for carpenters, plumbers, electricians, etc?

The Honourable The Chief Executive

Your Excellency, this is a problem which Mr Dale was asked to consider in his work on salaries and gradings. It is an issue which has remained unresolved for too long and I am grateful to the Honourable Member for highlighting, as she makes a habit of doing, a problem to which the Falkland Islands Government must address itself sooner rather than later.

Mr Dale took the view that it would not in fact be appropriate to pay overtime or, for example, to make in future the sort of ex gratia payments which were agreed for the Power and Water men at the end of 1985. He took this view because he considered that the additional hours worked by craftsmen were quite often the product of an abnormal situation, not necessarily permanent, and that to pay overtime to these craftsmen in these circumstances would lead them always to expect to receive it, thus again effectively distorting salary gradings. He suggested that in appropriate instances an additional allowance clearly distinguished from salary payments should be agreed and I have asked all Heads of Department to make out cases for those people to whom they consider such payments should apply with recommendations for the amounts. Unfortunately there has not been time to reach decisions on these recommendations before the Budget but I would expect them to be considered by the Falkland Islands Government as soon as this session is over.

The Honourable Mrs N Edwards

I thank the Chief Executive for his answer and may I just point out that, once again, if we continue to pay our labourers more than our craftsmen we are not encouraging people to take up apprenticeships and therefore fulfil any ambitions or the posts now vacant.

The Honourable The Chief Executive

I entirely accept what the Honourable Member says.

The Honourable J E Cheek

Honourable Chief Executive, you said that the report mentioned the hours of overtime for craftsmen were abnormal. Presumably the hours of overtime of the labourer are also abnormal and they will be reducing. Therefore there will presumably be reductions

in the difference between the salaries of craftsmen and labourers which will result in a more normal situation?

The Honourable The Chief Executive

Your Excellency, I really do not want to get into debate about the details of this. I think we all know that there is generally a problem over the question of overtime and I would hope that the whole issue could be resolved reasonably soon.

MOTIONS (28.5.86)

MOTION BY THE HONOURABLE THE FINANCIAL SECRETARY RELATING TO EXEMPTIONS UNDER THE TAXES AND DUTIES (SPECIAL EXEMPTIONS) ORDINANCE 1984 IN RESPECT OF THE NAVY, ARMY AND AIR FORCE INSTITUTES

Your Excellency, Honourable Members. The Navy, Army and Air Force Institutes, commonly known as NAAFI, which is the official trading organisation of Her Majesty's Forces has been an integral part of the Forces in the Falkland Islands since the Task Force arrived here in 1982. The operational circumstances at that time required that NAAFI's role would be performed in uniform. With the recent relocation of major facilities at Mount Pleasant, the British Forces have embarked upon a policy of normalisation and NAAFI staff will gradually abandon uniform for the more normal civilian role. NAAFI have applied to the Falkland Islands Government for exemption from Income Tax, Customs Duties, Old Age Pensions contributions, Medical Services Levy and Harbour Dues. At present Her Majesty's Forces all receive the same concessions. I commend this Motion to Councillors and beg to move that the Resolution be adopted.

The Honourable A T Blake

Your Excellency, Honourable Members. I wonder just for clarification, for members of the public, if the Honourable Financial Secretary would, with his closing speech, clarify that this will not apply to Falkland Islanders who work for the NAAFI, if that occurs.

The Honourable J E Cheek

Your Excellency, I rise to support this Motion. I normally oppose motions of this nature but in the case of the Armed Forces, as I consider this, I will support it. There is one thing that worries me. When this subject first came up, two and a half to three years ago, we were informed rather informally that any expenses incurred by the Falkland Islands Government would be paid by whoever was getting these free duties, free taxes, whatever, and I found out in recent years it is not so although provision is made that such people would pay medical expenses if they used our medical services. That does not apparently apply if they use our educational services. I would like to see in this and other cases, if it is possible, that paragraph 2 be extended. The wording itself, if people agree with my sentiments, could possibly be provided by the Attorney General. But paragraph 2 to be extended to say something along the lines that "any such person or his family using educational facilities will pay the full cost of such facilities". Otherwise I support the Motion.

The Honourable The Financial Secretary

Firstly, I can assure the Honourable Member for Camp, Mr Blake, that under Section 3b a person recruited by NAAFI in the Falkland Islands, whether or not such a person is a resident thereof, is not included. The position on education is that the cost of education is a separate matter which I think we must address ourselves to separately because it is not only applicable to this one Resolution. This is a matter which I will note and it can be considered at a later date.

The President

Are you content Councillor Cheek?

The Honourable J E Cheek

I will accept that as long as the later date is not too far in the future.

The President

In consideration of the comments that have been made on this, may I ask, are there any Honourable Members opposed to the Motion as proposed?

The Motion is therefore adopted.

MOTION BY THE HONOURABLE L G BLAKE OBE JP

"That this House rejects as totally unacceptable the proposals for adoption by the Labour Party made by Mr George Foulkes in his broadcast on "Calling the Falklands" on 20 May 1986, emphasises their total unacceptability to the vast majority of Falkland Islanders and draws the Labour Party's attention to the results of the recent Marplan poll of opinion in the Islands which indicated that 94.5% of Falkland Islanders wish to continue to enjoy British sovereignty."

The Honourable L G Blake OBE JP

Your Excellency, Honourable Members. This Motion really falls into two parts; in fact three parts. First the two major parts being drawing attention to the Marplan study and the second part referring to the Labour Party's policy document, and there is a sub-part of that, I think we must differentiate in fact, the sub-part is the Labour Party's policy document as portrayed by Mr George Foulkes. We have had occasionally in the past to question this gentleman's integrity with regard to the Islands and in other matters, and I think we have to be a little bit careful in assuming that words that come from his mouth are in fact part of the policy document. However, I would like to deal if I may with regard to the Motion, with it mainly in two parts. Firstly I must commend to all organisations, bodies and policy thinkers,

particularly in the United Kingdom, the result of that survey which showed the attitude of these Islands. I must also, and I am sure this House will join me, in thanking the London Falkland Islands Committee for actually organising it. I think it was particularly valuable in many ways because it was organised by a wholly independent body. We put no influence into it, the British Government exerted no influence on it, it was absolutely, totally independent. Nobody was pressurised to answer in any particular direction and yet we have this 94.5% vote in retaining our British sovereignty and our British way of life. At the time of the publication of the result, there was a mound of adverse comment in the press saying that the questionnaire should have been much longer, there should have been options put that were not put and that it was not an absolute answer. I would say to those commentators that there was one question put and there was one question answered. As far as we in the Falkland Islands are concerned, the Falkland Islands are British, we are British and it is our wish to stay so and I do not believe that if 40 other options had been offered the results would have been greatly different except that it might have muddled some people in their answers and they would have been reluctant to decide what shade of opinion they should go for. But the fact that the questions were simple and effective brought forth the response that we hoped it would bring and it demonstrates beyond all possible doubt the feelings of these Islands.

If I may, Sir, I would like to turn to the second part, the report of the policy document of the Labour Party's Foreign Affairs Committee as portrayed by George Foulkes and I do specify that in that I am always suspicious of George Foulkes anyway. But if one examines the statements made in that policy document, and one assumes that it is a document, or should this document be accepted by the Party's annual jamboree, have they given any thought to some of the comments made there? Should by chance the Labour Party become members of the new government will the new Labour Foreign Secretary wish to convey to Argentina that the present state of affairs is not an option? The present conditions are untenable and that the British Government under the Labour Party would recognise the claims of the Argentine people to the Falkland Islands. Now is that the beginning of a negotiating stance for any responsible Government? I do not believe it is and whether they accept it or not I think that like so many documents the Labour Party accepts in opposition it will be forgotten in office. George Foulkes we met in 1985 and he told us of his views. We did not really need telling but he did tell us that basically these were his views and that was as far as the discussion went. But he also told us "of course you must realise that when the Labour Party next comes to power, I shall be the Minister of State". Now I conveyed that comment to a Noble Lord, a Labour Noble Lord in fact, who really and truly folded up in his chair, laughed like a drain and said, "well that is just like old George, he always gets in league with the fairies".

I would question and I would point out, I would ask anybody else to show me how many Opposition portfolios when the Government has changed hands have continued to be in the hands of those that have carried them in Opposition? Virtually none, and I believe we are fairly safe from George Foulkes. With luck he might get shipping or something like that. Shipbuilding is falling apart and so hopefully will he. But the fact that a man who is anti-colonial, and he makes no bones about this, anti-Falkland Islands, and he makes no bones about this, and anti-NATO, and he makes no bones about that, should be the deciding force in the present Labour Party for future performance should they come into power, I think is of concern. Largely I think the concern that such a Government is not going to go into bat with no policy at all. In his various broadcasts at the time, as have been pointed out, even his figures have varied, from £550 million down to £350 million and I would query those figures. If one sets aside the Mount Pleasant Complex, the actual building thereof, which I think has to be set aside, what are the costs of the garrison in the Falklands? The transport of the stores, food, equipment and men to the Falkland Islands and really that is all. All the service personnel here are detached from their units. They are still officially in Germany, Bavaria, Cyprus, Belize or wherever. The only added costs are the added distances of transport and if anybody can make those add up to £300 million I will be only too pleased because it does mean that the shipping industry is getting some sort of help. But I hope, Sir, that our attitude on this subject, and it is not a, well it is an inflexible attitude, but it is not born from the beginning. We have no faith in the Argentine Republic being able to run itself and therefore we have no wish for them to try and run us.

Sir, I beg to move the Motion.

The Honourable J E Cheek

Your Excellency, Honourable Members, in rising to second this Motion I agree wholeheartedly with everything the proposer has said. I can add very little and none of that as eloquently as the Member for Camp, Mr Tim Blake.

On the Marplan poll, there was basically one question and the answer does not need explaining by me - if anyone cannot understand it, and I believe even Mr Foulkes could understand that answer, there is something wrong with them. I have met George Foulkes a number of times over the last year or so. When he was here last May we had a working breakfast, I think he called it, the only one I have ever had and we certainly gave our views to him. I think he understood them but I do not think he accepted them. I met him again in August, I think by myself, then I met him in November with the Honourable Member for Stanley, Mr Clifton. Again we put forward our views to him and he was not prepared to accept them. I do not think he listens. I think he disregards.

He wants one thing only and that is to get rid of the Falklands if he can and before that to make as much embarrassment for the current Government as he possibly can. But this paper that we are talking about is currently only a proposed policy document. I would hope that the Labour Government, Labour Party not Government yet and I hope not at the next election, rejects it by showing a much greater regard for democracy, for the right of self determination for the Islanders than George Foulkes is showing. I believe if they have any feelings for democracy that they will reject that policy paper.

I would also disagree, as Mr Blake has done, with George's figures, whichever ones we take, and he also mentions that the Argentines are now promising that the Islanders will continue their way of life if they take over. I remember well February 1982 when a different Argentine government promised exactly the same thing, but they changed their minds fairly rapidly in April of the same year. George Foulkes is talking about the education of the Islanders. I am not sure how he proposes to educate us, but really by education he means to change our minds so that we can accept what he wants, that we can accept an Argentine control of these Islands. Certainly I cannot accept it, and I do not believe that any other member of my constituency would accept to be under the control of the Argentines. President Alfonsín may be an honourable man, I do not doubt that but he has only been in Government what, about two years, and we have seen the frequency with which Argentine governments have changed and the number of years, certainly in my lifetime, that the Argentines have been governed by dictatorships in one form or another. As I say, my hope is, and my plea with this Motion to the Labour Party, is that they reject these proposals from George Foulkes and that they look towards the Islands' future as being a democratic one. I am starting to think of Foulkes as the Falklands' Ridley of the Labour Party, I can hardly say anything worse than that. Sir, I support the Motion.

The Honourable Mrs N Edwards

Sir, in rising to support the Motion, I would just like to say that I wholeheartedly agree with everything that both Mr Cheek and Mr Blake have said. I would just like to point out that should the Labour Party accept this document, should Mr Foulkes ever become Foreign Minister we have a grain of hope because he does say that they would speak only to a democratic government and thereby I think he has made a grave mistake. There may well not be a democratic government in the Argentine by that time.

One other thing I would like to point out is that he offers remuneration to people who, should the time ever come, do not wish to stay in the Islands under Argentine rule. Well I would only say should this unlikely event happen, just to remind people what he is really offering is a small amount of money for resettlement in England. I well remember when the Tristan da Cunjans were resettled after the volcano erupted.

They were placed in a military camp and I think that should we ever be resettled it would be into Council houses with the dole as payment and I would ask people to remember this should the day ever come when we are offered anything like Mr Foulkes is planning.

The poll I wholeheartedly agree was well conducted and should qualify any comments that anybody has to make regarding the wishes of the people and sovereignty in these Islands. I beg to support the Motion.

The Honourable R M Lee

Your Excellency, Honourable Members, I would just like to support the Motion wholeheartedly. I agree with everything I have heard so far. I said this morning I thought that George Foulkes was a bit of a fanatic who was out to win votes and I firmly believe this to be true. I do not really think he cares whether its the Falklands or Hong Kong or whatever that he is giving away providing he gets some votes for his particular party. I do not think that we should take him too seriously. I do not think we should worry. I think we should take him seriously but I would hate the general population to get upset and worried about what he is up to. I think it is perfectly natural for a person like that to act in such a way and to write such a report. I beg to support the Motion.

The Honourable C D Keenleyside

I, too, rise to support this Motion. I can only conclude that Mr Foulkes is basically misguided. He shows no interest in the democratic way of life which the Falkland Islanders have although he appears to contradict by saying he supports democracy in Britain, but he is not prepared to support it in the Falkland Islands. This to me is quite deplorable and shows the kind of man we are in fact dealing with. It appears that as far as Mr Foulkes is concerned, the only education he wants to give the Falkland Islanders is basically that which tells them that they have no option other than to go to Argentina and that no British Government is going to support them for much longer. I consider that he is totally wrong in this and I can say little more than to support the Motion.

The Honourable A T Blake

Your Excellency, in rising to support this Motion I agree wholeheartedly with nearly everything that has been said. When I was writing the speech which I presented in the Thanks to your Address I consulted Roget's Thesaurus to give me a better word for 'fool' and I found 158 variations. To be quite honest with you in definition of a certain gentleman I would like to use all 158 but we do not seem to have time for that. We have more important things to attend to.

Unfortunately, the gentleman concerned has been pulling the wool over his constituents' eyes for such a long time that he has become used to the idea and, unfortunately for us, he visited the Falkland Islands thinking that he was going to do the same to the Bennies. Unfortunately for him the Bennies showed him for the fool that he was and he has taken out a personal vendetta against us for doing so and we are at the moment bearing some of the brunt of that little vendetta.

I think the Honourable Time Blake said that nobody could be deceived by the 94% but I hope he noticed that Mr Foulkes said that 94% was an apparent answer to the question. He was not even prepared to accept 94%. Although I tend to dismiss, as the Honourable Mr Lee did, the importance of this address I do feel that we should act swiftly and abruptly to this sort of approach by anybody and I hope that we can give this Motion the widest possible circulation. We have a good office in London, our London office, with a staff who I know at times perhaps feel they are carrying out rather mundane tasks and I think we ought to take the chance to use the talent we have there to give this Motion the widest possible circulation. In particular, I think we ought to make sure that every Member of the Labour Party gets a copy of this and perhaps some of our more relevant comments.

If the Honourable Member, Mr Tim Blake, does not mind I would like to move an amendment to insert at the end of the Motion "and moves That this Motion be circulated to all Members of the UK Labour Party".

The Honourable E M Goss MBE

Your Excellency, in rising to support this Motion I would like to bring everybody's attention to the fact that it has been made relatively public by Eric Ogden I think, and a few others, that Mr Foulkes has financial interests in the Argentine and he is also representing other embarrassed British citizens who have great financial interests in the Argentine that the invasion in the Falklands war eventually locked up. I think he is getting a lot of prods from those sort of people because of their financial interests and money as we know, and we are going to be talking about it for these next few days, is the root of all evil and here I feel it is at its highest. Thank you.

The Honourable D L Clifton

Your Excellency, in rising to support the Motion I would also go some way to endorsing Councillor Goss's sentiments. On the face of it Mr Foulkes does seem to be rather a nice sort of gentleman but beneath he is rather devious and scheming, I think, to his own personal ends. I can do nothing else, Sir, but support this Motion in its entirety.

The Honourable A T Blake

I would just like to clarify my amendment, which has not been seconded incidentally, that in referring to the Labour Party I meant the Parliamentary Labour Party.

The Honourable D L Clifton

Your Excellency, I wish to second that.

The Honourable The Financial Secretary

Your Excellency, I am a voteless member now but I certainly support this Motion wholeheartedly and virtually all the sentiments that have been expressed today. I only wish I had a vote to add to it. Thank you.

The President

Just before I invite the Honourable Member for Camp, the Honourable Tim Blake, to sum up the debate so far on this most interesting Motion, I would just remind Honourable Members that we have the proposal that the words, and I stand to be corrected here by the proposer of the amendment, that the amendment after the words "British sovereignty" be the addition of the words-"and moves that this Motion should be brought to the attention of all members of the UK Parliamentary Labour Party".

Now may I invite the proposer to wind up on both his original Motion and perhaps indicate his attitude towards the proposed amendment as well, which has of course been seconded.

The Honourable L G Blake OBE JP

Your Excellency, Honourable Members, I happily accept the amendment put forward by my colleague, the Honourable Tony Blake, which has been duly seconded and I am sure other Members will accept that amendment also. I would like to thank Members for their support for this Motion. While I agree that one should not get over-alarmed by the George Foulkes's of this world, I think one has to accept that they exist and it is no earthly good walking in a snakepit if not taking serum because you know the rotten so and so's will bite at some point or another. So it is sensible to take precautions if you are walking among snakes, in other words if you are dealing with, what is the quotation - when you sup with the Devil, use a long handled spoon - I would love a long handled spoon and with this devil it would not hurt to crown him with it!

However, Sir, in summing up I am grateful to the Members for their support and I would like to add one final thought and that is that the suggestion that the delegation from the Parliamentary Labour Party, while in Opposition, should come and explain their

attitudes to us would be a waste of the Parliamentary Labour Party's funds and just provide a jolly for the boys. Sir I thank you.

The President

All Members of Legislative Council have, of course, spoken in this debate save the Chief Executive, a non-voting Member of the Council, but as far as the elected Members of Council are concerned I deem it to be their unanimous wish that the Motion as amended be adopted unanimously.

The Honourable Chief Executive

I would like to just say, Your Excellency, that in anticipation that this Motion might enjoy at least some measure of support in this House, I have in fact also in anticipation that they might wish that its contents be widely known in the Labour Party, got in touch already with Alastair Cameron with a view to arranging for that sort of circulation of it to be done in due course.

MOTION BY THE HONOURABLE D L CLIFTON

"That this House observes the manner in which general litter and unwanted waste materials are freely disposed of by certain elements of the community - residents and visitors alike - and requests that suitable control be exercised to minimise such untidy and unnecessary action by enforcing and, if necessary, revising legislation relating to public nuisances."

The Honourable D L Clifton

Your Excellency, this might seem something of a minor and very basic Motion to move but I believe it is very topical at this particular time, and more so since we are talking of introducing tourists to our environment this coming summer. Stanley, I think on the face of it, leaves a lot to be desired. There are numerous forms of litter generated by the public generally, visitors, perhaps the contractors, and some of our own governmental litter. We seem to be doing very little to stem this. I am not really sure in moving this Motion how perhaps we should attack it. I have given some thought to perhaps using the education process, but there are elements within the community that are ensuring that their properties are maintained correctly, they are well painted but outside on the street there is the other element that simply discards the beer cans or has his lorry load of peat tipped on the pavement and forgets to throw it into the shed. There is also the abandoned vehicle that lies unwanted and unattended on public land.

I believe many years ago there was, within the town, a gentleman called "An Inspector of Nuisances" who actually went along looking at all the public complaints, taking particular note, and two or three days later he would go along to those same spots and

making further notes, and then demand of the individual of the household that the mess be cleared up. This must have been a very simple and very basic form of getting things done but nevertheless it apparently did work and today I only wish that a similar sort of arrangement was in being.

I understand that we do have legislation to cover the problem of unwanted vehicles on public paths or public ground and there is also some form of control through the public health legislation to prevent any unwanted or uncontrolled waste being thrown on pavements or public rights of way. The main purpose of moving this Motion is to draw not only Councillors' attention to what I believe is an unnecessary aspect of our life, but also to draw the attention of the public to the fact that they are violating some of our current forms of legislation. At the same time I would like to move that this House considers a very basic form of legislation, such as the United Kingdom's Litter Act of 1958, which will actually give control over the depositing of beer cans and coke cans or whatever on our few public greens, Victory Green and Arch Green.

There is a way perhaps of attacking this through an education process. I know when I was at school, and it is not that many years ago, if a schoolchild was seen depositing litter on the street outside the whole classroom was made an example of and we had to go out on the street and clean it up. It annoys me that with the vast numbers of schoolchildren we have walking up and down our streets today, particularly the Ross Road area which is quite an interesting focal point from the tourists' point of view, that the children simply leave the shops and deposit their litter all over the place. Public Works have made considerable efforts to keep control of public litter and there are some very attractive litter bins scattered round the town. I know that our basic refuse system of depositing ash and cans in 40 gallon drums leaves a lot to be desired but, nevertheless, we do have the facilities and the receptacles in which to deposit litter. I wonder perhaps if we could not start this education process off at school. But essentially, Sir, what I am looking for is support to enforce the legislation that we now have through our Road Traffic Regulations and also our Public Health legislation - the by-laws - and also asking that Councillors consider introducing, or certainly providing for, the introduction of the United Kingdom Litter Act of 1958 to reduce and prevent further littering of our public places.

The Honourable A T Blake

Your Excellency, I would like to support this. I think as part of a manifesto which I did not have to really put at the last election, I feel obliged to support this and in actual fact I agree with everything that has been said. We do have receptacles now for rubbish to be put in, although the number I see about town does not relate directly to the number that were in actual fact imported into the Islands, but they most probably could be put in more convenient places, to areas which are now obviously

becoming areas where litter is dropped and I would support the recommendation for amendments to be made to the legislation and, in particular, perhaps with reference to the Litter Act 1958.

I do not in actual fact see in my mind why, if we do bring in an act of this sort, why it should be limited to Stanley. I think we all know what happens out in Camp, and probably to a higher degree than in Stanley, people driving along will just throw out rubbish and litter. I suppose we have all done it at some stage or another during our lives. It does seem totally unnecessary and it does at times cause inconvenience if not injury to animals so I will second the Motion.

The Honourable Mrs N Edwards

In rising to support the Motion, Sir, I would just like to say the PWD hope in the future to have rubbish skips stationed around the town. It might alleviate the problem to some extent but I agree wholeheartedly with Councillor Clifton that legislation needs to be enacted to try and prevent this nasty eyesore. It is not only the roads that are littered with beer cans, we get them in the gardens as well and it would be very nice if we could quickly enact some legislation to impose fines on litterbugs. I beg to support the Motion.

The Honourable J E Cheek

Your Excellency, I rise to support the Motion. The proposer said that there was legislation already to get rid of abandoned vehicles and I would hope that the Police would enforce such legislation if they can. Certainly on one or two areas of Stanley vehicles have been sitting for upwards of six, nine, twelve months. The only other point I would make extending it further from Stanley, this has been raised in the past, but I would hope that the Administration would see their way to finding a more suitable rubbish dump. The current one being to the West of Stanley means that a lot of the rubbish just gets blown back into the town itself.

The Honourable R M Lee

Your Excellency, I agree entirely with the Proposer. Being pro-tourism I am very much ashamed of some of the litter I see laying around Stanley and as the Honourable Tony Blake says there are some pretty untidy places in Camp too. There is no need for it and it is something that we can do something about without spending vast amounts of money so I support the proposal wholeheartedly.

The Honourable E M Goss MBE

Your Excellency, I rise to support the Motion also but I think we should exercise a little bit of caution in bringing in legislation where we take control or have say over people to pull down their untidy fences or their dilapidated buildings, or to

The Honourable Chief Executive

Your Excellency, Honourable Members. I would just like to say before associating myself wholeheartedly with the Motion that I think it would be wrong instantly to judge the actions of the Broadcasting Officer until we have had an opportunity of investigating what seems to have gone wrong over the transmission of news about this incident and this I will do at the earliest possible opportunity.

I wish to emphasise much more importantly my support, my wholehearted support, for this Motion. Thank you.

The President

The Commander British Forces, did you wish to say anything else to this? There is no necessity to do so.

The Commander British Forces

Your Excellency, Honourable Councillors. I would just like to say on behalf of myself and the British Forces of the Falkland Islands how we are very pleased and grateful for the remarks you have made this afternoon, both in your trust in us and in your approval of the way we conducted ourselves in this incident. Thank you all.

The Honourable L B Blake OBE JP

Your Excellency in winding up, may I first of all, as perhaps I should have done in the beginning, thank you for your readiness to bend, or not bend the rules, but find the appropriate rule that allowed us to meet this afternoon and accept this Motion. I am sure we are all most grateful. There is little I can add in that we have said it all already, but I think that the message we wish to put out is that we abhor aggression. We commend the fortitude and care and attention of the British Forces and we suggest to other nations, particularly the Third World who are the sufferers because they are the little ones, it was not a Russian ship they took on yesterday, it was a Taiwanese, that we are not the only small people who are endangered by aggression but that we are as important and that principles matter no matter how big the nation. Sir I thank you.

The President

I commend Honourable Members both elected and official on their contributions to this afternoon's debate on the Motion introduced by the Honourable L G Blake. I think it goes without saying from the tone of the contributions made that no vote of adoption is necessary to be taken because unanimity has been displayed in all speeches this afternoon which I think carries from this Chamber to those listening outside, both in the Falkland Islands and elsewhere, the depth of Council's feelings about the events of the 28th of May. The work of the Select Committee on the Appropriations Bill will resume shortly in another place. The Council is adjourned.

move their vehicles that are maybe stored as spare parts. perhaps there might be some young lad who is starting off a garage and he has not got adequate storage space to put his vehicles safely so he may have them in the back yard or at the side of the road, so I think some provision should be made for those sort of people. But, in essence, I support the Motion.

The Honourable The Chief Executive

I just wanted, Your Excellency, simply to clarify the law on this as advised to me by the Attorney General and generally on that basis to support, as a non-voting member, the Motion. I understand from the Attorney General that the Common Law of Nuisance requires that the offence be something more serious than just leaving litter around, so we cannot use that.

There is the Public Health Legislation as Honourable Members have said. The problem about this is that it applies primarily to matters of health as its name implies and whilst apparently under this legislation it would be an offence to throw a dead cat into the garden of Sullivan House it would not be an offence to throw empty beer cans.

There is also, as has been mentioned, the Road Traffic (Movement of Vehicles) Regulations 1979, and I note that whilst the Police, if personal experience is anything to go by, are zealous in prosecuting parking offences they rarely, to judge from the appearance of certain parts of Stanley, use their powers under these regulations. I would wholly support that they should use those powers more frequently than they do but I believe that if they use them they would certainly expect to give notice before they removed a vehicle and thus cater for the problem raised by the Honourable Member for Camp, Mr Goss.

I think that we will have to go for a combination of the UK 1958 Litter law and something of a litter campaign which we shall have to think about. We will not need an expert commissioned by FIDC I think to advise us on that and certainly we need to provide more in the way of litter bins. The Learned Attorney General and myself have noticed that a large empty oil drum left between our houses in Ross Road is in fact very frequently used as a repository for litter and it gives us cause to hope that if there were more such litter bins available to the public both our gardens would have rather fewer beer cans in them than they do at the moment.

Sir, I will undertake if this Motion is passed that Government will at an early date seek to implement it by the drafting of appropriate legislation on the lines of the 1958 UK Litter Act.

The Honourable L G Blake OBE JP

I would just like to rise to support the Motion and to suggest that someone should write a litter!

The President

I did not hear that. May I then ask the proposer of the Motion, the Honourable Member for Stanley, the Honourable Lewis Clifton, simply to wind up at this stage.

The Honourable D L Clifton

Thank you Sir. I would like to thank Councillors for expressing their comments on the Motion and for their support. I had not quite taken into account the litter that is generated outside Stanley. I tend to be a city dweller rather than a Camper but, on reflection, I have heard comments on the large number of beer cans and empty receptacles that are found along our river banks today where the fishermen deposit any of their gear they do not want to take home. There are much wider implications of abandoned rubbish and I take note of, I think it was Councillor Cheek's comments, in relation to the rubbish tip at the West of Stanley. That is something I intend to pursue outside of this House. I would like to thank Members for their support.

The President

The overwhelming measure of support has been given to the Motion introduced by the Honourable Member for Stanley, the Honourable Lewis Clifton, and I deem the Motion to be adopted.

MOTION BY THE HONOURABLE MRS NORMA EDWARDS

"That this House requests support from Her Majesty's Government with regard to the compulsory purchase of the neglected properties of the Trustees of the John Hamilton Estate and the Estate Louis Williams."

The Honourable Mrs N Edwards

Sir, in putting this Motion forward, I would just like to point out that we have now for innumerable years watched Estate John Hamilton be neglected by the landowners. Had they been Irish or Dutch or French or of any other nationality they would have been out on their necks years ago and I feel that just because they happen to be Anglo-Argentine is no excuse for not putting a compulsory purchase order on the land. We have the right to compulsory purchase I believe, but in this case we need the support of Her Majesty's Government. I feel if it is a problem that you shelve any longer it will only get worse and I think the time has come to take some action. I am not asking for an invasion force to the Argentine or anything like that but I am asking for support from Her Majesty's Government for this Motion.

The Honourable C D Keenleyside

In rising to support this Motion, I must say that I, too, have noted the continuing dilapidation of Estate Louis Williams

properties within the Town, and the obvious total lack of interest of the present owners who appear to be quite prepared to rent out the properties, get what they can out of them, and just leave them to become public eyesores and eventually public nuisances.

Concerning the Estates of John Hamilton, I think it is to the great credit of the people running those Estates that they have managed to keep them going to the extent that they have with the lack of support that they have had. I think many people would have given up years ago and I think it shows great dedication on the part of those people that they have not and I can only say that I wholeheartedly support this Motion.

The Honourable A T Blake

I rise to support this Motion. I feel that we have done much over the past years to deal with the problems or, I do not know that they are altogether our problems, but to deal with the problems of absentee landlords, and the whole of the land reform process we are going through now is a result, perhaps, of our desire to have more control over the assets of the Colony. Under normal circumstances where property owned outside the Falklands was maintained and there was a credit to its owners and served the purposes of the Colony I would not support such a Motion. But I do feel that in spite of all the noises made by the government representing the owners of these two particular properties, they do not seem to be putting their money where their mouth is. To that respect we have at times acted against British citizens with the use of compulsory purchase and I do not see why a property should be immune just because it belongs to an Argentine. Sir, I beg to support the Motion.

The Honourable L G Blake OBE JP

Your Excellency, I rise to support this Motion and I feel that in tabling it we should point out that Government has made every effort to purchase, and fairly purchase, particularly the Estate John Hamilton properties, with seemingly nothing but stone wall tactics or kicking the ball into the long grass tactics. We have tried very hard, seemingly to no avail, and therefore I support the Motion.

The Honourable R M Lee

Your Excellency, Honourable Members. I, too, support the Motion but I do have reservations because, from a practical point of view, especially talking about the Hamilton Estates, there is no question in my mind that they are severely run down and being improperly managed. As I understand it there is an opposition to this suggestion from the UK and I do not fully understand all the political reasons so I would therefore support this Motion, but I do have reservations. If the British Government have strong feelings against compulsory purchase I think it is time they explained to us in great detail exactly what these problems are

because we do not seem to know. Sir, I will support the Motion.

The Honourable D L Clifton

I rise to support the Motion. Like Councillor Lee there are likely to be all sorts of hidden political implications in this. I used this particular theme as part of my address to the United Nations in November last year with Councillor Cheek expressing then that the Estate of John Hamilton was in a sad and neglected state and that the Falkland Islands Government may consider compulsory purchase. But the Argentines did not comment on that part of my address, for what reason I know not.

I would in supporting this Motion like to draw Councillors' attention to the unsatisfactory state of affairs that we have in one of the Roy Cove subdivisions. It seems to be going the same way as the John Hamilton Estates. Sir, I support the Motion.

The Honourable J E Cheek

In rising to support this Motion I have little else to say, just to reiterate that the Motion has been Tabled because of the neglected state of these properties and not, as I think was announced last night in a news broadcast, because it is Argentine.

I would also say that if there is not legislation that allows compulsory purchase because of neglect, I think it is time we had such legislation because I believe that these are not the only two properties. Certainly there was another small island that I believe two or three years ago, or slightly less than that, could well have been compulsorily purchased because that, too, was in a very bad state. I support the Motion.

The Honourable E M Goss MBE

Sir I rise to support the Motion but I understand that this has been discussed in the past and it created a certain amount of nausea and embarrassment in the United Kingdom because of the friends of the likes of George Foulkes who have financial interests in the Argentine and, if we enforce compulsory purchase here and take over their land, it could cause people who have money invested in the Argentine a lot of embarrassment and probably poverty. I do not really know what the implications would be but I understand that that had been discussed here before. So I rise to support the Motion with those comments.

The Honourable The Financial Secretary

Your Excellency, I would like to stand up and be counted on this matter. The fact is, as I see it, while I can have sympathy with purchasing property owned by the Argentines, because I am generally opposed to foreign ownership of land in the Falkland Islands and I have always been so, I do not wish the British Government to come under unnecessary pressure. Already the

British Government are paying a considerable amount for the Falkland Islands. We are reminded of this regularly but this Government we have has been a staunch ally of the Falkland Islands. I understand that there is some valuable British property in the Argentine and I would not like to think that there are going to be reprisals taken by the Argentine Government on the British Government, to whom we owe so much. I would therefore just like to mention that. I have no vote obviously.

The Honourable Chief Executive

Your Excellency, I have to go against the tide, albeit as a non voting member, and to say that I oppose this Motion. There is little doubt that the Government has in terms of existing legislation power to compulsorily acquire both Hamilton Estates and the properties of the Estate Louis Williams subject to Her Majesty's Government's residual power. What I think we should ask ourselves though, first of all, is whether the Falkland Islands Government is actually justified in terms of its present policy in acquiring these properties by compulsory purchase and, secondly, whether it is reasonable for the Falkland Islands Government to expect the support of Her Majesty's Government in taking such action.

Now no-one feels more frustration over the situation with regard to Hamilton Estates than I do having been involved in something like two years negotiations with the Trustees essentially because of their unwillingness, doubtless under the pressure from the Argentine Government, to make them available except on a leasehold basis. They certainly would make admirable subdivisions and their farms are also rather run down.

But we do, as I say, have to ask ourselves whether in fact we would be justified in acquiring them in terms of our present land transfer policy. Do we in fact need to acquire them to maintain the momentum of the land transfer programme? No we do not, we have just acquired Fox Bay West. It is not yet, as far as I know, the policy of the Falkland Islands Government to acquire land compulsorily for land transfer if sufficient land is available on a willing seller, willing buyer, basis. Nor, as far as I know, is it Falkland Islands Government policy to acquire land because a farm is unprofitable or does not appear to be well managed. Because if it is, some other farmers might need to look out. So I conclude that the Falkland Islands Government would not be justified in using their compulsory purchase powers in respect of Hamilton Estates. It would clearly be discriminatory. And it follows, I think that it would not be reasonable to expect the support of Her Majesty's Government in making such an acquisition and indeed Her Majesty's Government have made it quite clear that such financial assistance as the Falkland Islands Government would almost certainly need to purchase the Hamilton Estates would not be forthcoming. I think one should be quite clear for the benefit of the listeners on the radio that assets compulsorily acquired still have to be paid for.

Again I ask in the case of the Estate Louis Williams in town, whether in fact we would be justified in proceeding with compulsory purchase in terms of present Falkland Islands Government policy. It is not yet present Falkland Islands Government policy to acquire land generally for development without having a specific purpose in mind. Nor is it Falkland Islands Government policy to acquire other derelict and ill-cared for properties in town, so why do we pick on the Estate Louis Williams. Again I do not believe that the Falkland Islands Government would be justified in using their compulsory purchase powers and I do not believe that we would be supported by Her Majesty's Government in so doing because it would clearly be discriminatory.

Now two Honourable Members have implied that there is a wider context to the view of Her Majesty's Government about the compulsory acquisition of these properties. Essentially it is the policy of the British Government to stand firm on their sovereignty over the Falkland Islands. It is their policy to defend and develop them and it is also their policy, as Your Excellency emphasised in your Address, to normalise their other relationships with Argentina, and Honourable Members have accepted this. Nothing it seems to me could be more damaging to that policy than compulsory acquisition of Argentine assets in the Falkland Islands mainly because they are Argentine and not in accordance with normal Falkland Islands Government policy so that they would, in fact, be compulsory acquisitions on a clearly discriminatory basis without other good and substantial reasons. I do not believe that, whether we like it or not, we can ignore that additional dimension so I have to ask the House, respectfully, to reject the Motion.

The Honourable Mrs N Edwards

I thank the Honourable Members for their support for this Motion, with the exception of the non-voting Members, and I have to say that I disagree with the Honourable the Chief Executive. I feel there is very good reason to compulsorily purchase both these properties. Estate Louis Williams because it is prime land in the centre of town which we do need for development, so it is not just acquiring it because it is Argentine owned and it is falling down. If we have not legislation to counteract this kind of thing, I think it is time we had some.

In respect of John Hamilton Estates I think the farms have been well run by the Managers, but it will not go on for ever, and the longer you leave this problem, the longer you shelve it, the worse it will become. I think 250 dead British and Chinese are reason enough for not supporting any Argentine owned land in this Colony and therefore in that respect, yes, I suppose it is detrimental to the Argentine, but I am sorry they did not consider us when they came in here, and I do not think we should consider them now. In respect of the British-owned land in the Argentine, the Argentine, at the moment anyway, owe their souls to the International Banks so I think if they tried to twist

anybody's arm in that direction I think Britain is in a pretty good position to say no you cannot do it. But all I am asking is for support from the British Government for this Motion should we wish to implement it and I feel that is not too much to ask. Thank you Sir.

The President

Clearly the Honourable Proposer has not been swayed by the eloquent opposition of the Honourable The Financial Secretary or the Honourable The Chief Executive and I wonder at this stage whether it is the wish of elected Councillors who, of course, have spoken in support of the Motion, that they wish the Motion to be adopted or that they wish it to be withdrawn. Could I put it to you on this occasion. Could all in favour of the adoption of the Motion please raise their right hand, and I will have the Clerk of Councils count the vote in favour of the adoption of the Motion at this stage amongst elected Members. The Motion is adopted unanimously.

ORDERS OF THE DAY: BILLS (28.5.86)

The Appropriation (1986/87) Bill 1986

The Honourable The Financial Secretary

Your Excellency, Honourable Members. I am pleased that we have managed to produce the Budget for consideration by Legislative Council in the month of May. This is the first time that this has been achieved since 1973. The format of the 1986/1987 Estimates is similar to that devised by Peat Marwick management consultants and used for the last two years.

There are a few changes to the Departmental Estimates. The Fire Section of the Public Works Department is to be transferred to the Police on 1st July 1986 and its new title is "Police, Fire and Rescue Service". The Public Works Estimates also include some slight amendments. There are two new sections, namely "Design and Contracts" and "Construction". The section previously referred to in the Estimates as "Buildings and General" has been amalgamated with "Municipal Services" and the new title of this section is "Property and Municipal Services".

This is the first Budget under the new Constitution and Honourable Members will note on page 4 of the Estimates that the balances of the old General Revenue Balance Account and Reserve Fund have now been transferred to the new Consolidated Fund. This transfer was required under Section 68 of the new Constitution. This new fund contains the total reserves supporting the Ordinary Revenue and Expenditure section of the Estimates.

Before disclosing the details of the 1986/87 Budget, I shall briefly refer to the Revenue and Expenditure Estimates for the current year, that is the Financial Year which ends on 30th June 1986. The revised estimate of Revenue for the current year is £6.078 million which is £479,000 more than the original estimate. Honourable Members agreed to increase the transfer to the Development Fund during the course of the year from £100,000 to £300,000 principally for enabling a greater sum to be available for housing loans. After taking this transfer into account, Expenditure is shown at £131,000 more than the original estimate of £5.588 million. The main increases in Revenue are shown under the investment section of the Secretariat and Treasury Estimates and under the Public Works revenue head.

It is forecast that we should embark on the new Financial Year on 1st July 1986 with reserves in the Consolidated Fund of £2.78 million.

I now turn to the 1986/87 Budget. In round figures the estimate of ordinary Revenue for 1986/87 is £7.2 million and the estimate of Expenditure is £7.4 million. A deficit of almost £200,000 is forecast.

The Expenditure Estimates contain a proposal to transfer £0.5 million to the Development Fund. It has been brought to my attention that some members of the public are slightly confused over transfers to a local Development Fund. I emphasise that these transfers do not go to the Falkland Islands Development Corporation. They are transferred to the Falkland Islands Government Development Fund for meeting a wide variety of development projects that the Falkland Islands Government undertakes, such as the assistance given to the link road programme at Port Howard and Darwin and the new Stanley Fire Station. It is essential that some of the Revenue we raise must go towards development. However, the Development section of the Estimates is referred to in detail later in this address.

Excluding the transfer to the Development Fund, the total Ordinary Expenditure is shown at 25.76% higher than the 1985/86 Financial Year. There are many reasons for this substantial increase. The Public Works Expenditure estimate totalled over £700,000 more than the original estimate for the current year. There were a number of reasons for this. We are required under the terms of the United Kingdom Government assistance which was granted to the new Power Station and Water Plant to make realistic contributions to the replacement funds in order that funds will be available when the time comes to renew both lots of plant again. The greater consumption of fuel at the Power Station arising from the increase in demand for electrical energy also contributes to the increase in PWD Expenditure. There is improved provision for plant and vehicle spares and increased provision for wages and salaries.

There is a considerable increase shown under the Police head of Expenditure. This is mainly due to combining the Fire and Rescue Service with the Police. Some of the Expenditure growth is due to the need to provide full provision for the salaries of officers who will replace the officers seconded from the United Kingdom under Technical Assistance arrangements.

Under the Secretariat, Treasury and Central Store head, there is a considerable increase in Expenditure owing to growth in a number of items including stores for the Central Unallocated Store and coins for the Treasury.

There are a number of other heads of Expenditure which call for comment, the Medical Department Estimates in particular. I refer to the need to provide funds for our share of the recurrent costs of the new hospital. The Budget provides for the last three months of the forthcoming Financial Year. Arrangements for financing the recurrent costs have not yet been finalised but the project's recurrent costs do appear high and the future financing of them does cause concern in the Treasury.

Later during this meeting of Council I shall be introducing two Bills for increasing Pensions, both Old Age Pensions under the contributory scheme and under the non-contributory Pension scheme. The increases are higher than usual, more than twice the

inflation rate for last year. However, I know that Honourable Members consider the Pensions currently paid to be relatively low and the proposed measure goes some way to improve the pensioners' position. I feel the proposed increases are justifiable, in particular, with the current increase in inflation locally. Some of the proposals contained in this Budget will influence it even further.

The proposed increase in weekly pension rates, under the contributory scheme, for a married couple are from £28 to £36; a single pensioner from £19 to £24. Under the non-contributory scheme the weekly pension for a married couple will rise from £24.50 to £31, and from £18 to £22.50 for a single pensioner. Provision for the non-contributory pension increases is made in full under the Social Welfare Expenditure head. Provision is made under the same head of Expenditure for an increase of £6,700 in the subsidy to the Old Age Pensions Contributory Scheme fund to absorb some of the cost of the proposed contributory pension increases.

There is a further Expenditure proposal under the Social Welfare head. This is a proposal to increase the non-taxable Family Allowance from £15 per month to £20 per month with effect from 1 January 1987. It is proposed to introduce a Single Parent Allowance of £15 per month with effect from 1 January 1987. I shall explain the details when I introduce the Family Allowance Bill during the course of this meeting.

The Expenditure Estimates include provision for the implementation of the recommendations made by Mr Dale in his review of the grading and salary structure of the Public Service of the Falkland Islands. Funds provided under all Departmental Expenditure heads are influenced by the proposed increase in salaries. There are a considerable number of posts redesignated and details of the new titles are shown under each Departmental head in the Estimates. There is one point that I am required to make loud and clear in connection with the adoption of the recommendations in Executive Council and that is acceptance in Executive Council is subject to a review of the Leave and Passage Regulations.

The Budget also contains a proposal emanating from the Dale Report for Government pensions to be increased, that is Government Service pensions, by 20% for those pensioners who retired before 1 July 1977, and 10% for pensioners who retired after that date.

I turn now to the Development Estimates of Expenditure. For the first time the Estimates include a Development Plan Summary showing forward projections and include projects for which external aid is received. From local sources provision is provided for a release of a further £200,000 for housing loans; £40,000 for Stanley roads reconstruction; £50,000 for the Stanley water supply local costs; £25,000 for the workshop and improvements of the Islander Hangar; a sum for the improvements

to the water supply at Fox Bay Village; £20,000 for assistance to Camp link roads; £30,000 for subsidised immigration; £20,000 for the Junior School extension and £100,000 for phase 1 of the new Fire Station, Archives, Philatelic Bureau and Library.

To finance these development projects £500,000 has been transferred from our Ordinary Revenue and Expenditure Account, £55,000 should be received in respect of the annual instalments of outstanding housing loans and the balance of £200,000 will need to be raised by other means, such as the issue of stock.

From the £31 million UK Development Aid Grant, it is estimated that in 1986/87 £2 million will be withdrawn for the Stanley water supply project, £1.1 million for the fuel depot, £1.5 million for the Jersey housing estate, £70,000 for recruitments and contracts and £100,000 for telecommunications.

In addition, the Development Estimates forecast £100,000 will be spent on the expansion of Stanley Senior School which is to be financed from the European Development Fund.

The balance of the 1973/78 UK/Falkland Islands loan is to be used on improving the printing facilities.

It is also envisaged that £11,343,000 provided for the hospital jointly by the Overseas Development Administration, the Ministry of Defence, Sir Jack Hayward and the States of Guernsey, will all be spent in the 1986/87 Financial Year.

Some of those development projects, in particular infrastructure development, will incur higher recurrent expenditure. The Stanley/Mount Pleasant Road will possibly be handed over to the Falkland Islands Government towards the end of the 1986/87 Financial Year and it is my duty to forewarn Councillors that considerable maintenance costs will arise in the future.

It is at this point I wish to refer to the financial position of the Colony. Firstly I refer to Revenue under Customs & Harbour. In particular to the Revenue of £650,000 in harbour dues arising from the fishing fleets using Berkeley Sound and Port William and the further £600,000 forecast from the recently imposed transshipment fees- a total of £1.25 million. We are now relying on this to a certain extent to provide for the day to day services of the Government. Honourable Members, I ask, how reliable is that Revenue? I do not have an answer to that question but the reason for asking it is to bring the matter to the public's attention. Severe Budgetary measures would need to be taken if some of that Revenue disappears. Expenditure is growing fast and we are fortunate today in having increased Revenue to offset that Expenditure growth, apart from the £178,000 deficit which I referred to earlier. No amount of crystal ball gazing will forecast the future Revenue from the fishing fleets; nor will it tell us the future of the price of wool. The present price is poor and at this stage the prospects of yield on company tax for the year after next appears, at this

stage, rather gloomy. I believe it is therefore important to keep our reserves intact.

For the present level of Expenditure the reserves of £2.783 million in the Consolidated Fund, are in my opinion, adequate but should not be allowed to fall. During the course of the Select Committee's deliberations on the Budget we should endeavour to eliminate the £178,000 deficit. Having uttered a note of warning on unreliable Revenue and informing of rising recurrent expenditure from the development of the infrastructure, which it is my duty to do, I consider it is not a time for despondency but a time for confidence in finding a path forward. We cannot remain the same. Everything that I am aware of in the world either progresses or deteriorates- nothing stands still. The Falkland Islands therefore develop or decline. It is productive development that is paramount to the economic life of these Islands which obviously leads to the efforts being made by the Falkland Islands Development Corporation. This Corporation was conceived by Lord Shackleton's team. Let us encourage it in the hope that it will foster the successful but productive investment for the prosperity of the people of the Falkland Islands.

I shall now turn to the Revenue proposals in the 1986/87 Budget. It is proposed that persons in receipt of Falkland Islands Old Age Pensions be permitted to purchase non-priority Islander flight tickets at 50% of the normal resident rate. It is proposed that FIGAS air fares be increased as follows:

The boarding fee from £13 to £14.30, an increase of 10%.
The mileage from 34p to 37p with the rebate remaining at 13p.
The resident fare will therefore increase from the present 21p per mile to 24p.

To give you some idea of the additional cost, I quote a few sample fares. From Stanley to Douglas Station or Stanley to Lively Island, both I understand are about 30 miles from here, the non resident rate would increase from £23.20 to £25.40 and the resident rate would increase from £19.30 to £20.70. 85 miles, Stanley to Fox Bay, non resident, the increase would be from £41.90 to £45.75. 131 miles, which I understand is the greatest distance in the Falklands, Stanley to New Island, the non resident rate would increase from £57.74 to £62.77. The maximum fare for residents increased from £28.50 to £31.50, the cut off point, I understand, being 71 miles. It is proposed that FIGAS freight rates be adjusted as follows:

From 16p to 20p per pound with the minimum charge increased from 50p to £1 and the minimum weight increased from 3 lbs to 5 lbs.

It is proposed to make the following modest increases to Stanley School Hostel charges, the first child from £48 to £60 per term, the second child from £38 to £40 per term, the third and subsequent children will remain free of charge.

It is proposed that a modest increase should be made to the Customs import duty on alcoholic beverages and it is proposed that a 10% increase be imposed. This will mean that beer will be increased from 13p to 15p per litre which is less than 1p per can. Spirits from £5.28 to £5.81 per litre which is an increase of 40p on a regular bottle; table wines from 34p to 38p per litre, an increase of 3p on the bottle; fortified wines such as sherry and port from 41p to 46p per litre - an increase of approximately 4p on the bottle. It is proposed that Customs import duty on tobacco and tobacco products be increased by 15%. Cigars from £20.27 to £23.32 per kilo an increase of 3p per 10 cigars, cigarettes from £14.66 to £16.86 per kilo, an increase of slightly less than 4p on a packet of 20. Tobacco from £13.33 to £15.33 per kilo, an increase of 10p for the 50g pouch or tin.

It is proposed to double the threshold when estate duty become payable from £15,000 to £30,000.

It is proposed to increase Government house rents by 10%, principally to take into account inflation and increases in Stanley Rates.

It should be noted that the Standing Finance Committee is the authority for levying Stanley Rates and it is forecast that an increase will be required to cover the period 1 July 1986 to 30 June 1987.

In accordance with the recalculation of the tariff for the supply of electricity, it is indicated that the tariff should now be fixed at 14.5p per unit. It is recommended that this tariff should be introduced with effect from 1 July 1986 and that the present subsidised rate of 11p per unit for resident consumers should cease.

During Mr Ritchie our Fiscal Adviser's last visit to the Colony, he made some recommendations regarding personal taxation. He made them subject to the Colony being able to afford them. These proposals were considered recently in Executive Council and it was decided that we could not afford them. So a modified reform is now proposed with effect from the next tax year. It is proposed that the personal allowance should be increased from £2,000 to £2,100, the allowance for a wife, £1,150 to £1,200, the wife's earned income relief maximum from £2,000 to £2,100.

The maximum amount of loan for housing on which mortgage interest relief can be claimed is £10,000. It is recommended that this figure be increased to £15,000.

It is also proposed to allow payments of alimony or maintenance under a Court Order or legally binding agreement for tax purposes in the hands of the person paying and to make the payments liable to tax in the hands of the recipient.

It is proposed to revise the Income Tax Annual Values Rules which have not been revised since January 1983. It is proposed that the values be increased by about 30%.

It is proposed to introduce a reform of company tax and capital allowances later in the year.

With regard to the alterations to both personal and company tax, these proposals will be brought forward to the next Legislative Council in the form of a Bill. In the meantime it will be given publication so that there is plenty of time for it to have debate in this Council.

Numerous minor charges for various services performed by the Public Works Department, the Police and other Departments will be kept under review throughout the year.

I present the Government Budgetary proposals for 1986/87 and am confident that with the co-operation of all Members our deliberations will once again proceed with expedition and success. I beg to move that the Bill be read a first time.

The Bill was then read a first time and on the Motion that it be read a second time the following Honourable Members spoke to the Motion.

The Honourable L G Blake OBE JP

Your Excellency, Honourable Members. When I joined Council 22 years ago our recurrent expenditure was £234,000. We had an air service, we had a legal department, we had a police department, we had a fire department and it cost us £234,000. This year our estimated expenditure is going to be £7.4 million, an increase in twelve months of 25.76%.

The Financial Secretary pointed out in his address some of the reasons for the changes in this figure and the increase in inflation. The Public Works costs were up because of the renewals fund. The Police Department costs were up because the Fire Brigade was added to it. He did not actually say that the Fire Brigade had been taken out of the Public Works Department so the Public Works Department is up even more because we have got to allow for the fact that the Fire Brigade has been taken out of its Budget. He forecast increases in our taxation, direct and indirect, between 10 and 20% - 33% I think was on cigars but I think that was particularly for spite. And then he told us the good news, 5% up on the personal allowance and 5%, or something under 5% up on the allowance for a wife. And then he told us even better news. He is going to introduce new taxation proposals in a few months time and that we would need plenty of warning to be able to swallow them. I have addressed this Bill in a slightly humorous vein, Sir, but these Islands are becoming taxed to the hilt. It is quite something when it becomes more expensive to drink whisky in the Falklands than in Britain.

Our fuel, our commercial fuel, is costing us far more. The query this morning about the availability of land and the necessity to purchase land compulsorily - I do not think that is going to worry too many people because, quite honestly, agriculture is going to go bust with these current levels of taxation and the current wool prices and so it will be easy enough to get land for the taking. But these Islands cannot continue to absorb the 25% increase in expenditure because we cannot raise it. Alright, he has only screwed the taxpayer for 10% again this time but we are becoming more heavily taxed, probably, than we would be in Britain.

The Honourable D L Clifton

Sir, I rise to give some support to the Financial Secretary's budgetary proposals. I agree they are not what everybody would like in relation to the duties on tobacco and alcohol. I would much prefer to see the percentage increase on tobacco something like 600% and take it off entirely from alcohol. We cannot actually please everybody. What I would like to see is a balanced budget. How we should go about this I do not know. Basically I would like to give my support to the budgetary proposals but we must really consider the Budget as a group to make it balance at some stage.

The Honourable J E Cheek

Your Excellency, Honourable Members. In rising to speak to this Bill I find myself largely in agreement with the Honourable Member from Camp, the Honourable Tim Blake.

Just quickly looking at our expenditure divided by our population it comes out to the horrifying figure of something like £4000 per head. Our tax burden is I believe, I have not seen recent figures, but it must now be considerably greater than UK. It was almost level two years ago and since then the United Kingdom have had a number of changes, and our changes have not been as great.

I believe that to a large extent we can no longer maintain the subsidies that we provide to certain sectors of the community. For example FIGAS, I have not worked out the exact figure, but its subsidy is somewhere around 60-65% at the moment and that is covering the whole thing. We are talking about flying visitors around who pay slightly more. I think if we work out their subsidy it is only 50% but it is coming out of my tax, it is coming out of the tax of all my constituents. We are paying half the cost of those visitors' fares. I think I could go on but that is the most glaring example.

I noticed the Honourable Financial Secretary looking up under his spectacles when he was talking about the OAP. I have objected to us subsidising the Old Age Pensions out of general revenue and I continue to do so.

I agree I have pushed ever since I joined Council that we should increase pensions but pension increases should be paid for by contributors so that later on we will also get higher pensions because of the higher contributions which will be payable at that stage. I do not agree to financing subsidies from general revenue.

The other thing that worries me very much is the future maintenance costs. Someone was talking about the Prynne Report. I agree it seems to be an extremely good report. I see the suggested figures for the costs of the Mount Pleasant Road - what is it 45 kilometres - and then try and multiply that up by the figures and distances that Prynne was talking about for roads. And then we are also talking about some sort of ship running across Falkland Sound. I think it is a very good idea but whether financially it is a good idea I have strong doubts. Some people say it will be cheaper to come in from West Falkland - yes because it is my, and my constituents' tax, which will be paying for the cost of it and not the person who is using it. I believe that if the actual cost is charged out to the user it will not be cheaper at all.

I suppose finally I come to what I started off with, tax, which is the way I got it from the Honourable the Financial Secretary. The tax reductions, my colleague mentioned 5% personal tax and whatever it was for a wife. They are ridiculous. I think that if these rates of taxes continue you will see people leaving the Islands because it is hardly worth staying here.

Nevertheless, the next few days will prove interesting as we battle our way through this. Hopefully some of the changes I have suggested I might like to see may well come about.

The Honourable A T Blake

Sir, I also rise to congratulate the Honourable the Financial Secretary on another excellent job.

There are one or two things that I would like to point out so that there is no misconception about what was said. The surplus we ended up with last year was not in actual fact profit. It was really a budgetary error on our part in that we did not spend all the money that had been allocated. I do not like people to think that we were screwing everything down to make a profit out of the public which was not quite the case. That is unspent expenditure rather than profit and I do not intend to play around with words. That is a fact of life.

I am very thankful that the Financial Secretary pointed out the fact that our income from fishing, to a certain extent, is hypothetical and must always be treated with caution.

I am somewhat disturbed by the across the board statements from some of the members of the Council. One member said that we had increased tax by 10%.

I think there might be a 10% on some minor element there but certainly not on income tax as I happened to hear, unless there is something wrong with my hearing. And yet we heard this across the board statement which is almost bordering on being irresponsible to mislead the public into thinking that we are putting tax up by 10%. This is not the case. Personal income tax has not been increased at all. There are increases on what I call optional tax items, indirect tax items, it is optional whether you pay tax on beer and tobacco. You do not have to drink it and you do not have to smoke it. I do not think the Honourable Member for Stanley, Mr Lewis Clifton, was joking when he mentioned that we should consider putting 600% on tobacco and probably more on drink both of which, from time to time, do create expenditure in terms of medical treatment and policing. So I think that the public want to be very wary of the use of that general bandied about figure of a 10% increase in tax.

I also disagree very strongly with the fact that our tax is anything like as high as UK. It is nothing like it. You have got to take into account in the UK of national insurance and VAT and even if you subtract those from British taxation at the moment we are just about level. I do not think we can expect to run the country efficiently without expecting to maintain that and I do not accept the argument some people use that freight offsets VAT in the Falkland Islands. Freight is a geographical fact of life in the Falkland Islands and we have to face it forever. It is not a substitute for a tax that we do not levy on the people. So with those few comments, Sir, I look forward to a fairly lively debate and I support the Motion.

The Honourable R M Lee

Sir, I would like to support this Motion. This is my first Budget and I admit I have not experienced anything like this before. It has been explained to me and it is very interesting but on the face of it, when I look at these proposals from the point of view of a person living on West Falkland, I must admit that it is a pretty horrible sight. What are they getting? An increase in airfares, an increase in freight rates and they are paying more for their children to go to school. There is not really very much in it for someone living on West Falkland and we hear people like the Honourable Mr Cheek even suggesting that a ferry is a waste of time. So I think that if anyone out there wants to come to Stanley they should do so pretty soon because they may not be able to afford it by next month. That is the only comment I have and I look forward to a lively debate and with that I would like to support the Motion.

The Honourable C D Keenleyside

I rise to speak to the Appropriation Bill. I have been very interested to hear the arguments for and against items in the estimates. I think this is a very go ahead budget we have been given here. I consider that in the past the Estimates have been held down because people have not allowed for the future.

We should always do this. There have not been allowances for the replacement of anything or some looking ahead in any way at all. I think this budget looks ahead. I think that if somebody is considering leaving the Islands for monetary reasons and I do not think there are very many people who stay in the Falklands for monetary reasons - I do not meet many of them normally - I think people stay in the Falklands because they want to stay here. If they are purely looking to stay in the Falklands for monetary reasons and start comparing them with any other place in the world I think it is a very wrong thing to do.

Looking at the various items. For example, we have just proposed an increase in Old Age Pensions, proposed increases in Family Allowances, and proposed increases in tax allowances. The only real increases in items that we shall pay for are those which I consider are the result of basic inflation. I have heard criticism in the past of sudden huge increases in, say, Stanley Rates or Airfares and everyone has asked why the increases were not imposed progressively. Well this is just what we aim to do in this Budget and I support those figures.

The Honourable E M Goss MBE

Your Excellency, I was very pleased to hear the Honourable Member from West Falkland, Mr Robin Lee, saying that this was his first time at the Budget Session and I thought I was the only one with that honour here, but I am glad I am not alone.

As I said earlier in the day I am not too familiar with procedure here, and I am not too sure if I should rise to speak or comment on occasions like this but I am sure I will be put in my place if I should go out of line.

What I do ask in listening to our annual list of gloom from the Financial Secretary, which is nothing new, we hear this every year and although I have not been at the Table to hear it first hand I have listened to it over the radio and I fall all over the floor and I think "rotten jokers" and all the rest of it. But I hope in this next week or so we can perhaps screw down some of these things that he has asked for. What I do ask is are we living beyond our means because if I cannot afford something I do not buy it? So what I say we should be looking at in this next week is trying to identify what we can do without. And if the Financial Secretary's worry about the reduced revenue from the fishing activities comes true then I think we should examine the proposed budget very closely and perhaps chop it down where we can do without.

There are lots of things that worried me at the onset but listening to other Members' comments about them has perhaps reduced my fears a little. FIGAS, of course, affects all those living in the Camp more than anyone in Stanley. We all pay our taxes so it affects the people in the Camp, or those who live in Stanley and want to use FIGAS to get to Camp. It does of course also affect development.

If we are going to develop Fox Bay it has put up the costs there and I am sure those people at Fox Bay Village and in the nearby farms or settlements will be listening with avid interest. Where in Stanley we have revenue that could come from Rates. It has been mentioned that they will be reviewed and I do think they need reviewing. What I have always been concerned about is one of the most costly things that people enjoy in Stanley and that is water and the cost of producing that water is not charged for as such in their rates. The rates are charged for according to housing area, floor area I think it is, but not exactly in gallons of water. A few years ago one Council tried to introduce water meters and this was probably accepted by an old couple living on their own, but it certainly was not accepted by people who waste and use lots of water. I do not know what happened to those meters but maybe we should perhaps bring them back off the shelf and dust them down and start gearing our charges to make people pay for the services they actually get.

Booze - 40p a bottle - that does worry me a bit because when I was in the UK I was buying booze at the same specific gravity as we are getting here in the Falklands at a lower rate although cigarettes which I do not use are twice the price, so there is room for movement on cigarettes. I can accept the proposed increases on cigarettes and tobacco but I am not so sure I am happy to accept cigars because I used to use them and I might start again one day. So I think that we should watch that one.

In making those few comments on the Financial Secretary's hard graft in producing this I am sure we are going to have some lively discussions on actually finalising the Budget.

The Honourable Mrs Norma Edwards

Your Excellency, Honourable Members, in rising to speak to the Bill may I just say that I was a bit disappointed to see that the old age pensioners will probably get an increase to £24 for a widow etc but they are only going to get 50% off the airfares. I had hoped that they might get one concessionary airfare per year which would not, I think, imbalance the Budget too much.

I am a little bit concerned about the increase in electricity to 14.2p. That means the local population will be subsidising the overseas taxpayer as I understand it, or as I know very well, because I have been paying 16.2p per unit because my husband is an overseas taxpayer - until next month - and that has now been reduced to 14.2p overall. I feel that it is a bit hard on the general public to subsidise the overseas taxpayers, so I would query that discrepancy.

I congratulate the Financial Secretary for managing yet again to produce a pretty reasonable budget.

The Honourable the Financial Secretary

Your Excellency, there has certainly been much discussion and debate.

As a matter of fact I am very grateful to one half of the House for sorting out the other half of the House! However, there are a few things that I must point out. I would congratulate the Honourable Member for Camp, Mr Goss. He certainly got a very quick understanding of our budget and he is right that we must look to see if we are living beyond our means. This is very important. No family can live beyond their means. Alright, everyone may want more money so that they can have a better life but if they cannot get it from anywhere they have got to live within their means. He is quite right and we should keep this uppermost in our minds.

With regard to the water meters which he referred to it is a fact that a proposal was made in 1973 for the introduction of water meters, but a petition was taken around by one Councillor and the Stanley residents did not wish to proceed with it. I believe we do have some water meters if they have not been taken by the Argentines in the meantime.

The question of electricity being 14.2p per unit, I would like to point out that that is the full economic price. It is not a subsidy for the military. The reason why it has reduced in price from 16.2p to 14.5p, this is our proposal, is because of the lower oil price to that applicable last year. That is the main reason for it. There is a separate computation which is done, which I am sure I have circulated to all Members, and we can discuss this in Select Committee.

With regard to references to personal and company tax I can see that this item needs clear debate and it will certainly have wide publicity. It is a fact that company tax rates in the Falkland Islands are certainly much higher than those in the United Kingdom and there will be increasing pressure on us to make some changes there. I promised that we will have a reform of company tax together with the review of capital allowances under the Income Tax Ordinance and the personal tax bill will also be published in plenty of time. There are a number of other changes which we have in the pipeline but which are not for publication at this stage, but in the forthcoming twelve months we will have a busy period from the financial side of the House and I am hoping that we will be able to make some improvements.

Without further ado I would just look forward to our Select Committee meeting which I hope will be carried out expeditiously.

The Bill was then read a second time and was referred for detailed consideration by a Select Committee of the House, sitting in another place.

REPORT ON THE PROCEEDINGS OF THE SELECT COMMITTEE ON THE
APPROPRIATION (1986/87) BILL 1986 (2.6.86)

The President

I now invite the Honourable the Financial Secretary to Report on the proceedings of the Select Committee on the Appropriation Bill.

The Honourable the Financial Secretary

Your Excellency, the Select Committee appointed by you has completed its review of the 1986/87 Estimates. The review has resulted in some changes to the Estimates of both Revenue and Expenditure for 1986/87.

On the Ordinary Revenue and Expenditure account, which is part 1 of the Estimates, the objective of producing a balanced Budget has been achieved, but only just. The Estimates now show a tiny surplus of £2900.

The Revenue Estimates have been increased from £7.225 million to £7.325 million and Expenditure has been reduced from £7.402 million to £7.322 million.

With regard to the Revenue proposals the general consensus of the Committee was to adopt the proposed increases in Customs Import Duties to come into effect immediately. Alcoholic beverages by 10%, and tobacco and tobacco products by 15%. Details of the revised rates of Duty will be given in the introduction of the appropriate Resolution.

Other proposed increases approved in Select Committee were the Stanley School Hostel charges for the first child from £48 to £60 per term, for the second child from £38 to £40 per term with the third and subsequent children remaining free.

FIGAS airfares. It was agreed to increase them by approximately 10% as proposed with effect from 1st July 1986. That is- the boarding fee from £13 to £14.30; the mileage from 34p to 37p per mile; and the rebate of 13p to remain.

Therefore the resident fare will be from 21p to 24p per mile.

Sample fares:

30 miles - Stanley to Douglas or Stanley to Lively Island - a non-resident will be required to pay £25.40 instead of the present £23.20. For a resident it will be an increase from £19.30 to £20.70.

85 miles - Stanley to Fox Bay - a non-resident will pay £45.75 instead of the present rate of £41.90.

131 miles - the longest distance in these Islands, Stanley to New Island, the non-resident will now be required to pay £62.77 instead of £57.74.

The maximum fare for residents will be increased from £28.50 to £31.50.

It was agreed that persons in receipt of Falkland Islands Old Age Pensions be permitted to purchase non-priority Islander flight tickets at 50% of the normal resident rate.

It was also agreed that FIGAS freight rates be adjusted from 16p to 20p per pound with the minimum charge increased from 50p to £1.00 for a package weighing up to 5 pounds.

It was agreed that Government house rents be increased by 10% with effect from 1st July 1986 to take into account inflation and increases in Stanley Rates.

The increase in the tariff for the supply of electricity was agreed, from the present subsidised rate of 11p per unit to the full economic rate of 14.5p per unit, with effect from 1st July 1986. Councillors expressed concern over the effect of the increase on old age pensioners and agreed that a measure of relief should be allowed. Details of this will be broadcast shortly.

Council noted that there was to be tax reform for both personal and company tax. Details of the proposed changes will be published later in the year.

It was agreed in principle to increase the threshold when Estate Duty becomes payable. Details will be given when introducing the Bill during the course of this meeting.

Council noted that charges for Government services generally would be kept under constant review to ensure gradual increases and to avoid unpalatable, large increases.

I must also report on the fact that Standing Finance Committee met during the period of our Select Committee meeting and it is appropriate for me now to notify you of the fact that Stanley Rates will be increased from £3 to £3.60 on the pound - that is a 20% increase. But I must point out here that the full cost would be £8.09 rather than the £3.60 which represents a 55% subsidy on the services. It was felt that we could not go beyond a 20% increase to £3.60 at this date.

With regard to Development Estimates it was agreed to insert two items which had been not given priority treatment in our Development Plan and this was with regard to housing. In particular, £80,000 was inserted in the Development Estimates for single dwellings, flats, and £30,000 for the preparation of a mobile home site. The total expenditure now for the Development Estimates, from our local fund, is £793,950. To cover the increases proposed it is planned that we should get a further £100,000 for the issue of Stock, and a further £20,000 withdrawal from the Development Fund.

During the Committee Stage Clause One of the Bill was adopted without amendment.

The Schedule was adopted with the following amendments:

- 100 Aviation - substitute £526,550 for £539,430;
- 150 Posts and Telecommunications - substitute £491,370 for £486,210;
- 200 Medical and Dental - substitute £480,130 for £500,060;
- 250 Education and Training - substitute £547,300 for £551,450;
- 300 Customs and Harbour - substitute £156,550 for £157,940;
- 350 Public Works - substitute £2,995,290 for £3,054,590;
- 390 Fox Bay Village - substitute £40,000 for £44,000;
- 450 Justice - substitute £80,950 for £82,170;
- 550 Police Fire and Rescue Service - substitute £256,460 for £269,160;
- 600 Secretariat, Treasury and Central Store - substitute £461,900 for £460,580;
- 650 Pensions and Gratuities - substitute £153,880 for £142,350;
- 700 Social Welfare - substitute £183,450 for £171,150;
- 750 Governor - substitute £87,860 for £86,200;
- 800 Legislature - substitute £35,960 for £32,660;

Substitute £6,822,180 for the sub-total of £6,902,480.

Total Ordinary Expenditure - substitute £7,322,180 for £7,402,480.

951 Expenditure to be met from Local Funds - substitute £793,950 for £673,950.

Total Expenditure - substitute £8,878,730 for £8,839,030.

Clause 2 was adopted with the following amendments:

Delete the words and figures £8,839,030 and insert £8,878,730.

The Bill was then read a third time and passed.

THE CUSTOMS (AMENDMENT OF IMPORT DUTIES) RESOLUTION 1986 (Introduced under a Certificate of Urgency)

The Honourable the Financial Secretary

Your Excellency, Honourable Members, I mentioned previously that the general consensus of opinion is that we should introduce this Motion for obtaining more revenue. The Resolution provides for increasing the Duty on Beer, Ale, and Stouts of all kinds to £0.15 per litre; on Spirits to £5.81 per litre; on Wines to £38 per litre; on Vermouth £0.46 per litre; on Cigars to £23.22 per kilo; on Cigarettes to £16.86 per kilo; and on Tobacco to £15.33 per kilo.

Those figures probably do not reveal much to the general public and I would just like to repeat what I said in my Budget Address, that the increase on beer is less than £0.01 per can; on Spirits an increase of £0.40 on the regular bottle; on Table Wines an increase of £0.03 per bottle; on Fortified Wines an increase of

£0.04 per bottle; on Cigars an increase of approximately £0.03 for ten cigars; on Cigarettes an increase of slightly less than £0.04 for a packet of twenty; and Tobacco an increase of £0.10 for 50 grams. I beg to move that the Resolution be adopted.

The Honourable E M Goss MBE

Your Excellency, Honourable Members, I would like to oppose the Motion as proposed by the Honourable the Financial Secretary on the strength of the fact that cheaper spirits and tobacco in the Falklands was one of the attractions to bring people into the Colony and made life a little bit more bearable and pleasant in these circumstances. To you people around the Table here it might not be so important as to some others. But it is important to some, and in your recruitment efforts overseas, I know in the past, that one of the things that was actually put up as one of the attractions was that cigarettes would be a whole lot cheaper and so would spirits and wines. But, bit by bit this has been eroded and now they are very close and sometimes ahead of, or higher than, the United Kingdom prices. I just wonder how far the Customs Duties really extend. We know in Stanley if it is £0.40 on the bottle to the man in the street, for spirits, it is locked up in the bonded warehouse and it does not really affect the person who imported those goods sometime ago. But when it is released it may be £0.40 extra duty on that bottle but then the mark up of the man who imports and sells is a bit more - and the same goes for the £0.04 on your cigarettes and so on. I just wonder how far it affects bonded stores on ships. Do those ships in Port William and Berkeley Sound pay duty? We now have lots of ships in those places. When I was at sea I understood - it might surprise you that I have been to sea but I have and I know it happens - that in ports the Customs Officers would come aboard and open bonded stores and release a bit to you. I assumed that we were paying duty on those but it was certainly controlled. I just wonder if it still is controlled.

Now my objection to the introduction of this Resolution to increase the Customs duties is just to keep the social value of it in the Falklands at a lower level, so I would ask for it to be reduced to, say 5% instead of 10%. I know that it must go up but I would ask that a reduction be looked at.

The President

The Honourable Member for Camp is in fact proposing an amendment to the Resolution that we have in front of us, namely that its effect should be an increase, it depends whether the glass is half full or half empty does it not, it is either an increase of 5% or a reduction to 5% from the 10% proposed. Is there perhaps a seconder for the proposed amendment.

The Honourable L G Blake OBE JP

Your Excellency, I will rise to support such a noble amendment.

I do not think that I need to explain the problems I have in surviving in this world; the problems I would have in surviving this world without my cigars would be even worse! I therefore support the amendment.

The President

I wonder if I might just clarify for the benefit of Honourable Members that the proposed amendment applies to each of the categories within the Resolution. In other words not merely to beer but to spirits, to wines and to fortified wines and to tobacco. Is that the proposal of the Proposer and the Seconder? Yes, indeed it is. Do any other Honourable Members wish to add their voice on one side or the other of this interesting debate?

The Honourable the Financial Secretary

Your Excellency, first of all I am assured by the Harbour Master that the control exercised for the ships' supplies of alcohol is adequate. The point that I must make here, with regard to the proposed reduction, is the fact that if we do not get our revenue through the duty on alcohol or tobacco we will have to get it from somewhere else. Do we put up income tax? Or do we introduce some other measure? At least with items such as beer, spirits, wines and tobacco products, they are all voluntary and I really think that the proposed increase is a very modest one, taking into account that the inflation rate for last year was just over 11%.

The President

There being no further comment, I think, on this I would put it to the Honourable Proposer, if I may. Do you wish to pursue your amendment, Sir, or to withdraw it?

The Honourable E M Goss MBE

Your Excellency, I would ask that it be pursued and reconsidered at the lower rate that I suggested. I know it is voluntary but I am surprised that our economy, or our survival, depends on voluntary revenue because the members of the public who feel strongly about this are now in a position to impose a fine on Government by not taking any tobacco or spirits, and it would hurt. What we should be aiming at is not the little penny-pinching bits of revenue earning, but in greater production and actually finding something that we can produce to earn money rather than second-hand money, as I call it. I have nothing further to say.

The President

Thank you very much. Honourable Members, there is clearly, I sense perhaps, some division of opinion in Council today about this issue.

We have had elegant pleas in favour of an amendment on the one hand, but I sense that the silence of the majority is indicative of consent that the Resolution, as introduced by the Honourable the Financial Secretary, is carried in its original form. The Motion as introduced is carried.

The Honourable J E Cheek

Your Excellency, on a point of order, can we have a vote on the Motion?

The President

I shall be happy to have a vote. Could I ask the Clerk to stand and would you please each in turn indicate your 'Yes' or 'No' as he takes the vote, starting with the Senior Member, in favour or otherwise of the Motion as introduced by the Financial Secretary.

Votes were cast as follows:

The Honourable A T Blake	Yes
The Honourable D L Clifton	Yes
The Honourable C D Keenleyside	Yes
The Honourable L G Blake OBE JP	No
The Honourable J E Cheek	Yes
The Honourable R M Lee	Yes
The Honourable Mrs Norma Edwards	Yes
The Honourable E M Goss MBE	No

The President

Honourable Members, the Motion as proposed by the Financial Secretary is carried in this Council by a vote of six votes in favour and two against. The Motion is adopted.

THE SUPPLEMENTARY APPROPRIATION (1984/85) ORDINANCE 1986

The Honourable the Financial Secretary

Your Excellency, Honourable Members, expenditure in addition to the Appropriation Ordinance is required under our Constitution to be covered by a Supplementary Appropriation Ordinance. This is a formal piece of legislation and it purely legalises £143,917 of excess expenditure, all items of which have been approved in Standing Finance Committee. I beg to move that the Bill be read a first time.

The Bill was then read a first time and passed through its remaining stages without debate or amendment.

THE OLD AGE PENSIONS (AMENDMENT) ORDINANCE 1986

The Honourable the Financial Secretary

Your Excellency, Honourable Members, recently all Members of Council have expressed concern on the plight of our senior citizens. There are at present, under the contributory old age pensions scheme, 206 old age pensioners - 126 single and 80 married. Many of these people find it difficult getting by with the pensions we have been paying. We have in the past been increasing pensions by, approximately, the rate of inflation. This time a very strong plea was made by Members that we should increase them further. There is a substantial increase proposed this time: for a married couple from £28.50 to £36.00, which is a 26.3% increase; and a similar increase from £19.00 to £24.00 for single pensioners. In order to raise the money the contributors are being asked to increase their contributions from £2.25 to £2.85 per week - that is for the employee. The employer from £3.35 to £4.25; and the self-employed from £5.60 to £7.10.

It had been proposed to finance part of the increased costs by increasing the subsidy from Government funds from £25,000 to £31,700 but this was not agreed to in Select Committee and there are other proposals which will be considered in due course. I beg to move that the Bill be read a first time.

The Honourable L G Blake OBE JP

Your Excellency, I rise to support the Motion but I would like to, perhaps, correct a possible mistaken impression which may have been created by something the Financial Secretary said in his introduction, in that he announced the new contribution rates and then said that it had been hoped to finance the Bill by an increase in the subsidy but we had disagreed with this increase. That is absolutely true; it did not result in an increase in subscriptions though; this is the one point I wish to make.

Our fund is, I believe, in an extremely healthy condition and I do not believe that, in view of that fact and the precariousness of our Budget, that it merited an increase in the subsidy and therefore I opposed the subsidy, but I do welcome the increase in the pensions.

The Honourable A T Blake

Your Excellency, Honourable Members, I still view with concern the fact that the pensions are still only 47% of what is considered to be the basic minimum wage and I do believe that Council should address itself in an attempt to increase that to much closer to the 100%, if not to the 100% itself. We may well have been able to increase that percentage - this years' increase of 26.3% - by injecting a little bit more money into the basic fund. That is all I wish to say, Sir.

The Honourable J E Cheek

Your Excellency, Honourable Members, basically I support the Bill but I do have one or two points. Firstly, I believe that the fund should be self-supporting and not only that we should not increase the subsidy from Government but we should delete it. I also believe that the current 47%, which this represents of a labourer's wage, is too low. I would certainly like to see it go up to 100% but I would hope that next year we will aim for something realistic, such as possibly 60%, but that it should be self-supporting and that contributions from the members in the old age pensions scheme should be paying for their own pensions in the future.

The Honourable D L Clifton

Your Excellency, I rise to support the Motion. I believe that the contributing individual has to pay in the long term for the pensioners' benefits. I realise that, perhaps, the increase as outlined is not as large as everyone would wish but nevertheless it is a step in the right direction.

The Honourable the Financial Secretary

Your Excellency, I have noted the points made by Honourable Members and I thank the Honourable Member for Camp, Mr Tim Blake, for explaining the reasons for the reduction in the or at least the contributions were not increased for contributors and also the reason for the rejection of the proposed increase in the subsidy which is a fact that it was because of our budgetary difficulties.

I have taken note of the wish of all Honourable Members who spoke to keep the pensions under review and, of course, this will be done. We do keep them under annual review.

The Bill then passed through its remaining stages without further debate or amendment.

THE NON-CONTRIBUTORY OLD AGE PENSIONS (AMENDMENT) ORDINANCE 1986

The Honourable the Financial Secretary

Your Excellency, Honourable members, the non-contributory old age pensions scheme is financed from local Government funds and it is proposed that we should increase the pensions for pensioners coming within the scheme from £24.50 to £31.00 per week for a married person, and for a single pensioner from £18.00 to £22.50. The cost of the increase is £4,100 and will come from the public purse. I beg to move that the Bill be read a first time.

The Bill was then read a first time and passed through its remaining stages without debate or amendment.

THE FAMILY ALLOWANCES (AMENDMENT) ORDINANCE 1986

The Honourable the Financial Secretary

Your Excellency, Honourable Members, family allowances are now considered to be important in the welfare of the community and it is proposed that we should increase them from the present £15.00 per month to £20.00 per month with effect from the 1st July 1986. The Bill proposed that they come into effect on the 1st January 1987 but at the meeting of Select Committee Honourable Members requested that we should introduce them with effect from the 1st July 1986 rather than the 1st January 1987 and I will be moving an amendment when we come to the Committee Stage of the Bill.

This Bill also provides for the introduction of a Single Parent Allowance of £15.00 per month. It is not paid for each child; it is one allowance of £15.00 per month to a single parent. I beg to move that the Bill be read a first time.

The Bill was then read a first and second time. During the Committee Stage the following amendment was moved:

The Honourable the Financial Secretary

Your Excellency, I beg to move that Clause 1 stands part of the Bill with the following amendment:

by the deletion of "the first day of January 1987" and the insertion of "the first day of July 1986".

The amendment was adopted and the Bill passed through its remaining stages without further debate or amendment.

THE LEGISLATIVE COUNCIL ALLOWANCES (AMENDMENT) ORDINANCE 1986

The Honourable the Financial Secretary

Your Excellency, since the Legislative Council Allowances Ordinance 1977 was enacted, the work of Legislative Councillors has increased considerably. The purpose of this Bill is to allow Executive Councillors to be paid an allowance in addition to their Legislative Council Allowance to compensate for their considerable workload. I beg to move that the Bill be read a first time.

The Honourable A T Blake

Your Excellency, Honourable Members, I would just like to express my concern, generally, that I believe that the level of allowances paid to Councillors may be in some way responsible for the lack of interest in certain areas in the running of the country. And when I look around the Table today I notice that very few Councillors, if any, are suffering financially as a result of sitting here. I may be wrong; there is something going off to my left which I could not quite catch, but generally speaking people around this Table are not suffering financially from attending these meetings, but I do believe there are a number of people in the community who are probably capable of representing the public on Council who do not stand because they would in actual fact suffer financially, and I do refer to the small business man and perhaps contractors whose money is directly related to the amount of time that they spend at their job. I do think that this particular subject should be kept under review as all other costs and expenses are kept under review in Government.

The Honourable the Financial Secretary

Your Excellency, I have noted what the Honourable Member for Camp, Mr Tony Blake, has said and I entirely agree with his view that we should keep the matter under review and I give an assurance that this will be done.

The Bill then passed through its remaining stages without further debate or amendment.

THE EXECUTIVE COUNCIL ALLOWANCES (AMENDMENT) ORDINANCE 1986

The Honourable the Financial Secretary

Your Excellency, since the Executive Council Allowances Ordinance 1977 was enacted the work of Executive Councillors has increased considerably. The purpose of this Bill is to allow Executive Councillors to be paid an allowance in addition to their Legislative Council allowance to compensate for their considerable workload. I beg to move that the Bill be read a first time.

The Bill then passed through its remaining stages without debate or amendment.

THE FISHERIES (AMENDMENT) ORDINANCE 1986

The Honourable the Chief Executive

Your Excellency, as Honourable Members are aware Regulations were made in April this year, by the Governor in Council, under the Fisheries Ordinance. These provided for the payment of fees for fish transshipment and export licences. The licences, of course, are for transshipment in and export from the territorial waters only, as our legislation cannot provide us with control beyond those waters. It is intended to bring a comprehensive Bill to this House for the control of fishing and transshipment and export of fish as soon as this can possibly be done. In the meantime it has been considered wise to introduce the Bill before this House to amend the existing Fisheries Ordinance, which was enacted in 1944, in order that certain provisions may be clarified; that the powers of detention of ships and arrest of their masters may be spelt out and the fines in the Ordinance brought into line with inflation and, indeed, increased to indicate the seriousness with which offences in relation to fisheries are viewed in the Falkland Islands.

The Bill begins by dealing with some definitions, then in paragraph (b) of Section 2 it amends paragraph (d) of Section 3 of the Ordinance. Paragraph (d) enables the Governor in Council to make regulations prohibiting, restricting, or regulating the removal, transfer, sale or purchase of any fish or products of fish from, or in, the territorial waters of the Falkland Islands. The amendment makes it clear that the provision relates to fish, whether or not caught in the territorial waters; in other words if we control transshipment of fish in our waters or export of fish from them we control transshipment and export whether or not the fish were caught in our waters or outside our waters.

Paragraph (c) of Section 2 amends Section 4 of the Ordinance. Section 4 as it stands forbids fishing in territorial waters and export of fish from those waters without a licence. The amendment adds a paragraph to forbid transshipment without a licence and, like Section 2(b) makes the licences for export and transshipment allow to fish and fish products wherever they are caught. It is really what I would call a belt and braces clause.

Paragraph (d) of Section 2 provides for a new section for the seizure and detention of vessels and their gear, and allows the use of force in seizing a vessel. It also provides for arrest of persons suspected of committing an offence; it further provides for the bringing in of vessels and their crews to Port Stanley and the manner of dealing with the vessels.

Paragraph (e) of Section 2 provides for the amendment of Section 5 of the Ordinance to provide for the increase of a fine for a first offence from £50 to £5000, and for a further offence from £100 to £10,000. The amendment gives jurisdiction to the Senior Magistrate and not less than two JP's to hear cases under the Ordinance, and for them to refer cases to the Supreme Court for sentencing, if need be. I should emphasise that the power of the Court to order forfeiture of a fishing vessel and its gear still remains in the Ordinance. Indeed the Bill, in paragraph (e)(ii) makes it clear that in making an order for forfeiture a Court does not have to enquire into the ownership of a vessel. If the person breaching the Ordinance, or Regulations, uses a vessel belonging to another he will have to make his peace, if he can, with the owner if the Court orders forfeiture. I beg to move the first reading of the Bill.

The Honourable L G Blake OBE JP

Your Excellency, Honourable Members, while rising to support the Bill in that the Chief Executive described it as a belt and braces exercise I would suggest that this is right down at ground level and is a shoe laces exercise. While welcoming even such a minor improvement in our control of fisheries we must, I believe, as a Council, register our disappointment that this only gives us jurisdiction with regard to the transshipment of fish within our waters, and the catching of fish within our waters; and those waters are today, unfortunately, only three miles. I will welcome the day when either we can control those waters very much further afield than the three mile limit, either on our own or under the auspices of the United Nations, and I look forward to that day and I hope that we may persuade Her Majesty's Government that that day is not too far off.

The Bill then passed through its remaining stages without further debate or amendment.

THE PLANT AND TRANSPORT AUTHORITY (DISSOLUTION) ORDINANCE 1986

The Honourable the Financial Secretary

Your Excellency, the Plant and Transport Authority was established by Ordinance in 1978. The Overseas Development Administration had made the establishment of the Authority a condition of the Grant of financial aid towards the cost of construction of the Stanley to Darwin Road. Councillors, from time to time, expressed dissatisfaction with the operation of the Authority and, in 1984, it was agreed in principle that the Authority should cease to operate. The surplus held on the Authority's account of £219,798.65 was transferred to the Falkland Islands Government in 1984. The purpose of this Bill is to give legal effect to what has in fact actually happened. Ownership of all plant now rests with the Government and the liabilities of the Plant and Transport Authority are also transferred to Government.

I beg to move that the Bill be read a first time.

The Bill then passed through its remaining stages without debate or amendment.

THE ESTATE DUTY (AMENDMENT) ORDINANCE 1986

The Honourable the Financial Secretary

Your Excellency, Honourable Members, at present Estate Duty is levied when the market value of an estate reaches over £15,000. It is considered that this threshold should be increased owing to the increased value of property in the Colony, and that it be doubled to £30,000. The Bill therefore proposes that the threshold be increased from £15,000 to £30,000 and I suggest that it comes into effect from today. I beg to move that the Bill be read a first time.

The Bill was then read a first time and on the Motion that it be read a second time the following Honourable Members spoke to the Motion:

The Honourable L G Blake OBE JP

Your Excellency, Honourable Members, I believe that the Bill, as presented, does not in fact fully allow for the rise in the value of property, and I am quite sure that Members here would agree with me that it is not our intention to put an undue burden on any individual with regard to a relative or friend's estate. £30,000 today represents a very modest house with little else added and therefore, Sir, I would ask leave, when we come to the Committee Stage, to introduce an amendment to the Bill.

The Honourable D L Clifton

If I may, Sir, I would like to support the sentiments expressed by Councillor Tim Blake.

The Bill was then read a second time. At the Committee Stage the following amendments were proposed:

The Honourable the Financial Secretary

I beg to move that Clause 1 stands part of the Bill with the following amendment: that "the second day of June 1986" be inserted.

The Motion was adopted.

In considering Clause 2 the following was proposed:

The Honourable L G Blake OBE JP

Your Excellency, Honourable Members, I beg to move that Clause

2(a) be amended by the deletion of the figures "£30,000" and by the insertion of the figures "50,000"; and that the Schedule in Clause 2(b) be amended by the deletion of the words "exceeds £30,000" to and including the words "does not exceed £50,000" and the deletion of the figures "3", "4", "5", "6" and "7" in the side column, so that the Schedule starts where the principal value of the estate exceeds £50,000 and does not exceed £55,000.

The Motion was seconded by the Honourable D L Clifton and adopted. The Bill was then read a third time and passed.

MOTION FOR ADJOURNMENT (2.6.86)

The Honourable The Chief Executive

I beg to move, Your Excellency, that this House stands adjourned sine die.

The President

The Motion is that this House stands adjourned sine die. Does any Honourable Member wish to speak?

The Honourable A T Blake

Your Excellency, in rising to support the Motion, I look around the Table and I should probably be making remarks about the fruits of our labours; we have been grappling with affairs of state and only those, perhaps local, present here will know what I am referring to. Anyway I will move on and make comments about the Budget. It has been a very interesting and sometimes entertaining period that we have just been through. I have been delighted by the way in which the new Councillors have joined in the spirit of things and have worked hard and long hours and brought into our judgments and deliberations those elements which are always helpful and give us new ideas. I think the public should be aware of the fact, as pointed out by the Honourable Financial Secretary, that the rate of inflation here is 11% and it is very, very difficult for us to do what every politician, I am sure, would like to do and that is to give a reduction in everything so that one gets re-elected. I do not think there is a politician that was born that would not like to be able to do this and present company is not excluded. However, I can assure our constituents that we have tried very, very hard to keep the various increases at the lowest possible levels.

I would like to make reference to a number of things that have happened about us in the past wee while, and things that are about to happen. I would, at this juncture, like to thank the various people who have served this Government and the people of these Islands well for the past few years, and in this respect I refer to Jem Baylis, Dr Pearce, Andy Alsop and Tom Davies, that I know of at the moment, who are shortly to disappear. I think it would be very very hard to single any of them out. I think they have all served us very well and with dedication. The other person, of course, who will be going over the horizon shortly is the Commander British Forces. I think that I should express my thanks for everything he has done for us, particularly during the last couple of days when we have had a somewhat traumatic experience he has been a very level and very informative source of help to us. I cannot express my gratefulness for his efforts there enough. While referring to the somewhat military side of things, I think we should express pleasure in the fact that the FIDF continues to show a very high skill at arms and I, for one, am very pleased that money that we vote to our Defence Force is

producing results in a very finite way. I do take some pleasure in the fact that incoming units, when having to go into battle, as it were, over the various skills have first to beat the FIDF before they are going to get anywhere. I think that is a very very satisfactory state of affairs.

I think just at the moment there are large numbers of outside contractors who have been in the Islands for some considerable time and have been working away like beavers and to many of us, particularly perhaps in West Falklands, go unseen and unnoticed. These gentlemen have been working away producing fantastic results as far as I am concerned. I managed during my period here to pop down to MPA and see further increases in the infrastructure and setting up of a complex which is somewhat mind-boggling and I think we owe a great "thank you" to those contractors for the work that they have done in producing such a wonderful complex.

I would like to bring up one point, which has already been referred to earlier in this meeting, about people making comments and criticisms about the Islands' institutions and services and who do so without bothering to find out the facts. The fracas that we had a few days ago is a clear indication of people acting, and wishing to act, without being fully aware of all the facts.

One little thing which happens in Council and does, I think, confuse people, is the matter of Papers being laid on the Table. This is always done and I presume it is done elsewhere, but I wonder if for clarification, and I know that these things are gazetted, when papers are laid on the Table it would be possible for the Clerk of Councils to read out which papers are being laid on the Table.

In looking through the Budget and the Development Plan I did sense, as a lot of people have, that we have to watch that our recurrent costs are not increased to the extent that we cannot proceed with development projects. There are a number of joint-projects with which we are concerned and in which the proportion of the recurrent costs that we are likely to be involved with are totally out of proportion to our capital input. I think Council should be aware, when we are considering recurrent costs in some of these development projects, that our proportion of recurrent costs should remain somewhat tied to the amount of our capital input.

Sir, with reference to one of the Bills - the Plant and Transport Authority (Dissolution) Bill I think it was - I hope we have not dissolved it completely. I am sure that the Standard Chartered Bank Manager would wish to support some comments about the poor standard of some of the transport which is travelling about the town and the difficulty which some Departments are having in maintaining their wheels as it were. I think Council may well want to address this fairly serious situation in the near future.

I notice, Sir, that the Clerk of Councils, Mr Peter King, is not with us and we have Mr Rex Browning standing in. I hope the events surrounding the non-attendance of Mr King are happy ones. Thank you very much Sir.

The Honourable D L Clifton

Your Excellency, Honourable Members, if I may briefly refer to the Budget, Select Committee, and the hassle we all seem to go through to make ends meet and to ensure that at least some of the things we promised in our election manifesto actually come to fruition.

One of the more serious complaints in Stanley, at the moment, is our poor road network and I am pleased that we have now been able to vote considerable sums, I think to the tune of £1.9 million from local development funds, over a period of years, to renovate our road network. This year we have allocated something like £53,000 which, I am assured, will improve Brisbane Road, Dairy Paddock Road and Halkett's Hill as well as some modifications to Reservoir Road.

For the older citizens I am pleased that we have been able to increase the pension payable to them. We have been able to agree on a subsidy for any and all FIGAS flights they may wish to enjoy. There is also provision for the elder citizens to enjoy a quota of, perhaps, free electricity, but these details have yet to be finalised.

On the point of rising costs, the elder citizens will be affected by the increase in Stanley rates. I understand from the Financial Secretary there is provision for them to apply for a reduction in the rates that are levied and I would urge all pensioners who think they may be hard faced with the increase we have recently agreed to make some form of representation to him for a reduction.

In relation to the computation of Stanley rates, I was quite alarmed at the way the costings are computed. For street cleaning a sum of £200 was allocated last financial year. This year we are allocating something like £11,000 which, I understand, ensures that two full-time men are employed on cleaning Stanley roads. I use this opportunity to urge Stanley residents to ensure they do not tip their litter all over the streets and to ensure that visitors are reprimanded for dropping their beer and lemonade cans around our greens.

I wish it was a simple matter to increase the income tax allowance. We have agreed to increase it a little. It is not all that I would wish for but I believe that we have to face times of reality and it is simply a matter of fact that we could not afford anything better at this stage.

For the Civil Servants, I know speaking as a Civil Servant, the Dale Report will, I hope, be the blueprint for all future negotiations on Civil Service salaries.

In my election manifesto I made reference to the fact that Government had vast numbers of houses/dwellings on its list, and a high proportion of them were not receiving any form of maintenance. I ask for Councillors' agreement to sell off some of these old and poorly renovated houses during this coming financial year. I think we have to address ourselves not only to the housing problem generally but also to the sale of Government houses in conjunction with it.

A certain priority has been given to the Fire Station equipment. That again has cost a considerable sum of money to ensure that it is put together in a reasonable form to ensure our continued safety not only within Stanley but also in the immediate areas outside Stanley in relation to Stanley Airport and further afield.

I am rather disappointed that within this Budget we were not able to implement any form of taxation deduction or improvement incentives for the private householder. I did make representation to our financial adviser in November last to see what sort of assistance he believed we should be in a position to provide to the private householder. A number of people this summer have spent considerable sums on renovating and improving their homes and I believe that we should be in a position to assist them with some form of tax relief.

In your address, Sir, on Wednesday, you mentioned the Falkland Islands attendance at the largest philatelic exhibition that has so far been staged and which was held in Chicago, USA. Philatelic revenue today, unfortunately, is not as we would wish it and this is due to an international recession which has been affecting the western world generally, certainly the small island territories like ourselves, for something like 23 months. The success of this international stamp exhibition in Chicago will, within the next few weeks, or certainly within the next three months, determine how the recession is going to continue; whether it will continue to decline or whether we will be able to come out of the recession.

It was rather a moving experience to go and to take two of my staff to Ameripex. We were somewhat subordinate as far as civil servants go and if I can relate, Sir, we were competing not only amongst Philatelic Bureau Managers like myself but also amongst Postmaster Generals, Ministers of Posts, Revenue Managers equivalent to our Financial Secretary and, also, as far as one state was concerned, we were competing with Presidents of nations. I believe that in view of the distance we had to travel in order to get to Chicago that the exercise will be cost effective. Certainly in the short term. We can cover our costs in relation to air travel and subsistence and also the hire of the stand. I have to carefully judge the long term aspects of the revenue that will accrue from this exercise in the way of standing orders. I would add that now that the show has actually closed I am in a position to say that we will be able to meet all costs and cater for substantial revenue in future years.

I would perhaps make comment on the way that we tend to be rather ultra conservative with our stamp issuing policy. I have to address the whole question rather properly and I will in due course submit a paper to the Administration on my reflections of attending a major international exhibition. Perhaps if I can make comment, Sir, the territory of Bahamas issued a one dollar postage stamp to commemorate this large international exhibition which depicted the Statue of Liberty. One customer went to the Bahamas stand and bought 5,000 of them. I think we tend to be rather ultra conservative and I do not quite know how to approach this problem but I am certainly convinced that if we had had a Statue of Liberty on our postage stamp we would certainly have sold \$5,000 worth there and then to one customer. I think we have to carefully address the whole area of philately and I will, as I say, be providing some information to the Administration in due course.

I would, Sir, if I may as a final point like to to make reference to the Chief Executive. It did come somewhat as a shock to receive a letter from him advising that he will in fact be leaving in March next year. It is perhaps rather late in the day to put a Motion forward but I wonder whether the Chief Executive would consider staying on for a further 12 months, up until the period March 1988, by which time we will have some idea of how the next development stage will be moving along. Sir, I beg to support the Motion.

The Honourable C D Keenleyside

Your Excellency, Honourable Members. In rising to support this Motion, I think we have had a very interesting few days recently in which we have considered what I think is a very realistic Budget. We have projected some £100,000 forward to undertake projects from local funds. This figure, I think, is a realistic one. Often in the past figures we have projected for projects to be completed which we do not have the resources to meet. I do believe we have the resources to meet the projects under this. We have a modest building plan which includes, I am pleased to say, some single unit accommodation and also further mobile home sites. Education Department buildings also feature on this plan.

In computing the rates the Fire Service now appears as a major part of the rates and I believe well it should. The Fire Service previously, I think, has been somewhat neglected and I am pleased to say it has at last been given some of the recognition it deserves.

As far as the old people are concerned it may appear at first sight to be somewhat alarming, some of the increases in rates and other items, but I think that looking at the plight of the older members of our community realistically, we definitely need to give consideration to a reduction in their electricity bill. I believe this has the support of all Members. I also support the idea of the 50% flight subsidy on FIGAS, I think that is an excellent idea.

I agree with Councillor Blake when he says we have to be careful that we can meet the cost of maintenance of aid. It is all very well us having this aid but when it comes down to it we must be prepared to accept the consequences of the projects, whether in fact we are able to meet them or not.

I was concerned prior to the Budget very heavily with a review of FIDC, which I must admit was a very enlightening one, and Members will be seeing the report later. I was aware as we did this review that the participation of Falkland Islanders in FIDC was in fact limited. It seems that we have a lack of people with the necessary get up and go. Well I believe we still have the people with the necessary get up and go and as long as they come forward and put themselves in line for projects, I think we can prove that they have not in fact got up and gone.

We have also been given a paper today on Development Policies and Objectives. This paper is to be given broad circulation within the Islands and I would ask people to feel free to comment on this paper, to me or any other Councillor, because this is the kind of thing that shapes our future.

I agree wholeheartedly with Councillor Clifton that we should sell off more of the Government houses. Increasingly over the years they are becoming a burden, one which we cannot put up with any longer as far as the Government is concerned and I really do support that idea.

I also support Councillor Clifton's views on the Chief Executive. He is a very key man here and I feel that his loss would be severely felt. Sir, I Beg to support the Motion.

The Honourable L G Blake OBE JP

Your Excellency, Honourable Members. I heard our deliberations of the last couple of days as being described in many fashions, but for two it was excessively hard work and I think they should be congratulated and thanked for the effort they put into it. I refer to our Financial Secretary and his Assistant.

I harp on about the £234,000 twenty two years ago but it is a fact that as time goes on so the Budget document gets thicker, and so Council will sit longer each day to consider that Budget document. But we forget that at the end of the day the Financial Secretary and his Assistant then have to sit even longer to make sure the sums are right when we start again the next morning. We finished last night at about 5.30 I think and the sums were not quite right but I had no fears that by this morning they would be. They are just right by some 2000 odd pounds and next year at the beginning of Council we will stand or sit down once more and again, no matter what has gone before, even if we have saved a mint, they will still look just about right with a modest surplus because our Financial Secretary cannot live with a large deficit; nor can he live with a large surplus. It gives Councillors ideas

above their station, particularly surpluses, so he will have done his homework yet again. But I do, Sir, thank him and his Assistant most profoundly for their efforts. We could not be sitting here today if they had not worked most of the last 24 hours non-stop and I think, they are to be commended.

I should at the same time like to thank our Chairman for his forbearance and patience in an atmosphere of waffle and argument. Not only did he not throw his apron over his head and rush out of the door screaming, which would have been forgivable, but he even brought us his Christmas cake to sweeten up the atmosphere at one stage.

And so we complete yet another Budget, and when we get back to our various areas there will be complaints of "why are we being charged all this; yet they have got that?" Now this will happen no matter where your constituency is. But I would remind all those "why are we being charged this, and they are not being charged that", that this a Budget for the Colony; it is a Budget aimed, hopefully, at improving the quality of life generally, and the day we have to draw up separate Budgets for separate communities will be the death of these Islands.

Two members have already mentioned, before me, development. The Development Corporation has come in for a tremendous amount of stick and one of the major complaints has been that we have not got control of our development and it is being controlled by a group of outsiders who do not know what we want. I will not even bother to enter that argument because I do not believe it is a true one. But what I would do, Sir, is to remind the complainers of periods in our not distant history when we did not spend development aid because nobody had time to get down and write development projects or think about development projects. Perhaps, not every pound is spent as wisely as the pundits outside this Chamber could have spent it but at least there is an effort to broaden our economy and at least an effort to involve more of the community in that economy and I think, therefore, we can only thank those that are working and hope to God that they do not get disappointed and clear off. Sir, I beg to support the Motion.

The Honourable J E Cheek

Your Excellency, Honourable Members. I am pleased that I am only half way around this Table because, as each Member speaks, I cross off yet one more subject. I would hate to be in the position of the Honourable Eric Goss where by the time it is his turn to speak I am sure every subject has been mentioned.

We have covered a considerable number of things in the last few days and I hope our efforts have done something for the Colony. I think one of the major things - it has already been mentioned but if I crossed off everything that had been mentioned I would have nothing to say - is the acceptance of Dale.

The Dale Report which gave, on average, an 18 - 20% increase in salary to members of the Civil Service, rather more or less in the cases of regrading I think, has done a lot for the Civil Service. Dale also mentions that the senior people in the Civil Service should now accept more responsibility and I believe not only that they should accept it but they should be given it. I do not think it was entirely their own fault that they had not accepted responsibility in the past. In some cases it was not given to them; it was kept very much from them. But I hope that Dale has strengthened and improved and will give us a Civil Service that we can be proud of in the future. That is not to say that vast sections of the Civil Service in the past have not given a great amount to this Colony but I think we can now look forward to even greater improvements. Of course there will be costs, as was mentioned by the Financial Secretary earlier, and we hope that there will be changes to the passages and leave rights. My own feeling is that passages, leave and indeed pensions are more expensive than this Colony can afford and, possibly by next year, I hope to see some changes there.

An item which has also been mentioned is the paper from the Chief Executive which looks to the future. I have only had a quick look through it but a tremendous amount of work has been put there which brings all the various options, or a lot of the various options, together and I think will provide quite a lot of discussion in the future. I only hope that the various people who read this, the various organisations, the SOA, GEU, whoever, will discuss it amongst themselves and come back either to Councillors or the Administration with their comments on it. I think it will provide, if not the blueprint for the future, at least the blueprint for the blueprint as it were.

Lastly, Sir, I also would like to add my appreciation to the work that has gone on at MPA and to the contractors who have done a tremendous job. I still think that job has not been reported enough in the world press or the British press. I think if people in UK realised how much work can be done without disputes etc, etc, and if more people would work like that in Britain, or indeed here, both the Islands and Britain might be better places. Sir, I support the Motion.

The Honourable R M Lee

Your Excellency, Honourable Members. In rising to support this Motion I, too, would like to reiterate the remarks made by Councillors about the Financial Secretary and Chief Executive. I have listened to many speeches made after the Budget and I really thought it was a matter of form that you congratulated Harold on the work that he does but, having seen him in action, I really must say that I am impressed and I really do mean what I say.

On the Budget - it has certainly been an eye-opener for me to see the amount of figures and the costs of everything and I have been quite horrified by the amounts of money we have had to approve.

They are not anything greater than previous Budgets but when you see the figures on a piece of paper it is quite horrifying. One of the major costs I saw throughout the Budget was the cost of labour and it just appears to me that we do spend a huge amount of money paying people to work. That is natural enough, but I would like to take this opportunity to urge all the people that are earning that money to give a good day's work for a good day's pay because we need that. If we are going to develop we need value for money and we do not want any people earning money and not working, we just cannot afford it. I do not just mean the people that are working for Government; that applies to my mind to everyone who is in the Islands. We are in a period of development, there is money about and there is expertise and advice, but we need to work hard for the money that is being spent on us and I think we owe it to the British Government and whoever supplies that money, each and every one of us, to work hard.

On the subject of Old Age Pensions, I could have made remarks earlier as we were passing the Bill but as I had a note to talk about it now I did not bother. I would just like to say to the old folk that I do not think we have gone far enough to increase their pensions but I hope that what we have given them will be an improvement and they will realise that. The other thing I would like to do is urge them not to be ashamed of coming forward and asking for aid or concessions if they feel that they are hard done by. There is no crime in coming forth and asking Government for money. Everyone else does it so they should too.

I do not think I have ever given a speech or said a few words without mentioning FIGAS and the ferry. I realise I am becoming a bore on this subject but that does not deter me. I am quite happy to be labelled a bore if it means I get some results. I am afraid I have to apologise to people in Camp at the moment because the air fares are increased but the service is just the same. You will still have to thumb a lift when you come into Stanley if you want to get into town. And do not get any grand ideas about phoning a taxi because the phone seldom works and neither does the toilet if that is of any interest to you.

On the subject of development I agree entirely with what the Honourable Mr Cheek has said. There is a very interesting paper now, a discussion paper, written by the Chief Executive, and I would urge people to get hold of that, read it, and pass on their comments as soon as possible.

I do not think there is anything else I can say except to touch again on the Argentine episode of the other day. The smoke has now died down, people are not talking about it, but there will be more like it I am quite sure and I would just urge people not to worry unduly about it. It is just a part of the Argentine mentality, I am afraid, to act in this way. The people have Council's support and we will not be moved by their silly actions, there is no possible doubt about that. Sir I wish to support the Motion.

The Honourable Mrs N Edwards

Your Excellency, Honourable Members. In rising to support the Motion for Adjournment, I would like to thank all Honourable Members for putting up with me around the Table this week. This is my first Budget session and my eyes have been opened. As a fat, middle-aged mum with not a good head for figures it enlightened me a great deal to see how Government does its housekeeping and perhaps next year I will be in better shape, in all ways, for the Budget!

I can understand now why the Argentines want to get their hands on the Falklands; it is not for the Islands, they are after our Financial Secretary so that he can sort out their monetary problems and I think he would do it very well. He keeps a very close hand on the purse strings and he is to be much commended for that. He has looked after our money very well over the years and has done so again this year. His Financial Assistants are to be congratulated, too, for all the hard work they do.

The general public do not like Budgets and nobody likes taxes going up, or booze going up or cigarettes going up etc, etc. but I hope that something has come out of this Budget that is on the plus side for our community. The ceiling on estate duties has risen to £50,000 which I think is right and proper and it is a much more realistic figure than the £15,000 it was set at. It should help the less wealthy in our community a great deal. The Family Allowance has been increased a little and a Single Parent Allowance has been introduced, which is to be commended.

Old Age Pensions have risen, although not enough in my view, and I hope that next year we can perhaps put them up even more. I had hoped that perhaps pensioners would have had full concessionary fares on the Islander but a half fare is better than nothing so I suppose we cannot complain about that.

We have had the FIDC report which I have not studied yet but I have to say that FIDC has taken a lot of stick lately. In some respects I think perhaps it is because their public relations at home have not been up to scratch. They have deserved some of the criticism they have had and I hope that in the future we will have a little bit more information a little bit earlier from FIDC on what they propose to do. I know we have a Councillor who sits on FIDC but I do feel as they are shaping the future of the Islands it would be nice if the whole Council were consulted about their proposals. I am not talking about the financial side and the wheeling and dealing that is going on, but just their future proposals before they are presented as almost a fait accompli. I have not looked at the accounts yet, but I might suggest that they move their cabbages to their office because when I was up there I could not put my hand on a pipe because it was so hot. So making a little reduction in the heating bill for FIDC would be in order, but that is a minor point.

I have taken into account, Sir, the Honourable Robin Lee's concern for a ferry. I have to reiterate what I have said before that I feel we have to be very careful before we jump in with both feet, get rid of our present coastal shipping system and get ourselves a ferry, because we have to look to roads etc, and the upkeep of those roads to support a ferry and I think we should take things step by step. I am a little bit worried that we will end up spending a great deal of money, or asking for a great deal of aid, which our grandchildren and our great grandchildren will be continuing to pay off after we have long gone, and I feel we have to look at this whole thing very very carefully before we say yes to Mr Prynn's report.

I would like also to commend the contractors for the work that they have done over this past year. I had thought when MPA opened last year that the work would slow down but, having visited the place earlier in this year, I find that there has been even more work done since the opening of the airport. They certainly have not slowed down. They have worked tremendously hard and they should be greatly commended for what they have done.

One point I would like to mention, it might well not be a small point in fact, but before we take over the MPA Road officially I feel we must insist that the edges are clearly marked, because if you are driving along in the dark it is very very difficult to see the edge of the road. I know there are crash barriers by the minefields but it would be nice to have a white line at the edge of the road before we officially accept it and before somebody goes over the edge.

I had hoped by the time we sat for the Budget session we would have had some decision on the Jersey Estate and the valuation of land. Unfortunately, we still have to wait for Exco to approve the valuations that have been suggested and I would hope that before too much longer we can have that land evaluated for sale so that we can get on with the building programme as soon as possible.

I am delighted that we have voted money for single people's dwellings and the sooner that goes ahead the better for all.

There is just one other thing that I would like to bring up, Sir, and that is Prince Andrew's wedding. I had an R/T conversation today with Mrs Luxton. I think because of Mr Foulkes and the Labour Party and the Argentines shooting up Taiwanese we have rather tended to forget that Prince Andrew is getting married in July and it would be nice if the people of the Islands could contribute to a wedding present for him. I think it should come from the people and not just from Government as an official body. He is rather our special Prince and I think the people would like to contribute to his wedding present. Mrs Luxton pointed out today that this has not been mentioned and I think we might well put this into action before too long - he gets married on 20 July. I am pleased to support the Motion.

The Honourable E M Goss MBE

Your Excellency, Honourable Members. I know my position as last speaker is not envied by some of the other members of Council but from my jumbled notes here I hope I can sort out something. All I do, it is quite easy actually speaking from this end of the Table, because you have all said some nice things and some good things and being last speaker really is a bonus.

In my search around the ceilings and walls for something that you might have missed I noticed the clock needs attention, but I have to look everywhere, have I not. Although I might be the roadsweeper of Council who has just got to pick up the pieces that you have missed I did manage to make a few notes and, if I can decipher them, I may be able to air a few subjects.

Sir, if I can just brush over a few, and particularly one that we must keep in focus and that is to get the world to recognise a median line between the Argentine coast and the Falklands for our economic development and future. I think that is very important to us.

We had a look at our Budget during our deliberations over the last few days and searched for cherries and things, but they are a bit withered. I think the tax reform is a kindly sort of token which I hope will remain static for some years to come so we can give up the usual annual juggle over these things as a little prize here, a little gift there, to take your focus off other rates and duties that might be going up. I hope that we can get away from our usual practice and stabilise it. If this is going to be the income tax schedule let us stick to it, not next year come along and juggle a few bob here or a few bob there because, although it is very nice, there is not a lot there. If it is going to stay like that for some time and not march with all the other things that do then that is fine.

The increase in the Stanley electricity costs do reflect in the Camp in their cost of living because most farms have adopted the Stanley rate for charging their employees. It is a subsidised thing in the Camp and it costs us much more than it does Stanley to produce our electricity. One or two people have asked me what we are doing about the Stanley electrical charges because they understood that with this new power house the cost of electricity to them would actually come down. But we are moving towards every department paying its way and they are going to find it has gone up, and they know it now anyway, but it does also affect the Camp as well.

I think the computation of the Stanley Rates needs an overhaul. I do not think there is any doubt about that. I do not think it is really satisfactory in fairness to everybody in the community and I think Government should look at it very closely.

From my jumbled notes I am still having trouble finding odd subjects that other people have not touched upon. With regard to the services provided by Government it seems that we are moving towards all department's paying their way. I think there always will be some that will be subsidised but the only way we are going to ease that is if we can have more people. Of course, with more people in the Colony they must have something useful to do so that they can produce something, something that earns money, and we must attract them even if it means foregoing some of the revenue on duties etc. However we must have something nice to offer people coming into the Colony and we must have something for them to do.

Now we are very fortunate in lots of ways to have FIDC helping us and guiding us into where we might earn more revenue. When I think of the 5,000 sheep I committed last month to our dog proof compounds for the winged sea birds and scavengers to enjoy, I feel that is a wasted revenue earner. If we could only bone the meat, or crush it up and freeze it into blocks and send it away in ships to pet food markets. I am sure it must have some value and could win a little more revenue for us. If the fishing ships that go at the end of the season have not quite got their holds full, the cool carriers or what have you, maybe they could carry a bit of it for us. It must be of some value and I think it is a field that we could look into.

My notes are so jumbled and the other Members have said so much that this grasping for something to comment on does not leave me very much at all, but what I will support is all the good things that Councillors have said about the efforts and labours of the Financial Secretary and the Chief Executive in this week's work. I beg to support the Motion.

The Honourable The Financial Secretary

Your Excellency, in rising to support the Motion there are a few points that have been mentioned around the Table which I should address.

The first point I noticed, on the financial side, concerns Stanley Rates, and I have been requested by the Honourable Member for Camp, Mr Tim Blake, to circularise all Stanley householders with the computation of Stanley rates and this will be done.

There is provision for persons to become assisted in paying their Rates, which Councillor Clifton referred to. This depends on the financial circumstances of the Old Age Pensioner, but forms are available in the Treasury for any person who wishes to apply, but I repeat, it depends on their financial circumstances.

I do not wish to delay the meeting any longer but it would be wrong of me not to mention some of the nice expressions that have been made at this Table today and pass them on to my staff who are super.

It is quite easy with a good staff and I would also like to pass them on to the Heads of Department and, in particular, to the Attorney General and the Clerk of Councils.

I would support the Chief Executive's arm being twisted even though he is a hard taskmaster and I would certainly support a longer period with him.

I beg to support the Motion.

The Honourable Chief Executive

Your Excellency, Honourable Members, we are now at the end of our labours and the Honourable Financial Secretary has, as usual, summed up our immediate financial future and it falls to me to try to put into context some of the other concerns which we have had over the past six days, which have been expressed in this debate.

May I begin by thanking Your Excellency for the constructive and kindly way in which you presided over our debates. Once again we must, as all other Honourable Members have said, be grateful to the Honourable The Financial Secretary and his hard-working and dedicated team for making sense of our not always very clear deliberations - what the Honourable Member for Camp, Mr Tim Blake, would call our waffle - and getting the results down on paper.

I always think it is particularly gratifying that the Treasury, which is at the heart of Government in these Islands, and is generally so efficient, should in fact be an OSAS - free zone entirely staffed by local people. There must be a message somewhere in that for FIGAS when they lose their last OSAS pilot.

Now, once again, the Clerk and the numerous people in the Secretariat who support him, and Sharon Halford who has provided the refreshments in the Town Hall, also deserve our gratitude for their quiet competence in making all the arrangements. I understand that the Clerk is at the moment displaying his quiet competence in another place. Rosemary and the baby and the proud father to be, or proud father already, we are not quite sure, have our every good wish. And we very much appreciate the willingness and if I may say so, the expertise which Rex Browning has brought in stepping into his place.

We are also grateful to the Public Works Department for the amazing way in which they sustained the electricity supply throughout the Budget session. From my experience of the past two years, I had come to feel that perhaps there was a tradition of concentrating the minds of Honourable Members and officials on the Budget by ensuring that their work took place in conditions of the maximum discomfort and inconvenience in which, perhaps, thermal underwear took the place of the hair shirt.

Before I answer the debate as best I can I want to add my own tribute to the gallant Commander British Forces, Air Vice Marshal Kemball. I have now had the privilege and pleasure of working with two generals and one air vice marshal and soon I shall be able to add an Admiral to my list. I find, Your Excellency, the thought of the Admiral particularly daunting having been a very junior sub-lieutenant in the Navy during my national service. I remember the Honourable Financial Secretary saying to me soon after Kip Kemball arrived, that he seems a real Chay. Not being a Chay myself I am not quite sure what he meant, but I am sure it was meant to be complimentary and I have no doubt that it was well deserved. Kip has, as has been pointed out in this House before, a farming background and I think this has been evident in the very sensitive and sympathetic way in which he has dealt with farmers' concerns in particular, not to mention his exploits at the Stanley race meeting. Behind the scenes he has been wise and helpful and rational; in Executive Council and in Joint Liaison Committee and indeed in the continuing dialogue which is so important in the civilian/military relationship. I join the Honourable Member for Camp, Councillor Tony Blake, in saying that his contribution in this House last Friday when he did so much to clarify for Honourable Members and for the public at large, the horrible events at sea was enormously reassuring. We wish him and Val, who entertained so many of us so well, Godspeed. We speculate as to whether the Tristar will be delayed on their departure day.

Now, having delayed it for as long as possible, I turn to the various points made in the debate. As always, I indemnify myself from the start from any blame for not answering every point and every criticism by entering a specific disclaimer of my ability to do that. But I will do my best to deal with Honourable Members' main concerns.

It was clear, however, that Honourable Members felt that no speeches were needed at this stage of the session to highlight the place that fisheries continues to occupy in people's minds throughout the Islands. The week began with more reports of dead and dying penguins; it continued with a far grimmer report of the loss of human life in the Taiwanese fishing vessel so brutally attacked on Wednesday. Honourable Members have frequently made clear the frustration that they feel at the laborious information gathering process which it seems must precede any negotiations to set up a multilateral zone. They will, I know, continue to feel frustrated until such a zone is established. Indeed, the uncertainty over the future of offshore fishing not only causes immediate concern about stocks and wildlife, but also gives rise, Your Excellency, to an effective planning blight in respect of all those developments related to offshore fisheries, such as joint ventures with fishing companies, harbour facilities and the sort of vessel needed for fishery patrols which we discussed in Select Committee early this week. None of these are easy to agree until the nature of the future control arrangements is known.

The events of the mid week underline how political and tough the world of fisheries can be and perhaps how difficult in practice it would have been to maintain a unilateral zone, but they also underline the urgency of the problem and the need to deal with it sooner rather than later.

Now turning to specific points which were made during the debate. I would like to say first of all how well I believe this Council continues to do its work, and I would like to say how impressed I have been with the contribution of the new Honourable Member for Camp, Eric Goss, in all our deliberations this week. Eric Goss, incidentally, will take the place of former Councillor, Tim Miller, in looking after the Posts & Telecommunications portfolio; he will take his place on the Prerogative of Mercy Committee and also on the Education Committee.

I do not think, if I may say so, that the Honourable Member for Stanley, Mrs Edwards, may feel in any way diffident about her contribution. Along with other Councillors, she is notable for her concern about human beings and the way in which our decisions affect them and that, in my view Your Excellency, is far more important in an Honourable Member than a dexterity with figures which we leave to the Honourable The Financial Secretary.

I would like to address the question of recurrent costs. This is something which has been a concern of Honourable Members of this House since I was in the Islands. The particular concerns at the moment are, I think, the cost of maintaining the road to MPA, the cost of the joint hospital and perhaps, as expressed by the Honourable Member for Stanley, Mrs Edwards, the cost of the Prynn Report. Of course, we have to have the question of recurrent costs in mind in all the developments that we do. It is absolutely critical that we never allow ourselves to get into a situation where we have to have outside support to meet our recurrent costs.

The Honourable Member for Stanley, Mr Lewis Clifton, particularly concentrated on the problems of Stanley. He has himself already contributed valuably by his Motion in respect of Stanley litter and we will do our very best to bring in legislation to meet the requirements of that Motion.

I note also that Honourable Members, for the first time in three years, voted some money for the refurbishment of Sullivan House. I am not quite sure whether Sullivan House is intended to be a tourist attraction or whether that is intended to be some inducement to myself to stay on, as some of you have so kindly suggested, but it is very welcome nevertheless.

More importantly and more seriously, we have voted monies both for the Fire Station and for the improvement of the equipment used by the Fire Brigade. This is something which has been very dear to the heart of the Honourable Member for Stanley, Mr Keenleyside, and I am delighted at the progress that we have made.

I was extremely pleased, not surprisingly, at the kind things which were said about FIDC. I felt, Your Excellency, to have praise from the Honourable Member for Camp, Mr Tim Blake, in this respect was praise indeed, because I know that if FIDC had failed he would undoubtedly have been one of its very sternest critics.

I agree with the Honourable Member for Stanley, Mrs Edwards, that FIDC has not been as good at its public relations as it might have been and that is something that we have to put right in the coming year. I beg leave, however, to disagree about the question of FIDC submitting its various schemes and proposals to this House. The object of setting up FIDC was essentially to set up an organisation which was, to some extent, independent of the kind of bureaucracy and processes which we subject Government Departments to and I think it would be a pity if we did not allow it the independence which I believe it was intended to have when it was set up. Having said that, I think it is always very important that FIDC works within the policies laid down by the Falkland Islands Government, and I think it is very important too, that its management consult with local people about their schemes and proposals. It will be very interesting to read the report of the Falkland Islands Government/ODA joint study of FIDC, or it will be very interesting for other people to read it, I have read it already, when it comes out, and I hope that that in itself will cause there to be more debate about FIDC.

I am also very pleased that Honourable Members have welcomed the document which I have produced about Falkland Island Development Policies and Objectives. I tried for two years to produce a quantified development plan and eventually concluded that what we really needed was essentially to agree on our policies and objectives and allow the figures to reflect them without setting out the figures in the first instance and having the figures, as it were, as hostages to fortune from the start. I believe that that will be another opportunity, provided that that document is widely circulated and widely debated, for people to say what they would like FIDC in particular to be doing and what they would like it not to be doing.

I, too, am delighted with the Honourable Member for Stanley, Mr Cheek, at the Dale Report. I think it gives us a clear way ahead in the Civil Service. I believe that the last time that I spoke in this debate, I found myself in the business of defending the Civil Service against allegations that their morale was low, that they were inefficient and so on and so forth. I am delighted that the Dale proposals appear to give the Civil Service the boost to its morale, if that were needed, and the ability by being well organised and properly structured to deal with the problems of 1986. I think the Civil Service has sometimes rightly been criticised for being a little old fashioned and a little slow to react. But I would remind Civil Servants of the words of the Honourable Member for Camp, Mr Lee, that you have to do a good day's work for a good day's pay.

If I could just refer to one proposal made, I think it was by the Honourable Member for Stanley, Mrs Edwards, and that was the present for Prince Andrew's wedding. In fact Government does have in hand the thought of a present for Prince Andrew's wedding and I would simply like us to consider whether it would be possible in some way to extend the participation in the giving of that present on the lines that Mrs Luxton has suggested.

Before I close, and I am aware that I have gone on rather a long time, I think I should just comment on Honourable Members' Motions and the action that will be taken on them because I think this will be perhaps important to the general public. There have been four Honourable Members' Motions, all enjoying unanimous support.

The first made clear the House's satisfaction at the Marplan poll, but more importantly their utter rejection of the recent proposals for the future of the Islands by a Labour Party committee. A copy of this Motion will be sent to every member of the Parliamentary Labour Party, that is to say to every Labour Member of Parliament and of the House of Lords.

The second Motion proposed tighter legislation and greater efforts to control litter. Officials will be drafting appropriate legislation on the lines of the 1958 UK Litter Act for consideration by Executive Council.

The third Motion asked for Her Majesty's Government's support for the compulsory purchase of Hamilton Estates and the properties of the Estate Louis Williams. As Honourable Members are aware, I advised against the adoption of this Motion but I will certainly not comment further now. I suggest that it would be appropriate, Your Excellency, for Honourable Members to discuss it with Mr Broad of the Foreign & Commonwealth Office who visits the Islands later this month.

The fourth Motion expressed Honourable Members' reaction to the attack on the Taiwanese fishing vessel and that has, along with all the other Motions, been sent to Alastair Cameron in London to deal with as he deems best. But perhaps the most important aspect of the short notice debate which we had on Friday was the extent to which it informed people in the Islands, both about the event itself, and also about Honourable Members' concern over it.

Honourable Members have, incidentally, had a lengthy, helpful and friendly discussion earlier this morning with the Broadcasting Officer about the problems which arose over reporting this incident and indeed about broadcasting policy generally.

Several Honourable Members have kindly said that they would like me to consider staying on in the Islands when my contract expires. I am so taken aback by their remarks that I feel that I should not reply now but reserve my position.

Now can I just say this in conclusion. I began this session by talking about the need for Government, and for FIDC, to make the effort to communicate and for the public to make the effort to find out. I have just referred to the value which the debate on Friday had in terms of providing information and I hope that all our proceedings, going out over the radio as they do, will in themselves have helped listeners to understand a bit more of what we are all, together, trying to do.

I have also on several occasions during this session referred to the wider dimension of our affairs and of the need always to bear in mind what others think of us. I do not need to remind this House that the run up to the General Election in the UK is already beginning and, as the General Election grows nearer, so the Falklands which has gradually become less of an issue in the UK over the past two years will increasingly again occupy the minds of voters and politicians and journalists. The message of the Marplan poll is clear. Let us continue to tell the world, and the British public in particular, of our determination to preserve our identity, of our pride in what we have achieved and of our hopes and plans to continue to make the Islands a better place to live.

The Commander British Forces

Your Excellency, Honourable Councillors. In view of the remarks made in this closing debate, I feel that I must take the opportunity given to rise and support the Motion in order to thank you for your kind expressions of satisfaction with the military and, I believe, thank the Chief Executive for his so favourable reflections on my own personal contribution.

In Your Excellency's address to the last Legislative Council, you referred particularly to the shifting of the day to day business of running the Islands towards the Chief Executive, the Financial Secretary, the Government Secretary and the functional Government Departments. I would just like to say from the military point of view that I believe that has been a success and for us it has made dealings with the Government both easier and more expeditious. That was from your point of view, I think, a vote of confidence in all those involved, but especially in the Chief Executive, which leads me to him personally and his letter which advised us that he was planning to leave the Islands next year. I know there is some time before his departure but it is timely to comment because I will not have a subsequent opportunity to comment upon his great integrity, intellectual grasp of the issues, and his enormous capacity for hard work. He has played a most prominent part in the life of the community and in civil/military relationships and we in the military have great respect for the man and his wise counsel. He would be a great loss to the Islands and perhaps his great contribution will be only properly recognised, as so often happens, after his departure. If his last remarks can be taken to suggest that there is a possibility that that might be delayed I would say it can only be to the advantage of the Islands.

Finally, to close, I would like to do so by recording my own personal gratitude for the way that I have been accepted into the community here, allowed to take part in Government business for which I came totally unprepared and quite unexpected in the career that I chose, but particularly gratitude for the friendship and hospitality which has so warmly been given, not only to myself, but to all the servicemen and women in the Islands. It is of vital importance to the community that this continues and I do not differentiate by saying the civil or military community since we are part of the Falklands community and proud to be so.

I beg leave to encourage voting members to support the Motion.

The President

The Motion is that this House stands adjourned sine die. The House stands adjourned accordingly. I thank you.

QUESTIONS FOR WRITTEN ANSWER

QUESTION NO 1/86 by The Honourable C D Keenleyside

When will work on the Estancia Track recommence?

Reply by The Honourable The Chief Executive

It is not yet known when work on the Estancia Track will recommence. Work has ceased because ODA decline to fund the route chosen by FIG on the grounds that it appears to them to be substantially more difficult and expensive to build than ODA's preferred route, as well as increasing the distance to be travelled from Stanley to Estancia and involving steeper gradients in poorer weather conditions. FIG consider that ODA overestimate the costs and the difficulties of FIG's chosen route in comparison with ODA's chosen route, as well as over-emphasing the significance of distance and steepness which they consider are essentially local considerations for their judgment. Further discussions with ODA are taking place, following a re-examination by officials of the various estimates and taking into account a third route proposed by Councillor A T Blake as a possible compromise.

QUESTION NO 2/86 by The Honourable C D Keenleyside

What is being done to alleviate the present crowded situation in Stanley schools?

Reply by The Honourable The Chief Executive

I agree that the Senior School operates in premises which are inadequate in several respects, particularly in the cramped provision for science and craft subjects and the total lack of space for home economics and the assembly of the whole school. Government hopes that its application to EDF for funds to build an extension to the Senior School, first put to ODA in March 1985, will be agreed for the way would then be open to provide the facilities needed.

At the Infant and Junior School the policy of admitting the "rising fives" at the beginning of the school year has resulted in a total of fifty-six pupils organised into two classes in the infant department. Although the physical resources are considered adequate for the needs of the pupils the demands on the teaching staff are clearly considerable. To help alleviate this burden the Education Department has engaged the services of an additional assistant teacher and each infant class is now looked after by a certificated teacher and a full-time assistant.

QUESTION NO 3/86 by The Honourable E M Goss MBE

The public are becoming aware of certain alarming expenses of the establishing of Fox Bay Village. What decides the gearing of their rates; is it parallel with Stanley rate payers, or higher, because fewer people actually benefit from the costly services provided?

Reply by The Honourable The Chief Executive

The people of Fox Bay Village pay no rates. However, their representatives have expressed a desire to pay rates in acknowledgement of the services provided. I shall advise FIG to give urgent consideration to this once an efficient water system and an efficient sewerage system have been installed, hopefully by the end of 1986. Of course, the people already pay for their electricity at the Stanley rate. The capital expenditure which has been incurred on Fox Bay Village is in no way unreasonable bearing in mind the state of the buildings and the utilities there when it was purchased, its distance from Stanley and the need to expand its infrastructure in line with its economic development.

QUESTION NO 4/86 by The Honourable Mrs N Edwards

Would the Chief Executive ask the FIC if they would be willing to sell to Government, or privately, the plot of land opposite the Kelper Store which has been unused since the demolition of the Stanley Arms over thirty years ago, or would they be willing to sell any of their unused land on Fitzroy Road for future housing or development?

Reply by The Honourable The Chief Executive

If the Executive Council so directs and if Legislative Council will make the funds available, I will certainly approach the FIC on the lines which the Honourable Member suggests. However, it is not yet FIG policy to acquire land on a speculative basis for no specific purpose. The problem of land acquisition and valuation by FIG for development purposes is a difficult one on which Executive Council has yet to reach a decision. It is about to be addressed in a consultative paper prepared by the Attorney General which will receive wide circulation.

QUESTION NO 5/86 by the Honourable Mrs Norma Edwards

There are at present several widows who are senior citizens and whose husbands at their time of retirement from Government Service were not entitled to a pension from Government. Since that time pensions have been granted to long serving Government employees. These ladies, however, have to exist on £19 per week. Would it not be possible to include these few pensioners into the current Government pension scheme for widows of late employees of Government?

Reply by the Honourable the Financial Secretary

The provision for pensions to widows was made in 1979. Ordinance No 5 of 1979 refers. The recommendation for this provision emanated from the 1977 report on the salary structure and conditions of service of the Civil Service by Mr H P Ritchie CMG. It was agreed that it should be made effective from 1st July 1977, ie the date on which the majority of recommendations contained in the report became effective. It was intended to improve the conditions of officers in the service on 1st July 1977 and those who would follow. Some representations were made by the widows of officers who were in the service and retired before 1st July 1977 and the matter was referred back to the Salaries Commissioner. He replied as follows:-

"You have to draw the line somewhere and I think the decision to apply the new Widows and Orphans pensions to officers in the service on the date of implementation of my last report was reasonable. If you went further back, how far would you go? I shall not be recommending any change."

It would appear to be inequitable to consider selecting some other date unless it provided for the surviving widows of all deceased Government officers.

There would also appear to be some injustice in restricting such an extension of the scheme to those few who are resident in the Falkland Islands.

The immediate cost of widening the scheme could be substantial and would probably escalate over the next few years. In the light of the present financial situation of the Falkland Islands Government it is considered that Government would be ill-advised to change the qualifying date.

QUESTION NO 6/86 by The Honourable R M Lee

In view of the many administration problems experienced at Fox Bay Village does Government agree that there should be a position created for a full time Government representative at Fox Bay?

Reply by The Honourable The Chief Executive

Proposals for the administration of Fox Bay Village agreed in principle by Executive Council were put to the Village Council earlier this year and I recently discussed them at length with the Village Spokesperson and the Government Agent. As a result of the meeting the original proposals have now been further refined and slightly changed and should be discussed again shortly in Executive Council. It has not so far been considered necessary to have a full time representative of Government at Fox Bay Village. Some of the problems to which the Honourable Member refers should be eased if FIG is able to agree to a greater degree of local control over some categories of expenditure but

many are simply the result of distance and pressure on FIG resources. The present part-time Government Agent is extremely efficient and in collaboration with the Spokesperson loses no time in making known the Village's needs as they arise; the General Manager, FIDC, to whom FIG have delegated the responsibility of liaison between FIG and the Village, is extremely active in responding to those needs and enlisting the assistance of Government departments to deal with them.

QUESTION NO 7/86 by The Honourable R M Lee

Is it fair to suggest that there will be a ferry link established between East and West Falklands and if so, when?

Reply by The Honourable The Chief Executive

As the Honourable Member is aware, the Prynn Report recommended such a link and that recommendation was accepted in principle by FIG at a meeting of Executive Council on 13 May. However, there is some question as to whether the type of vessel recommended by Prynn is suitable and, as it will be expensive to buy and as its purchase will almost certainly need to come out of aid funds, it will obviously take time to implement the recommendation.

QUESTION NO 8/86 by The Honourable R M Lee

Can Government explain why even though we have a third Islander we have still heard nothing about weekend passenger flights?

Reply by The Honourable The Chief Executive

I refer the Honourable Member to the answer which I gave to a similar question which he asked orally on 1 December 1985 (Question No 17/85). At least until the Civil Aviation Advisory Committee (which is now meeting regularly) has reported I am sorry that I cannot really be more helpful or encouraging than I was then. I entirely endorse the sentiment behind the question.

QUESTION NO 9/86 by The Honourable R M Lee

Will the administration give an assurance that in future they will make available to the public copies of the many reports written by visiting experts and advisers?

Reply by The Honourable The Chief Executive

I agree entirely with the desire for open government which the Honourable Member underlines in his question. I am also aware of the extent to which the consultants whom FIG or FIDC employ to write reports rely both on the information and on the hospitality provided by Islanders who are then understandably curious to know what the consultants write.

Some reports are intended for public consumption and can be published immediately. Such was the Calcutt Report on the hospital fire. Others, specifically because they make recommendations with which Government may or may not agree, can only be published after Government has considered them. Such is the Dale Report. Others may never be intended for publication because the matters they describe must remain confidential either because of the subject matter or to protect their sources. Many reports are simply too lengthy to make generally available, unless the public are prepared to buy them and pay the cost of producing and distributing the additional copies.

Such a blanket assurance as the Honourable Member requests is not therefore possible. Nevertheless, I will make it my business to see that both FIG and FIDC bear in mind the concerns which he has reflected in dealing with any future reports.

QUESTION NO 10/86 by The Honourable D L Clifton

Within this Budget we are likely to be asked to vote further capital and recurrent expenditure for the stabilising of the Fox Bay East infrastructure. Can the Honourable the Chief Executive indicate the total capital input to date from both FIG and FIDC sources and if he can indicate what further capital funds will be necessary within the next 5 years for Fox Bay East?

Reply by The Honourable The Chief Executive

The total capital expenditure by FIG related to Fox Bay Village was £214,952 in 1984/85. Further capital expenditure amounting to £217,590 is shown in the 1985/86 Revised Budget and £64,640 will be requested in the 1986/87 Budget. There are at present no plans for further capital expenditure by FIG at Fox Bay Village beyond that although a figure of £30,000 out of aid funds is available for further expenditure on electricity generation. Further housing could be required in future years and this might also involve further capital expenditure on the provision of services. FIDC have not provided any capital input for infrastructure at Fox Bay.

QUESTION NO 11/86 by the Honourable D L Clifton

As part of my manifesto to the electorate, in September, I indicated my support for tax deductions to be available to those owners/occupiers of dwellings who may effect considerable home improvements. Reference was made to the Fiscal Adviser, during his visit in November, on this matter. Is the Honourable the Financial Secretary in a position to report on the representation made to the Fiscal Adviser?

Reply by the Honourable the Financial Secretary

The Fiscal Adviser did not leave any papers on this matter. Mr Ritchie has now been asked to comment on the suggestion of introducing tax relief for home improvements in respect of owner/occupier dwellings. A copy of Mr Ritchie's reply will be sent to you immediately it is received.

A similar question, No 12/85, was raised by the Honourable H Bennett OBE JP in 1985 and I append a copy of the question and the reply given for your information.

**QUESTION NO 12/85 TO LEGISLATIVE COUNCIL BY THE
HONOURABLE H BENNETT OBE JP**

Will Government consider giving tax concessions to owners of property in Stanley who carry out repairs/improvements to their property? If such incentives were offered owners would be able to afford a great deal more to effect improvements; costs of materials and labour make it prohibitive on the present low wages for them to do so.

Reply by the Honourable the Financial Secretary

Certain aspects of this question have much to commend it, but it would be inequitable that the taxpayer reaching the higher tax bracket would derive a greater benefit than the taxpayer who is only subject to the lower tax bands. In fact some of our senior citizens, who are not taxable, and who in all probability have greater difficulties in maintaining their properties, would not derive any benefit whatsoever from such a scheme. A more equitable method to encourage repairs to and maintenance of property would be the introduction of improvement grants. However, owing to the financial situation of the Colony at the present time such a step could not be recommended.

QUESTION NO 12/86 by The Honourable D L Clifton

It is expected that the new modern Military/Civilian hospital will be ready for occupation towards March 1987. Can it be assumed that the present high rate of sending pregnant mothers overseas for childbirth will cease and sufficient midwives will be retained in the anticipated hospital staffing structure? The Honourable the Chief Executive omitted any mention of midwives in his Oral reply in this House in October.

Reply by The Honourable The Chief Executive

The Civilian and Military Medical departments, whether, as now, in separate hospitals, or as planned for 1987, in a new joint hospital provide a combined expertise sufficient to manage most surgical and medical emergencies, and much of the routine clinical care of patients. There exist areas, however, where expert consultant supervision, necessary for the safe professional care of some patients, is not available on the Islands. One of these areas is the care of expectant mothers where there is reason to suspect that the management of the pregnancy might be complicated. Whilst the recruitment of medical staff takes this requirement into account, recent obstetric experience being a prerequisite of appointment of a medical officer, it is clearly impossible to provide consultant care for the complicated pregnancy in either the Civilian or Military establishment.

Consultant care, whether it is for expectant mothers, or in other specialities, must remain the province of the consultant centres overseas.

Every effort is made to undertake the safe delivery of expectant mothers in the Islands. The Medical Department offers a standard of care commensurate with that provided by a peripheral Maternity Unit in the United Kingdom. Nevertheless, where the safety of mother and baby is concerned, the Medical Officer must act in the best interests of both. To do otherwise would be negligent.

Contrary to what the Honourable Member says, the number of pregnant mothers sent overseas is not high in relation to total deliveries, apart from the exceptional period after the hospital fire, as this table indicates:

Year	Falkland Islands Deliveries	Overseas Deliveries	Total	Percentage Overseas
1979/80	26	5	31	16%
1980/81	21	4	25	16%
1981/82	23	1	24	4%
1982/83	25	1	26	4%
1983/84	18	8*	26	31%
1984/85	21	4	25	16%
1985/86(to date)	22	3	25	12%

*includes four referred after fire because of loss of hospital.

Midwives are retained on the Medical Department establishment in order to undertake the care and delivery of mothers in the uncomplicated pregnancy. It is Medical Department policy that a doctor should be present at all deliveries. The number of midwives in post has no bearing on the referral rate overseas where anticipated complications require consultant obstetric

care. In order to provide a less onerous on-call commitment for the midwives, it is planned that all five civilian sisters posts on the establishment of the new hospital will be filled by nurses with midwifery qualifications.

QUESTION NO 13/86 by The Honourable R M Lee

In view of the recent very successful and well attended farmers Open Day will Government reconsider offering free or reduced flights on a yearly basis for such an event?

Reply by The Honourable The Chief Executive

I note that the Honourable Member drew Government's attention to this issue in his speech on the Adjournment on 11 December 1985. I also note that FIDC paid FIG almost £4,000 in fares for the farmers Open Day held on Thursday 1 May. I believe it would be sensible for FIG and FIDC to consider whether the cost of such days might not be more evenly spread between them and I will undertake to have this possibility examined.

APPENDIX B

EXTRAORDINARY DEBATE (30.5.86)

The Honourable A T Blake

Your Excellency, I request the leave of the President that the business of this House be adjourned so that Members may debate a matter of grave importance, namely the incident which occurred on the Northern edge of the FIPZ last Wednesday.

The President

Thank you. I am glad to accede to that request and would invite the Commander of the British Forces in the Falkland Islands, Air Vice Marshal Kemball, to make a statement about the events of the 28th May. The Air Vice Marshal.

The Commander British Forces

Your Excellency, Honourable Councillors. I am very pleased to present this report of incidents concerning the Argentine fishery protection activity outside the Northern edge of the FIPZ on the 28th May. The incidents all took place outside the FIPZ which is of 150 miles radius but based on a geographic point in the centre of Falkland Sound. They also took place outside a 200 mile line drawn from the Argentine mainland but inside a 200 mile line drawn from the Falklands coast. The report will follow in chronological order although not all the facts that I will report were known in that sequence. However, both incidents featured extensively on use of the 4.5 megahertz communications and this net was widely monitored and considerable information and intelligence on events at the scene of the action was available by that means as they occurred.

The incidents started at about 08.30 local time when a report was received on the farmyard net of harassment of the Chii Fu No 6 which had occurred since 05.45 and it was claimed that this included a shooting incident at position 49.10 South, 061.00 West.

The Chii Fu No 6 had first been ordered to stop on VHF. The vessel had refused to stop because he was outside the Argentine 200 mile limit. However, he was then fired upon and continued and in fact entered the FIPZ when the Argentine vessel broke off pursuit. Some time later, the Argentine had moved away slightly towards the North East and came upon a number of other vessels, whether he attempted to arrest some of those is not clear, but a little later it became clear that he was pursuing three Taiwanese vessels towards the North East. The slowest of these was the Chiann Der 3 and eventually at about 11.23 he had closed to 1.7 miles and the Chiann Der, under his instructions, hove to at a position 48.56 South, 060.18 West. Boarding was impossible due to the adverse weather and the Argentine instructed the Chiann Der 3 to set course for Puerto Deseado.

The Chiann Der then began a spirited attempt to buy time, negotiating on the radio, and there was a long exchange between the two vessels with the Argentine threatening to use force and the Chiann Der refusing to cooperate. This continued until 14.11. At 14.20 a final deadline was issued by the Argentine vessel Prefecto Debray, for the Chan Der 3 to submit to arrest. However the fishing vessel tried to escape, putting the steerage on autopilot control and the crew took cover in the engine room.

There was then a considerable break in transmission and obviously during that time the Debray fired on the Chiann Der 3, setting him on fire. At 15.15 a third party vessel reported that the firing had ceased and also called for assistance. At 15.30 a warship which we had already sent to the edge of the FIPZ as soon as we heard of the incident received a 'Mayday' on 4.5 megahertz and she was instructed to offer assistance and, subsequently, at 15.32 the Mayday was received, or at least heard, in the Joint Operations Centre. There was no response to the warship's offer of assistance.

At the same time we also had a C130 Hercules aircraft on a maritime reconnaissance mission which was in the area and which had been again diverted to the area as soon as the incident had opened. At 15.49 a second fishing vessel, the Yu Chuan Far, also offered assistance and the Debray gave clearance for that vessel to close with the burning Chiann Der No 3.

Over the next period of time the warship offered further assistance but obtained no response and the situation appeared that survivors were being taken off from the Chiann Der 3 either by the Argentine coastguard vessel or by the fishing vessel Yu Chuan Far. At this time we attempted to contact the rescue co-ordination centre at Comodoro Rivadavia in order to ascertain what the situation was and to offer further assistance but we were unable to establish contact due to the lines being engaged.

We moved a further vessel further North to act as a possible refueling base for search and rescue helicopters and when it became possible that there were bodies in the water, and it was felt that it would be difficult for surface vessels to provide an adequate rescue for them, both due to the high seas and also with dusk approaching, we scrambled two search and rescue helicopters to the area and, also, a further maritime reconnaissance aircraft to act as top cover for them as the previous aircraft was becoming short of fuel. That was at about 17.30.

At 18.30 as the helicopters reached the area the crew of the fishing vessel became accounted for with 21 survivors in Debray, of whom 3 were injured, but it was claimed that none of them were injured seriously. However, there was in addition one dead. At the same time we established communication with the rescue co-ordination centre at Comodoro Rivadavia and informed them that we had sent helicopters to the area.

At 19.42 we recalled the rescue helicopters and the maritime reconnaissance aircraft. They had sighted the Chiann Der 3 which was burning from stem to stern with no possibility of survivors on board, or sign of them in the surrounding sea. They had also established contact with the Argentine vessel and established with him that the Captain of the Chiann Der 3 was satisfied that all members of his crew were accounted for. The only final part of it is that today we have again sighted the Chiann Der 3 in the area still burning and with a 30 degree list. A navigation warning has been issued to shipping. That completes a factual review of the events.

There are two points that I believe I should cover as I know that they have raised questions in peoples' minds. The first is why, if the arrest was based on a claim to the Falklands, that the Falkland Islands are Argentine, why the British Forces did not take action against the Argentine coastguard vessel? The basis for that is that we do not claim water, or sovereignty over water beyond the three mile limit from the Falkland Islands and beyond that area it is high seas. There is the Falkland Islands Protection Zone which is banned to Argentine vessels. There is no claim for an economic zone extending from the Falkland Islands. Thus the incident took place on the high seas outside the FIPZ; it did not involve British interests and it did not constitute a threat to the Falkland Islands directly in military terms. We did send the vessels to the edge of the FIPZ to ensure its integrity. The status of warships on the high seas is that they are representatives of the sovereignty and independence of the state to which they belong and they remain subject to that state's exclusive jurisdiction in all circumstances. Thus they may not be boarded, searched, detained or arrested by the authorities of any other state. Therefore we took action to preserve the integrity of the FIPZ and we allowed the Argentines to continue with this incident, for which they must bear full responsibility.

The other point is one which concerns the rescue, and the Mayday call that was received in the Government radio shack. The normal procedure for Mayday calls is that they should, in the first instance, be responded to by people or a station that is able to offer material assistance. In this case, the warship in the area had already received the transmission and therefore the advice was passed to our representative in the Government radio shack that there was no need for it to be acknowledged, thereby putting further transmissions on that frequency.

In fact we continued to offer assistance from the warship and then, subsequently, when the need arose, with search and rescue helicopters from the mainland. That concludes the statement that I think covers the incidents. However, I would be prepared to elaborate if there are any further questions on the facts.

The President

The House is most grateful to the Commander British Forces for his statement of the events which occurred on the 28th May and his further explanations. Perhaps later this afternoon it would be appropriate for the Commander to make a further contribution in the light of questions which Honourable Members themselves may have, but at this stage I would invite the Honourable Chief Executive to read into the record a statement made yesterday, the 29th May, on the incidents by a spokesman for the Foreign & Commonwealth Office in London. The Honourable the Chief Executive.

The Honourable Chief Executive

Your Excellency, Honourable Members. The spokesman for the Foreign & Commonwealth Office spoke as follows:

"We greatly deplore the Argentine use of force against an unarmed vessel on the high seas which was both unjustified and excessive. We are shocked at the tragic loss of life and the sinking of the vessel. The British Government rejects Argentina's claim to exercise jurisdiction over the waters in question. This action amounts to an attempt to pursue a sovereignty claim by force. The British Government believes that the regulation of fisheries in the South West Atlantic is an international problem that calls for an international solution based on cooperation. It is for this reason that the British Government has supported moves in the United Nations Food and Agriculture Organisation for a collaborative approach to conservation and management of the South West Atlantic fishery and has urged all the countries concerned, including Argentina, to support it. Yesterday's incident illustrates all too vividly the validity of this view. Earlier this week the British Government reminded the Argentine Government through the Swiss Government of the need to avoid actions in the South West Atlantic that could increase tension."

The Honourable L G Blake OBE JP

Your Excellency, I beg leave to introduce a Motion to the House.

The President

Permission is granted to that and I will invite the Clerk of Councils to read the Motion.

The Clerk

"MOTION BY THE HONOURABLE L G BLAKE OBE JP

That this Houses wishes to express in the strongest terms its condemnation of the action taken by the Argentine Democratic Republic in sinking an unarmed fishing vessel with the consequent loss of life and injury to the vessel's crew. This regime which professes that it is its intention to settle disputes by peaceful means has shown how shallow these intentions are. We would commend Her Majesty's Forces for their efforts to assist the injured with immediate medical attention and support wholeheartedly the British Government's rejection of this attempt by Argentina to pursue by force their sovereignty claim over the waters in question."

The Honourable L G Blake OBE JP

Your Excellency, this week we have seen one more in a series of acts by the Argentine Government to provoke our forces, to cock a snook at Her Majesty's Government. We have been encouraged by some members of the Opposition parties in Britain to view more favourably the Argentine Democratic Government, yet that Government has had to admit that it was not in full control of its vessel and that it was acting without full authority. I draw the attention of the House to such statements and draw attention to those who seek to encourage us to view Argentina more favourably than the Argentine Government is not yet in control of its own house. Sir I beg to move the Motion.

The Honourable A T Blake

Your Excellency, in seconding this Motion, I would like to point out to our constituents both in Stanley and in Camp, perhaps in my case particularly to those people in Camp, that I acted as quickly as possible in the interests of those people who expressed concern to me about the events that have passed and Council has been, in actual fact, considering what action should take place regarding the last two days.

This matter was discussed at a special Executive Council meeting yesterday and we were briefed both by Your Excellency and by the Commander British Forces. We were briefed again today when further information was available. So I do extend thanks to all those people for bringing the matter to my, and our, attention, We were very busy at the time and those people were in a better position to know what was going on than we were ourselves in this House.

It comes as no surprise to me that this action has happened. It has been shaping up to it for a long time and there are those, I am sure, who have memories of similar types of events happening in the past.

The Argentine Government either has absolutely no control over certain elements of its armed forces or it has made a deliberate attempt to provoke an incident which is going to increase tension in the South Atlantic. I would submit that the actions justify the Islanders' attitude towards movements that may be made to unify us with Argentina in some way or another and I would also submit that it justifies the action of Mrs Thatcher's Government. I beg to second the Motion.

The Honourable D L Clifton

Sir, I rise to support this Motion and I also rise to thank the Commander British Forces for putting forward such an excellent brief. The facts are much clearer today than they were yesterday. I regret that it is, perhaps, inexcusable that we were not able to relay the information to our constituents sooner than this hearing here today.

I wonder, Sir, if I may briefly refer to the United Nations debate in November last year when Dr Caputo said that the Argentine Government is convinced that the rule of international law and the peaceful settlement of disputes, in addition to being the very basis of co-existence among nations, also provides to date the most practical, simple and effective way to resolve conflicts. I wonder, Sir, how this particular gentleman would interpret that statement today. The attack on the Taiwanese vessel was one of outright armed aggression. It is one we have seen here before; it is one we want to stem at the very outset. My heart goes out to those people who were involved in that incident on Saturday, the Taiwanese. It leaves no reason for us here to think any better of the Argentine Government today, however democratic it may seem to be at first glance. The Argentine Government have been simply armed aggressors in this matter and there is no excuse whatsoever Sir. I beg to support the Motion.

The Honourable C D Keenleyside

Your Excellency, Honourable Members. I believe this disgraceful incident highlights the fragile nature of the Argentine Government's control, or indeed its lack of control, over its armed forces. The Taiwanese captain displayed commendable courage and also showed how little he thought of the Argentine's claim to our territory and our waters and incidents such as this will give the world a chance to think again about the so-called peaceful nature of the present Argentine Government. The subsequent recall of the Taiwanese fishing vessels is regrettable. These fishing boats were fishing outside the Falkland Islands Protection Zone as a result of an agreement between their Government and the British Government. They were to have withdrawn from the Falkland Islands Protection Zone on the 24th of May. This they had done as part of the Voluntary Restraint of fishing in Falklands waters. That they had to do so under such disgraceful conditions I think is unspeakable. Thank you.

The Honourable J E Cheek

Your Excellency, Honourable Members. In rising to support this Motion I endorse everything my colleagues have already said.

Sir, some days ago, The Times, in a leader writing about the subject of the Falklands and their defence, said something along the lines of "where is the threat from Argentina today?" I think their answer came two days ago. Although the British people may believe that the Argentine democratic government, as it now is, is no longer a threat, I do not think we in the Islands have ever changed our minds at all since the 2nd April 1982. Whether or not this incident was under the direct orders of the Argentine Government it was, nevertheless, obviously ordered by at least part of the Argentine Navy. I do not think the use of force is far from the minds of many within the Argentine armed forces, if not their current government. As we have said many times before, however much we would like to see that democracy in Argentina continue, how long in fact will it continue?

I would like to commend, as the Motion has already done, the fast action of the British military forces here, the rapidity with which they offered assistance to save lives and to provide medical assistance. That the Argentines were not prepared to accept that is no fault of the British military forces here.

One last thing, Sir, I have been appalled by the lack of news items on this incident emanating directly from the Falkland Islands Broadcasting Station. The rapidity at which sports programmes can be rescheduled at almost a moments notice shows that there is the expertise there to do it, and the speed at which the Broadcasting Officer can report to various news agencies in Britain shows that he too has that expertise. I would hope that in the future the dissemination of information will come first to the Islanders. Thank you Sir.

The Honourable R M Lee

Your Excellency, Honourable Members. In rising to support this Motion, I would just like to say that as an instigator of this very special meeting today, I would like to allay anyone's fears that they may have, that we are actually worried about the possibility of any further Argentine action. The purpose of this meeting is not to upset people or worry them in any way. It is more a purpose to demonstrate just how united we all are within Council on this. We feel we could not just let it happen once again and not say anything. We are all in a position to call a meeting and we thought about it very carefully and this is what has happened. But there is no reason for anyone to be alarmed. Just be assured that we are all united in our thoughts about this dreadful business. I think most things have been said. We all deplore the actions of the Argentines over the last two days. It is very typical of them; there is nothing new at all.

I think we can again be reassured by the way the military handled the situation. They were on the spot very quickly and I think it is very encouraging to see just how well organised they are and how quickly they can get their forces to a given area. I really do not think there is much more I can say. The Argentine actions have just hardened our resolve to have absolutely nothing to do with the present Government. They have years ahead of them yet before I am prepared even to talk to them and I think their mismanagement of their patrol vessels is a classic example of the state and terrific muddle they are still in. Sir, I wish to support the Motion.

the Honourable Mrs N Edwards

Your Excellency, Honourable Members. In rising to support the Motion I, too, would reiterate what my colleagues have already said. It is no surprise to us that the Argentines have acted in this way. It is what we have come to expect of them. They seem to be very adept at playing the game of brinkmanship and I expect they will go on doing so. I think it does point to the rest of the world exactly what their democratic government is about. We all know that they are not as democratic as they would like the world to think and it is appalling that they can go into international waters and shoot a defenceless ship. As I say, it is what we have come to expect of them. I would like to commend the British forces on the way they acted. They acted very honourably and very swiftly and I think they are much to be admired for the way they handled the whole situation. I have nothing else to say, Sir, other than that I support the Motion.

The Honourable E M Goss MBE

Your Excellency, Honourable Members. In rising to support the Motion I, too, add condemnation to what is an act of piracy and plunder on the high seas, a practice I thought went out with the last of the Caribbean buccaneers. If action had been taken some years back on a suggestion I put to the Minister, Ted Rowlands, to establish a median line, equidistant between the extreme Western point of the Falklands and the nearest Argentine land, in other words a half way mark on the map, had this boundary been put in place, perhaps by the World Council of the Sea, Wednesday's events might not have happened. I thank the Air Vice Marshal Kemball for his report and the good intentions of the British forces involved. I note his description of our radio station and I agree with the remarks made by other Councillors on the subject. I support the Motion.

The Honourable The Financial Secretary

Your Excellency, purely as an official on this Council, although I am a Falkland Islander through and through, I wish to associate myself very strongly with the Motion introduced by the Honourable L G Blake.